

*EU-New Zealand Free Trade Agreement  
Without prejudice*

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*The texts are published in view of the public interest in the negotiations for information purposes only and they may undergo further modifications, including as a result of the process of legal revision. These texts are without prejudice to the final outcome of the Agreement between the EU and New Zealand.*

*The texts will be final upon signature. The Agreement will become binding on the Parties under international law only after completion by each Party of its internal legal procedures necessary for the entry into force of the Agreement.*

## CHAPTER X

### SUSTAINABLE FOOD SYSTEMS

#### ARTICLE X.1

##### Objectives

#### ARTICLE X.1.1

The Parties, recognising the importance of strengthening policies and defining programmes that contribute to the development of sustainable, inclusive, healthy, and resilient food systems, agree to establish close cooperation to jointly engage in the transition towards sustainable food systems.

#### ARTICLE X.1.2

This Chapter will be applied in addition to, and without prejudice to, the provisions of other Chapters of this Agreement related to food systems or to sustainability. In particular: Chapter AA on Sanitary and Phytosanitary Measures (SPS), Technical Barriers to Trade (TBT) and Chapter BB on Trade and Sustainable Development (TSD).

ARTICLE X.2

Scope

ARTICLE X.2.1

This Chapter shall apply to the cooperation between the Parties to improve the sustainability of their respective food systems.

ARTICLE X.2.2

This Chapter details provisions for cooperation on areas which can achieve more sustainable food systems. Indicative areas for cooperation are listed at Article X.4.

ARTICLE X.2.3

The Parties recognise that priorities for cooperation may change over time as the domestic and international understanding and treatment of food systems develop. The Sub-committee established in Article 5 will identify the priorities for cooperation and the actions to implement them.

ARTICLE X.3

Definition

ARTICLE X.3.1

The Parties recognise that food systems are diverse and context-specific, encompassing a range of actors and their interlinked activities across all areas of the food system, including: the production, harvesting, processing, manufacturing, transport, storage, distribution, sale, consumption, and disposal of food products.

ARTICLE X.3.2

For the purposes of this Chapter, and acknowledging that definitions of sustainable food systems (SFS) can adapt over time, the Parties consider sustainable food systems (SFS) to be food systems which ensure access to safe, nutritious, and sufficient food all year round in such a way that the economic, social, cultural, and environmental bases to generate food security and nutrition for future generations are not compromised.

ARTICLE X.4

Cooperation to improve the sustainability of food systems

ARTICLE X.4.1

The Parties recognise the importance of cooperation as a mechanism to implement this Chapter as they strengthen their trade and investment relations.

ARTICLE X.4.2

Taking account of their national priorities and circumstances, the Parties shall cooperate to address matters of joint or common interest related to the implementation of this Chapter. Such cooperation may take place bilaterally as well as in international fora.

ARTICLE X.4.3

Cooperation may include exchange of information, expertise, and experiences, as well as cooperation in research and innovation.

ARTICLE X.4.4

The Parties shall cooperate on topics which may include, but are not limited to:

- (a) Food production methods and practices which aim to improve sustainability, including organic farming and regenerative agriculture, amongst others;
- (b) The efficient use of natural resources and agricultural inputs, including reducing the use and risk of chemical pesticides and fertilisers where appropriate;
- (c) The environmental and climate impacts of food production, including on agricultural greenhouse gas emissions, carbon sinks, and biodiversity loss;
- (d) Contingency plans to ensure the security and resilience of food supply chains and trade in times of international crisis;
- (e) Sustainable food processing, transport, wholesale, retail, and food services;

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- (f) Healthy, sustainable, and nutritious diets;
- (g) The carbon footprint of consumption;
- (h) Food loss and waste, in line with the SDG target 12.3;
- (i) Reducing the adverse environmental effects of policies and measures linked to the food system; and
- (j) Indigenous knowledge, participation, and leadership in food systems, in line with national circumstances.

ARTICLE X.5

The [Sub]Committee<sup>1</sup>

ARTICLE X.5.1

The Parties establish a [Sub]committee on Sustainable Food Systems composed of Government representatives of the European Union and New Zealand with responsibility for matters covered by this Chapter.

The Parties will designate a Contact Point to facilitate the communication between the Parties within 90 days of the date of entry into force of this Agreement. Each Party shall notify the other Party promptly in the event of any change to its contact point.

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<sup>1</sup> Negotiators' note: The negotiators agreed to have an independent SFS Committee not under the SPS Committee. However, the final name of the Committee will depend on the institutional architecture of the agreement.

ARTICLE X.5.2

The [Sub]committee shall monitor and oversee the implementation of this Chapter and examine all matters that arise in relation to its implementation. The functions of the [Sub]committee may include:

- (a) Monitoring and reviewing the implementation of this Chapter;
- (b) Establishing priorities for cooperation and work plans to implement these;
- (c) Promoting cooperation in multilateral fora; and
- (d) Performing any other functions that the parties may mutually decide.

ARTICLE X.5.3

In pursuing the objectives of this Chapter, and to monitor the results obtained from its implementation, the Parties agree to establish an annual working plan and actions with objectives and milestones for these actions.

ARTICLE X.5.4

When appropriate, the [Sub]committee may agree to establish working groups consisting of expert-level representatives of the Parties, which shall identify and address issues arising from the application of this Chapter.

ARTICLE X.5.5

The [Sub]committee shall meet within one year of entry into force and thereafter as mutually agreed. The [Sub]committee shall be chaired alternately and may take place in-person or virtually.

ARTICLE X.5.6

The [Sub]committee may establish rules mitigating potential conflicts of interest for the participants of its meetings and those of any working group reporting to it.

ARTICLE X.6

Additional provisions

ARTICLE X.6.1

The cooperation activities under this Chapter shall not affect the independence of each Party's national or regional agencies.

ARTICLE X.6.2

Fully respecting the Parties' right to regulate, nothing in this Chapter shall be construed to oblige a Party to:

- (a) Modify its import requirements;

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- (b) Deviate from domestic procedures for preparing and adopting regulatory measures;
- (c) Take action that would undermine or impede the timely adoption of regulatory measures to achieve its public policy objectives; or
- (d) Adopt any particular regulatory outcome.