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COVER NOTE

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| From: | European Commission |
| date of receipt: | 8 February 2017 |
| To: | General Secretariat of the Council |
| No. Cion doc.: | D047851/02 |
| Subject: | Commission Decision (EU) .../... of XXX on the reference document on best environmental management practice, sector environmental performance indicators and benchmarks of excellence for the food and beverage manufacturing sector under Regulation (EC) No 1221/2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS) |

Delegations will find attached document D047851/02.

Encl.: D047851/02



Brussels, **XXX**
D047851/2
[...] (2016) **XXX** draft

COMMISSION DECISION (EU) .../...

of XXX

on the reference document on best environmental management practice, sector environmental performance indicators and benchmarks of excellence for the food and beverage manufacturing sector under Regulation (EC) No 1221/2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS)

(Text with EEA relevance)

COMMISSION DECISION (EU) .../...

of **XXX**

on the reference document on best environmental management practice, sector environmental performance indicators and benchmarks of excellence for the food and beverage manufacturing sector under Regulation (EC) No 1221/2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS)

(Text with EEA relevance)

(Text with EEA relevance) THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS)¹, and in particular Article 46(1) thereof,

Whereas:

- (1) Sectoral reference documents developed by the Commission in accordance with Regulation (EC) No 1221/2009 are necessary to help organisations in a given sector better focus on the most important aspects of their environmental management and facilitate the evaluation, reporting and improvement of an organisations' environmental performance. They include best environmental management practice, environmental performance indicators and, where appropriate, benchmarks of excellence and rating systems that permit the identification of environmental performance levels in those sectors.
- (2) The best environmental management practices presented in the Annex of this decision address key environmental issues identified for the food and beverage manufacturing sector. They should also foster a more circular economy by identifying concrete actions to improve waste management, to stimulate the use of by-products and to prevent food waste.
- (3) Meeting the benchmarks of excellence identified in the sectoral reference document is not mandatory for EMAS-registered organisations since EMAS leaves the assessment of the feasibility of the benchmarks, in terms of costs and benefits, to the organisations themselves.

¹ OJ L 342, 22.12.2009, p. 1.

- (4) Regulation (EC) No 1221/2009 requires EMAS registered organisation to take sectoral reference documents into account when developing their environmental management system and when assessing their environmental performance in the environmental statement prepared in accordance with Annex IV of Regulation (EC) No. 1221/2009.
- (5) The food and beverage manufacturing sector addressed in the Annex of this Decision was identified as a priority sector for the adoption of sectoral and cross-sectoral reference documents in the Communication from the Commission - Establishment of the working plan setting out an indicative list of sectors for the adoption of sectoral and cross-sectoral reference documents, under Regulation (EC) No 1221/2009 on the voluntary participation of organisations in a Community eco-management and audit scheme (EMAS)²
- (6) The measures provided for in this Decision are in accordance with the opinion of the Committee established pursuant to Article 49 of Regulation (EC) No 1221/2009,

HAS ADOPTED THIS DECISION:

Article 1

The sectoral reference document on best environmental management practice, sector environmental performance indicators, and benchmarks of excellence for the food and beverage manufacturing sector is set out in the Annex.

Article 2

EMAS-registered organisations in the food and beverage manufacturing sector shall take the sectoral reference document referred to in Article 1 into account and shall therefore:

- Use relevant elements of the sectoral reference document when developing and implementing their environmental management system in light of the Environmental Reviews.
- Use the relevant sector-specific environmental performance indicators described in the sectoral reference document to report on performance related to the more specific environmental aspects identified by an organisation in its environmental statement.
- Mention in their environmental statement how the relevant best environmental management practices and benchmarks of excellence have been taken into account to assess the environmental performance of the organisation and the factors related to that performance.

Article 3

This Decision shall enter into force on the ninetieth day following that of its publication in the Official Journal of the European Union

² OJ C 358, 8.12.2011, p. 2.

Done at Brussels,

For the Commission
Karmenu VELLA
Member of the Commission