

FOOD DISTRICTS AS A FORM OF LOCAL FOOD SYSTEM GOVERNANCE REGULATED BY ITALIAN LAW

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ABSTRACT: In Italian law there is no definition of “local food systems” (LFSs). However, for over twenty years Italian institutions at State and Regional level have been promoting LFSs to encourage local development and the transition towards more inclusive and sustainable food systems.

The article analyses Food Districts as the only form of LFS organization and governance regulated by State law and implemented by regional legislation. It starts with an examination of the evolution of the “district” paradigm in agri-food legislation where the model of multilevel governance and the application of the subsidiarity principle are underlined and continues by focussing on the original approach of Tuscany in supporting Food Districts. In fact, Tuscany is the only Italian Region that has chosen to register the “Roads” of wine, olive oil and other typical agri-food products as well as the “Communities of food and biodiversity for agriculture and food” in the National List of Food Districts. Finally, the article examines the last step in the evolution of Italian legislation on the promotion of “districts” in the agri-food sector, the “Typical Italian Product Districts”, highlighting how the *ratio legis* differs with respect to Food Districts.

RESUMEN: En la legislación italiana no existe una definición de “sistemas alimentarios locales” (LFS). Sin embargo, durante más de veinte años las instituciones italianas a nivel estatal y regional han estado promoviendo las

EPA para fomentar el desarrollo local y la transición hacia sistemas alimentarios más inclusivos y sostenibles.

El artículo analiza los Distritos Alimentarios como la única forma de organización y gobernanza de las LFS regulada por la legislación estatal e implementada por la legislación autonómica. Comienza con un examen de la evolución del paradigma de “distrito” en la legislación agroalimentaria, donde se subraya el modelo de gobernanza multinivel y la aplicación del principio de subsidiariedad y continúa centrándose en el enfoque original de Toscana al apoyar a los Distritos Alimentarios. De hecho, Toscana es la única región italiana que ha optado por inscribir los “Caminos” del vino, el aceite de oliva y otros productos agroalimentarios típicos, así como las “Comunidades de alimentos y de la biodiversidad para la agricultura y la alimentación” en la Lista Nacional de Distritos alimentarios. Finalmente, el artículo examina el último paso en la evolución de la legislación italiana sobre la promoción de los “distritos” en el sector agroalimentario, los “Distritos de Productos Típicos Italianos”, destacando cómo la *ratio legis* difiere con respecto a los Distritos Alimentarios.

RESUM: A la legislació italiana no existeix una definició de “sistemes alimentaris locals” (LFS). Tot i això, durant més de vint anys les institucions italianes a nivell estatal i regional han estat promovent les EPA per fomentar el desenvolupament local i la transició cap a sistemes alimentaris més inclusius i sostenibles.

L'article analitza els Districtes Alimentaris com a única forma d'organització i governança de les LFS regulada per la legislació estatal i implementada per la legislació autonòmica. Comença amb un examen de l'evolució del paradigma de “districte” a la legislació agroalimentària, on se subratlla el model de governança multinivell i l'aplicació del principi de subsidiarietat i continua centrant-se en l'enfocament original de Toscana en donar suport als Districtes Alimentaris. De fet, Toscana és l'única regió italiana que ha optat per inscriure els camins del vi, l'oli d'oliva i altres productes agroalimentaris típics, així com les comunitats d'aliments i de la biodiversitat per a l'agricultura i l'alimentació. la

Llista Nacional de Districtes alimentaris. Finalment, l'article examina l'últim pas en l'evolució de la legislació italiana sobre la promoció dels “districtes” al sector agroalimentari, els “Districtes de Productes Típics Italians”, destacant com la ràtio legis difereix respecte als Districtes Alimentaris.

