

Public procurement in EU

Public procurement refers to the process by which public authorities, such as government departments or local authorities, purchase work, goods or services from companies.

To create a level playing field for businesses across Europe, EU law sets out minimum harmonised public procurement rules. These rules govern the way public authorities and certain public utility operators purchase goods, works and services. They are transposed into national legislation and apply to tenders whose monetary value exceeds a certain amount. For tenders of lower value, national rules apply. Nevertheless, these national rules also have to respect the general principles of EU law.

Why public procurement is important

As children spend almost a third of their day in kindergarten or school and consume a large part of their daily energy intake in educational environments, the types of environments present are important factors in the development of childhood obesity. Strong evidence of the importance of access to healthy and balanced nutrition in schools for children's health is available, and a nutritionally regulated school environment is associated with a lower risk of childhood obesity, which can also be facilitated by a transparent and quality-oriented procurement system. At an estimated €82 billion, the European social food service market is sizeable in both reach and force. Progressive and targeted public procurement of food for health can reward food business operators who provide nutritionally balanced meals and food products, prompting innovation, food reformulation and social responsibility to achieve better diets and positively impact public health. According to the EU Action Plan on childhood obesity, action such as use of nutritional criteria in food service procurement should be required in schools and kindergartens; such action can also be used in hospitals and residential homes.

Early childhood obesity prevention should be a public health priority. Measures to prevent childhood obesity, which affect society, politics and the environment, have the greatest potential to produce the desired effect. Policy interventions can address economic, social and communication factors and can be targeted at the level of society (state law, industry-level improvements, social marketing), populations (regional rules) or the local community and families in the community approach. Stakeholders are to be participatory engaged in the processes, from all spheres of the society: formal and non-formal, public and private, profit and non-profit. The power of individual stakeholders has to be considered, as in the case of private actors, where globalisation is substantially shaping food options and choices: 77% of processed food sales worldwide are controlled by just 100 large companies.

The main focus of the Work Package 7 will be on public procurement of healthy food in public settings, thus contributing to increased offer of healthier options of processed foods (by reducing salt, sugar and fat from the processed foods) available in EU (super)markets.

What needs to improve in public procurement of food

The implementation of the nutrition- and food-related standards in school food public procurement has been flagged as a challenging situation. In other words, despite the existence of school food standards these remain in practice and in many cases not fully implemented. This is a serious obstacle for attaining Member State objectives related to public health but also to education and the internal market. Chefs and kitchen staff, although instrumental in the process, have been found difficult to engage. The evaluation of the bids and the monitoring of contract performance were also flagged as important issues where insufficient or inappropriate resources and not having enough time for the complex procurement procedure further complicate the matter. Knowledge about rules and execution of the actual procurement procedure was mentioned as equally important as knowledge about food and nutrition. Procurement professionals must be engaged and made fully aware of the context, needs and experiences of the school(s) or the sector. Public procurement authorities should be prepared to provide guidance, supervision and hands-on help to schools and kindergartens regarding food quality.

A recent survey on existing and national legislation (carried out as part of Best ReMaP project) highlighted the following problems:

- the cost of the procured foods is the main variable that matters in public food procurement
- hard job writing a tender material and hard to specify all the goods
- the public tender without open lots
- the implementation of guidelines is not mandatory
- insufficient legislation and regulations that define nutritional standards in schools

References

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