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EU Commission's UTP Evaluation Confirms Need for Reform

EMB Calls for Clear Rules Ensuring Cost-Covering Prices

The new evaluation report by the European Commission on the Directive on Unfair Trading Practices (UTP) makes one thing unmistakably clear: current legislation still fails to provide sufficient protection for farmers. The European Milk Board asbl (EMB) strongly welcomes the Commission's intention to revise the directive in order to strengthen producers' position in the food supply chain.

Report Findings: Small Improvements, but Insufficient Progress

According to the European Commission's assessment:

- There is still no confirmation that unfair trading practices have significantly declined since the implementation of the directive, even if initial data indicate improvements in areas such as late payments.
- Member States have appointed enforcement authorities and imposed initial sanctions.
- However, major structural shortcomings remain: Many producers are insufficiently aware of their rights, and many refrain from filing complaints for fear of potential retaliation or negative consequences.

Why a UTP Revision Is Necessary

The Commission's analysis shows that while the UTP Directive provides a starting point, it does not sufficiently protect farmers from unfair practices. The structural imbalance of power between producers on the one hand and large retail or processing companies on the other persists unchanged.

The planned revision — including a comprehensive impact assessment — is therefore an essential and timely step. It must be used to close the substantial remaining gaps. The EMB strongly welcomes the Commission's willingness to examine these challenges systematically and to assess a broad range of possible solutions.

EMB Demands for the Revision

To achieve meaningful results, the EMB calls for the following core elements in the UTP reform:

1. EU-wide ban on producer prices below production costs

Only a clear and binding legal framework — based on full costs including a fair income — can prevent producers from being systematically forced to sell below value, jeopardising the economic viability of the entire sector.

2. Inclusion of the EMB legislative proposal

The EMB has developed a detailed proposal for the necessary legal amendment. It offers a practical and implementable model that the Commission should take into account. [See EMB proposal here.](#)

3. Stronger and more effective enforcement

Revised rules must include clear sanctions, transparency obligations, reliable protection for farmers filing a complaint and efficient procedures — ensuring that farmers can lodge complaints without risk and unfair practices are genuinely reduced.

4. Establishment of a stable market framework

A strengthened UTP Directive should create the foundation for a fair market environment, prevent chronic price dumping, and safeguard the long-term future of European milk production.

The Commission's evaluation clearly confirms the need for action. The planned revision of the UTP Directive presents a crucial opportunity to address the structural weaknesses in the food sector. The EMB calls on EU policymakers to seize this

moment — to reinforce farmers' rights and to secure a fair and sustainable food supply in Europe.

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