KEYWORDS: Local Food Systems – Food Districts - Wine and Olive Oil Roads – Food Communities – Sustainability

PALABRAS CLAVE: Sistemas alimentarios locales – Distritos alimentarios – Rutas del vino y del aceite de oliva – Comunidades alimentarias – Sostenibilidad

PARAULES CLAU: Sistemes alimentaris locals – Districtes alimentaris – Camins del vi i de l'oli d'oliva – Comunitats alimentàries – Sostenibilitat

TABLE OF CONTENTS: I. INTRODUCTION. II. THE EVOLUTION OF THE DISTRICT PARADIGM IN AGRICULTURAL AND FOOD SECTOR INTO FOOD DISTRICTS. III. THE TUSCANY REGION'S CHOICE TO INCLUDE "WINE AND OLIVE OIL ROADS" AND "FOOD COMMUNITIES" IN "FOOD DISTRICTS". 1. "Wine, Olive Oil and Quality Agri-Food Products Roads" in Tuscany. 2. "Food Communities" in Tuscany. IV. Food Districts recognized as Typical Italian Product Districts. V. Conclusion. VI. Bibliography.

I. INTRODUCTION

Despite the fact that there is no definition of “local food systems” (LFSs)¹ in Italian Law nor in European Union legislation, this concept has become strategic in the context of local and rural development policies since the late

¹ From the literature review on Local food Systems conducted by Laura Enthoven and Goedele Van den Broeck, “Local food systems: Reviewing two decades of research”, in *Agricultural Systems*, No. 193, 2021, p. 103226, it emerged that “Eight claims surrounding LFS are often put forward by governments and civil society organisations. LFS are supposed to improve consumers’ access to healthy food (claim 1), and consumers are believed to be willing to pay a higher price for local over non-local food (claim 2). It is said that participating in LFS provides farmers with a high sense of social recognition (claim 3), and that it benefits them economically (claim 4). Moreover, looking at the community as a whole, LFS would foster social ties (claim 5) and boost the local economy (claim 6). Finally, LFS are said to be beneficial for the environment due to the use of environmentally friendly production practices (claim 7), and reduced impact on climate change (claim 8)”. See also Moya Kneafsey, Laura Venn, Ulrich Schmutz, Bálint Balázs, Liz Trenchard, Trish Eyden-Wood, Elizabeth Bos, Gemma Sutton, Matthew Blacket, Short Food Supply Chains and Local Food Systems in the EU. A State of Play of their Socio-Economic Characteristics, Joint Research Scientific and Policy Report, EC, Luxemburg, 2013.

'90s as the common agricultural policy (CAP) evolved after the introduction of the quality policy for agricultural products² and the 1996 Cork Conference on rural development³. Supporting LFSs is considered an economic and social opportunity not only for farmers but also for post-primary activities such as processing, distribution, marketing and services in food systems within a relatively small geographical area⁴ because of the employment and higher income for local producers this support generates due to its multiplier effect on the local community⁵. In addition, EU and Italian documents have emphasised the environmental benefits deriving from the promotion of short supply chains and the circular economy⁶.

² The first European legislation on the protection of designations of origin (PDO) and geographical indications (PGI) for agricultural products and foodstuffs was Council Regulation (EEC) No. 2081/1992 of 14 July 1992, which was then repealed by Council Regulation (EC) no. 510/2006 of 20 March 2006. This in turn has been replaced by Regulation (EU) No. 1151/2012 of the European Parliament and Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs. The regulation proposal to amend this one, which is currently under discussion in the Council, is aimed at strengthening the sustainability of PDO and PGI. The issue has also been debated in Italian legal doctrine. See recently, e.g., Alessandra Di Lauro, "Gli effetti dei cambiamenti climatici sulla disciplina delle indicazioni geografiche: criticità e prospettive", in *Rivista di Diritto Alimentare*, No. 3, 2022, p. 22 ss.

³ The first European Conference on Rural Development took place in Cork (Ireland) in 1996. At the conclusion of the conference the "A Living Countryside" Declaration was adopted. It indicated a new path for the Common Agricultural Policy (CAP), based on two "pillars": sectoral, on competitiveness and incomes in agriculture, and territorial, on support for sustainable rural development. Accordingly, Council Regulation (EC) No. 1257/1999 of 17 May 1999 on rural development support from the European Agricultural Guidance and Guarantee Fund (EAGGF) was published in 1999.

