

DILIGENCE PROXIMITY CONTROL PROFESSIONALISM GOVERNANCE
SAFETY GUARANTEE SERVICE LAWFULNESS EMPATHY GUARANTEE
GOVERNANCE SERVICE DILIGENCE PROXIMITY CONFIDENTIALITY
LAWFULNESS TRANSPARENCY RIGOUR AUTHORITY EFFECTIVENESS
SAFETY CONFIDENTIALITY TRUST
AUTHORITY OPENNESS DIALOGUE
TRUST CONTROL EMPATHY
DIALOGUE TRANSPARENCY EFFECTIVENESS RIGOUR
PROFESSIONALISM

aica AGENCY
FOR FOOD INFORMATION
AND CONTROL



SPANISH
GOVERNMENT

MINISTRY
OF AGRICULTURE, FOOD,
AND THE ENVIRONMENT

aica AGENCY
FOR FOOD INFORMATION
AND CONTROL

AGENCY FOR FOOD INFORMATION AND CONTROL (AICA)

The Agency for Food Information and Control (AICA) is an independent body attached to the Ministry of Agriculture, Food and the Environment. Its main function is to supervise compliance with Act 12/2013 of 2 August, on measures to improve the operation of the food chain.

AICA works according to the principles of **rigour, effectiveness, trust, proximity and confidentiality** to ensure that and help producers, manufacturers and distributors comply with the law.



AICA
monitors
compliance with
the law

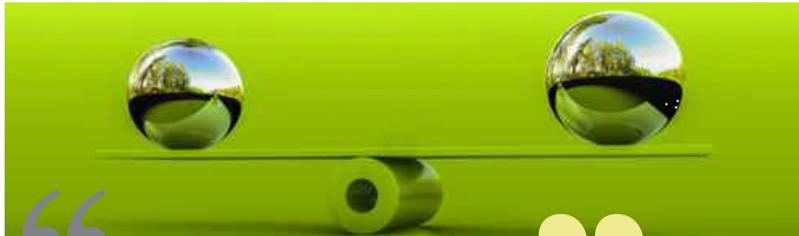
AICA watches over the interests of all parties involved in the food chain.

NEW RIGHTS AND OBLIGATIONS

Act 12/2013 of 2 August, on measures to improve the operation of the food chain, represents a historical milestone for the food sector, because it seeks balance and transparency in commercial relations between the various operators in the market and strengthens their competitiveness.

It is a **pioneering, novel and unique standard**. It introduces rights and obligations for operators in the food chain, thereby providing greater legal security and ensuring greater transparency in their transactions.

The law demands accountability from **all** agents involved, and it considers a system of public control that is channelled through the Agency for Food Information and Control (AICA).



Historical law for the agri-food sector

The Agency for Food Information and Control (AICA) ensures:

- ☑ That there are contracts in writing between parties.
- ☑ That there is a fixed price in contracts.
- ☑ That contracts are not unilaterally amended.
- ☑ That unforeseen, additional payments are not imposed.
- ☑ That payment deadlines are met.
- ☑ That sensitive commercial information is not used for other purposes.
- ☑ That the conditions of electronic auctions are respected in accordance with the law.



Signing contracts, establishing prices and respecting payment terms.



CONTRACTS IN WRITING

Written contracts must be signed for:

- Purchase-sale transactions for future or with a deferred price, unless the price is under €2500.
- Transactions whose price exceeds €2500, whenever there is a situation of imbalance between operators (see the description on the next page).

It is not necessary to sign written contracts when:

- Payment of the amount is in cash upon delivery of the product.
- The delivery of products is for agri-food cooperatives or associative entities.



Contracts in writing, a guarantee for everyone.

SITUATIONS OF IMBALANCE

There are several circumstances in which **inequalities occur between the agents that take part in commercial relations** of the food chain

INEQUALITIES IN COMMERCIAL RELATIONS

One of the operators is **considered an SME** and the other isn't.

One of the operators is **considered a primary producer or a grouping of primary producers and the other isn't**, for the marketing of unprocessed agricultural products, perishables and food inputs.

One of the operators is in a **situation of economic dependence with respect to the other operator**.

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AICA defends balance in the food chain.

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INSPECTIONS

AICA conducts inspections:

- Resulting from a complaint due to possible breaches of the Food Chain Act.
- Officially when it detects irregularities in the operation of the food chain.

AICA inspectors are considered law enforcement officials, and it is mandatory to comply with their orders and hand over the documentation they request.

AICA is prepared to act wherever its services are required.

Operators of the food chain, producers, manufacturers, and distributors must be aware of the importance and utility of **complying with the law to ensure a more balanced and beneficial food chain for all.**

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AICA, an industry ally.

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HOW TO FILE A COMPLAINT AND NOTIFY BREACHES

AICA investigates all complaints that are filed. So that action can be taken, a complaint must be filed with AICA or at an Official Registry, addressed to the Agency for Food Information and Control.

ANYONE can file a complaint.

A complaint must include the identification of the person or persons who are filing it, a summary of the events that could be considered an infraction, the date when they were committed and, whenever possible, the identification of those who are presumably liable.

In addition to complaints, AICA can receive information (which can be anonymous) about possible breaches of the law. The information will be studied to determine if there are indications of a breach and to make official inspections.

The information received by AICA is treated with complete confidentiality.



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AICA guarantees confidentiality.

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PENALTIES

The range of penalties established by the law due to a breach of legislation varies according to the severity of the infraction:

Minor
infractions,
up to €3000

Serious
infractions,
between €3001
and €100,000

Very serious
infractions,
between €100,001
and €1,000,000

Repeat offences due to committing two or more minor infractions within the period of two years as from a firm resolution of the first infraction will be considered **serious infractions**.

A **breach of the payment terms is also qualified as a serious infraction** in commercial operations involving food products.

Likewise, committing two or more serious infractions within that same period of time will be considered **very serious infractions**.



AICA proposes penalties in the event of a breach.



PERSONALISED ADVISING SERVICE

AICA has a personalised advising service for resolving doubts and answering questions that are posed by operators in the food chain.

AICA listens and offers solutions, thereby helping to comply with the law.



**AICA
personalised advising**



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AICA: open doors to everyone.

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WE ARE ALL AICA

- AICA is **open to the participation of all agents** who take part in commercial operations of the food chain.
- AICA **watches over the interests of all operators**. Nobody is forgotten.
- AICA is a **useful and effective tool** serving the agri-food sector.
- AICA **investigates** whenever it receives complaints or detects signs that the law has been breached.
- AICA **guarantees the confidentiality** of information.

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AICA: trustworthy.”



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Catalogue of publications of the Central Government:
<http://publicacionesoficiales.boe.es/>
NIPO: 280-16-260-5 (paper)
NIPO: 280-16-263-1 (on-line)
Legal Deposit: M-10115-2016