

Guidelines for Responsible Berry Purchasing

The Swedish Food Retailers Federation and the Swedish Food Federation have therefore drawn up common guidelines for the industry to complement the existing regulatory framework regarding the picking of wild berries in Sweden. The intention of the *Guidelines for Responsible Berry Purchasing* is to reduce legal uncertainties and improve conditions for the berry pickers, to avoid the risk of berry purchasers being seen as employers, and to help to prevent tax crimes and other criminal activity.

About the Guidelines for Responsible Berry Purchasing

Companies that choose to apply the *Guidelines for Responsible Berry Purchasing* will be offered a training session on the guidelines, whereupon they will be issued a certificate. Swedish Food Retailers Federation and the Swedish Food Federation will provide this training. Along with certification comes a requirement that certified berry purchasers allow audits (spot checks). The system for certification is designed such that a company's size or administrative and economic capacities will not prevent participation in the process.

A description of the criteria stated in the *Guidelines for Responsible Berry Purchasing* is given below.

Berry Purchaser's Information for Berry Pickers

The following information must be posted by the berry purchaser at purchase sites:

1. Berries sold to the purchaser must be picked by you, yourself.
2. Check that the weight of your berries matches the weight on the berry list.
3. Check that the price per kilo on the purchase list is the same as the price per kilo on the berry list.
4. Identity yourself at the time of purchase – your national ID number, passport number, or international ID card number must be entered on the berry list and must be legible.
5. You must validate/approve the transaction with your name, which must be legible.

The berry purchaser must inform the berry pickers (this information must be given to repeat pickers/sellers, e.g. in the form of a written information sheet) that:

- Pickers have the right to sell berries to other berry purchasers.
- Selling berries to a berry purchaser means that they are selling a product; pickers are not employed by the berry purchaser.
- It is against the law to exert pressure on other berry pickers regarding when,

where and how they may pick berries.

- Pickers are responsible for their own food and lodgings.
- Pickers who stay in a tent in the forest for more than three nights must have the permission of the landowner.
- Most non-EU nationals require a visa in order to be in Sweden.

The above information should be made available in the relevant languages, such as Swedish, Russian, English, Polish and Thai.

Order and hand out the *Picking Berries in Sweden* pamphlet (ISBN 978-91-620-8532-2) from the Swedish Environmental Protection Agency. The pamphlet is available in 8 languages.

Berry Purchaser's Intentions and Responsibility

The berry purchaser's intention must be to:

- use identifiable packaging with the company name (of the berry purchaser or wholesaler to whom the berries are being sold) clearly stated. This facilitates later identification of the berries' origin and reduces the risk of theft of packaging materials.

The berry purchaser must guarantee that they do/have NOT, directly or indirectly through another legal person whom they have influence over:

- participated in the recruiting of berry pickers,
- receive payment from the berry pickers to allow them to pick wild berries,
- control how, when and where the berry pickers pick wild berries,
- allow a camp or lodging facilities to be connected to a berry purchase (in the form of berry pickers being forced to sell their berries to a specific berry purchaser),
- exert pressure on other berry purchasers to shut down or move their purchasing operations.

The berry purchaser must:

- be able to show that they are a registered company and have one or more identified sites where their berry purchasing operations occur.
- A valid proof of registration from the Swedish Companies Registration Office for the current purchasing year must be posted. It must also show whether the purchasing company pays F- or FA taxes, and is registered for VAT.

The berry purchaser must:

- in the case of an audit, according to this code, be able to show that they have paid VAT on berries resold to wholesalers, and be able to show that their payment to the berry pickers matches the volume sold by the berry

pickers and the price paid per kilo for the berries (“overstating” the amount, i.e. reporting a higher amount than the pickers actually receive, is a form of tax evasion).

The berry purchaser must:

- declare that they comply with the regulations stated above,
- agree to undergo an audit by an external party to prove that they comply with the social code,
- have attended training on the social responsibility of berry purchasers.

Recommendations to berry purchasers

It is recommended that a berry purchaser:

- cooperate with the local municipality, medical care and social authorities if berry pickers become ill, are in distress, or are living in squalor.
- cooperate with the police in the case of suspected illegal activity in connection with the berry picking (including illegal lodgings, or human trafficking).
- successively introduce the ability to pay pickers digitally; a first step should be to offer pickers the option of receiving payment digitally. ^[1]_[SEP]

Stockholm, 19 May 2015