⁴ COM (2013) 866, final, Brussels, 13 December 2013, "Report from the Commission to the European Parliament and the Council on the case for a local farming and direct sales labelling scheme", p. 4: "local food systems' means that production, processing, trading and consumption of food occur in a relatively small geographical area". The document states that the Committee of the Regions considered that the Commission should adopt the definition of 'Local Food Systems' (in addition to that of Local Food Products) (paragraph 2). According to the Opinion of the Committee of the Regions on 'Local food systems' (outlook opinion), 2011/C 104/01, the definition should take into account that a LFS "is a Business to Consumer system; comprises products that are locally produced in the home region or in a region that participates in a cooperative of home regions; is an intertwined set of processes, linking producers to a) consumers and b) society, i.e. the environment and the regional economy; consists of several components on several levels, ranging from farm level to interregional level, including production and processing of foods, marketing and promotion, branding and labelling, consumer and society involvement, delivery of accompanying public goods, distribution and transportation, health and food safety measures, management of waste and energy aspects and training and education" (paragraph 35; see also paragraphs 14, 15 and 45).

⁵ COM (2013) 866 final, cit., p. 5.

⁶ See, e.g., the Opinion of the Committee of the Regions on 'Local food systems' (outlook opinion), (2011/C 104/01), par. 16. See, also, the Slow Food "Position Paper: A Slow Food Approach to Good, Clean and Fair Food Systems in the EU", April 2023. On Italian legislation, see Anna Kapala, "Legal Instruments to Support Local Food Systems in Italian Law", in *EU Agrarian Law*, No. 1, 2020. On the contribution of short supply chains to the promotion of more sustainable agri-food systems, see also Ana Carretero García, "La aportación de los canales

More recently, the concept of LFSs has been extended to include the objective of food sovereignty and the fight against climate change also in the context of urban food policies⁷. Furthermore, the crisis in the global food system caused by the COVID-19 pandemic and the war in Ukraine has drawn attention to the resilience of LFSs, which therefore should be strengthened by European and national policies⁸.

However, especially after the EC Communication on the European Green Deal concerning a “just transition towards a sustainable Europe” as regards the European food system, there has been a new tendency at both EU and national levels to identify a political goal of “sustainable” or “quality” LFS development⁹,

cortos de comercialización al foment de sistemas agroalimentarios más sostenibles”, in *Revista de derecho agrario y alimentario*, No. 83, 2023, p. 7 ss.

⁷ See, e.g., the Milan Charter (“Carta di Milano”, available at: <https://www.politicheagricole.it/flex/cm/pages/ServeBLOB.php/L/IT/IDPagina/9341> [last accessed 18 March 2024]) and the Milan Urban Food Policy Pact, which was the legacy of the 2015 Expo event (available at: <https://www.milanurbanfoodpolicypact.org/the-milan-pact/> [last accessed, 18 March 2024]). Cfr. Maria Bottiglieri, “L'autonomia alimentare delle Regioni”, in *Rivista di diritto delle autonomie territoriali*, 2017, n.1. On the opportunity of “eating locally”, see Florent Tomatis, Arianna Carità & Caroline de Broissia, *Local sourcing – A guide for the hotel, restaurant, catering and tourism industries*. Rome, FAO, 2023 (available at: <https://doi.org/10.4060/cc4234en>). On food miles, see Stefano Masini, “I segni per il clima nella comunicazione commerciale degli alimenti”, in *Agricoltura Istituzioni Mercati*, No. 2, 2016, p. 52 ss.

