



# Italy's law for donation and distribution of food and pharmaceuticals to limit food waste

## Food Waste Prevention Legislation

[LEGGE 19 agosto 2016, n. 166, Disposizioni concernenti la donazione e la distribuzione di prodotti alimentari e farmaceutici a fini di solidarietà sociale e per la limitazione degli sprechi](#)

In August 2016, Italy passed a law which aimed to reduce food waste at each step of the food supply chain with a strong focus on donation and distribution of food waste and pharmaceutical products. Instead of penalising, the law incentivises entities to donate or distribute food about to be wasted through tax rebates.

### ITALY

**Level:** National

**Population:** 60 million inhabitants

**Key characteristic:** 149 kg of food wasted per capita per year

### FOOD WASTE IN ITALY

In Italy, the average quantity of food wasted is lower than the EU average (149 kg compared to 173 kg). Yet, this yearly quantity amounts to about €13 billion. It is also estimated that more than half (55%) occurs at the pre-consumer level with surplus food accounting for the largest share.

### THE LAW'S OBJECTIVES

The law has the overall objective *“to reduce waste for each of the stages of production, processing, distribution and administration of food, pharmaceuticals and other products, through the implementation of some priorities.”* To do so, the focus is put on encouraging and facilitating solidarity donations of food surpluses and pharmaceuticals, with the priority given to human consumption. For food waste, the law is about products in supermarkets but also agricultural products directly coming from farms.

## MAIN MEASURES

Article	Measures
<b>Article 2: definitions</b>	<ul style="list-style-type: none"> <li>• Definition of food surpluses</li> <li>• Clarification and distinction between “best before” and “use by”</li> </ul>
<b>Article 3: donation of food surpluses for solidarity purposes</b>	<ul style="list-style-type: none"> <li>• Food business operators may give surplus food to donors for free</li> <li>• Donors shall prioritise donations for the most deprived people</li> <li>• Surplus food unfit for human consumption should then serve as animal feed or go to composting or anaerobic digestion</li> <li>• Food products with irregular labels can also be donated</li> <li>• In case of on-farm gleaning, the liability regarding hygiene and safety rules is on those performing the gleaning, not the farmers</li> </ul>
<b>Article 4: method to transfer food surpluses</b>	<ul style="list-style-type: none"> <li>• Donation of products which are beyond the minimum term of conservation is possible provided there are proper storage conditions and the integrity of the primary packaging is guaranteed</li> <li>• Bakery products non-necessitating thermal conditioning can be donated even 24 hours after their production</li> </ul>
<b>Article 16: provisions on donation of food products</b>	<ul style="list-style-type: none"> <li>• For a donation below €15,000, no official procedures are required</li> <li>• Donations of easily perishable food are exempt from communication obligations</li> </ul>
<b>Article 17: waste tax reduction related to donation</b>	<ul style="list-style-type: none"> <li>• Municipalities may apply a waste tax reduction for entities doing food donation. The reduction should be proportional to the quantity of food donated</li> </ul>

## LINK TO THE EU LEGISLATION

[Directive 2008/98/EC on waste \(Waste Framework Directive\)](#)



Waste tax reduction  
after donations



Facilitate on-farm  
gleaning



Donation prioritised  
for those in need

For more good practices, check the [Zero Waste Europe website](#) or the [European Environmental Bureau's brief on the economic incentives to reduce waste](#).

Zero Waste Europe, November 2020

**Author:** Pierre Condamine  
pierre@zerowasteurope.eu

**Editors:** Rossella Recupero & Eilidh Robb  
rossella@zerowasteurope.eu  
eilidh@zerowasteurope.eu



Zero Waste Europe is the European network of communities, local leaders, experts, and change agents working towards the elimination of waste in our society. We advocate for sustainable systems and the redesign of our relationship with resources, to accelerate a just transition towards zero waste for the benefit of people and planet.



Zero Waste Europe gratefully acknowledges financial assistance from the European Union. The sole responsibility for the content of this event materials lies with Zero Waste Europe. It does not necessarily reflect the opinion of the funder mentioned above. The funder cannot be held responsible for any use that may be made of the information contained therein.