On Italian legislation promoting short supply chains, see, for examples, Alessandra Tommasini, “Produzioni biologiche e filiera corta in funzione di un'alimentazione sostenibile”, in *Rivista di Diritto Agrario*, 2014, 1; Clelia Losavio, “Se il ‘chilometro zero’ occulta l'origine, la legge regionale altera la concorrenza”, *Giurisprudenza costituzionale*, 2021, 2, p. 297 ss.; Silvia Manservigi, “Etichettatura regionale e prodotti a «km zero»”, in Paolo Borghi, Irene Canfora, Alessandra Di Lauro, Luigi Russo (eds), *Trattato di diritto alimentare italiano e dell'Unione europea*, Giuffrè Francis Lefebvre, Milano, 2021, p. 491 ss.

On local agriculture and food sovereignty, see Lorenza Paoloni, *Sovranità alimentare e agricolture locali*, in *Rivista di diritto alimentare*, 2023, No. 4, where the Author underlines that recent Italian legislation on food sovereignty partially represents the concept emerging at international level because it emphasizes the goal of strengthening the national agri-food system. See also, *infra*, paragraph IV.

Some in the scientific literature consider “Territorial food systems” (TFSs), instead of LFSs, emphasising the importance of the local governance and participative model for sustainable territorial development. On this aspect, see, Luc Bodiguel, “I sistemi alimentari territoriali e il vino: la scelta del “locale” nel contesto della “mutazione ecologica” del diritto e della politica agricola”, in *Diritto agroalimentare*, No. 3, 2019, p. 379 ss. (see also the studies *ivi* mentioned), where the author considers TFSs to be a crossroads of different concepts: proximity economy, participatory governance, corporate social responsibility and the right to food” (*ivi*, p. 386).

⁸ See, e.g., Anna Kapala, “The role of short supply chains and local food systems in the concept of food sovereignty and food democracy”, in *Prezegląd Prawa Rolnego*, No. 1, 2023; and Laura Enthoven and Goedele Van den Broeck, “Local food systems: Reviewing two decades of research”, cit. It is useful to highlight that, after the experience of Covid-19 pandemic and the beginning of the war in Ukraine, political interest in SALs has also been based on food security.

⁹ See, e.g., the Opinion of the European Committee of the Regions on ‘Safeguarding food security and reinforcing the resilience of food systems (2023/C 79/05), point 17.

In Italy, see the agreement (“Protocollo d'intesa”) signed in 2022 by Slow food and the National Association of Italian Municipalities (ANCI) on the promotion of more sustainable and equitable

as if sustainability or quality were not inherent features of such systems but rather a characteristic to be achieved by adopting specific sustainability-oriented food policies based on an inclusive and participatory approach¹⁰.

Accordingly, since neither EU nor Italian legislation defines them, LFSs may adopt various forms of organization and governance. The purpose of this paper is to examine the model promoted by Italian legislation, i.e. the “district”¹¹, in order to highlight its strengths and weaknesses. What are the main features and objectives of districts in the agri-food sector? Considering the large number of Food Districts created by Regions implementing State legislation, what elements of originality does the Tuscany Region present and to what extent does its political choices enhance the local community and farmers’ participation in LFSs? Moreover, is current Italian legislation consistent with the goals of the European Commission’s Farm to Fork Strategy¹²?

These questions will be answered starting with an analysis of the evolution of Italian legislation regarding the promotion of “districts” in the agri-food sector, which provides a flexible institutional framework within which farmers and other public and private local actors can organize their activities and markets according to local and territorial specificities¹³. Originally identified in national legislation exclusively as Rural Districts and Quality Agri-food Districts, in 2017 they were legally established as Food Districts (FDs), which include numerous

local food systems (<<https://www.anci.it/anci-e-slow-food-italia-insieme-per-promuovere-sistemi-alimentari-locali-piu-equi-e-sostenibili/>> [last accessed, 18 March 2024].

¹⁰ See COM (2020) 381 final, Brussels, 20 May 2020, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions “A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system”, paragraph 5 “Conclusions”. At national level, see the CAP Strategic Plan of Italy (31 December 2021), which includes measures to contrast food waste through food policies on a local scale and participatory paths to find circular economy solutions and build sustainable food systems (SRG 05 e 06). However, Alexander J. Stein and Fabien Santini, “The sustainability of “local” food: a review for policy-makers”, in *Review of Agricultural, Food and Environmental Studies*, 2022, 103, p. 77, present a literature review on LFSs, which shows that “No simple statement on the sustainability of different food systems is possible as sustainability is determined by many factors”.

¹¹ Felicetta Carillo, Roberto Henke, Alberto Sturla, “An Assessment of the Effects of Food Districts on Sustainable Management of Land: The Case of Lombardia, Italy”, in *Systems*, 2023, 11, p. 283

¹² On the topic of sustainable agricultural supply chains in the framework of the EU’s Farm to Fork Strategy, see Eloisa Cristiani, “La sostenibilità ambientale delle filiere agro-alimentari”, in *Rivista di Diritto Agrario*, 2021, 1, p. 54 ss.

¹³ Felicetta Carillo, Roberto Henke, Alberto Sturla, “An Assessment of the Effects of Food Districts on Sustainable Management of Land, cit., p. 284.

typologies of LFSs in a sort of “macro-category”¹⁴. The implementation of this State legislation by the Italian Regions, however, has resulted in heterogeneous examples of initiatives with varying levels of success¹⁵. The paper then focuses on FDs in Tuscany, which have attempted to coordinate and enhance bottom-up and territorially well-delimited participatory models of food governance such as “wine and olive oil roads” and “food and biodiversity communities for agriculture and food” that have been developed over the last twenty years. The paper concludes by evaluating whether the Italian Government’s recently adopted law on “Typical Italian Product Districts” has a different *ratio legis*, despite the use of the same term, “district”¹⁶.

II. THE EVOLUTION OF THE DISTRICT PARADIGM IN AGRICULTURAL AND FOOD SECTOR INTO FOOD DISTRICTS

In 2001, the Italian government adopted the district model for the first time to increase agricultural competitiveness and to support local development in the agri-food sector¹⁷. Following the example of legislation on “industrial districts” enacted a few years earlier¹⁸, legislative decree No. 228 of 2001 on the Orientation and Modernization of Agriculture (“Law on Modernization of

¹⁴ See Giorgia Iovino, Eleonora Guadagno and Daniele Bagnoli, “Food for Thoughts: The District Approach to Rural Areas Development—A Case Study in Campania”, in *Sustainability*, No. 15, 2023, 16263; and Rachele Natali, “Le nuove frontiere della contrattazione di filiera e di distretto alla luce del PNRR”, in *Rivista di diritto agrario*, No. 1, 2022, p. 103.

¹⁵ There is abundant economic literature on districts in agriculture. See, for example, the review conducted by Giorgia Iovino, Eleonora Guadagno and Daniele Bagnoli, “Food for Thoughts...” cit.

¹⁶ See article 39 (“Distretti del prodotto tipico italiano”) of the Law no. 206 of 27 December 2023, “*Disposizioni organiche per la valorizzazione, la promozione e la tutela del made in Italy*”. This and all the Italian laws mentioned in this paper are available at <https://www.normattiva.it/>.

¹⁷ Daniela Toccaceli, “Agricultural districts in the Italian regions: looking towards 2020”, in *Agricultural and Food Economics*, No. 3, 2015, p. 9.

¹⁸ On the definition of “industrial district” (“*distretti industriali*” in Italian), see Law no. 317 of 5 October 1991 regarding “*Interventi per l’innovazione e lo sviluppo delle piccole imprese*”, later modified by Law no. 140 of 11 May 1999 on “*Norme in materia di attività produttive*”, which introduces the local production system (LPS) definition mentioned above. The legislation on industrial districts stated that the Regions could finance innovative projects involving multiple companies on the basis of a “program contract” stipulated between “industrial development consortia” and the Regions. The presence of an agreement (called a “contract”) between business representative bodies and local authorities remains a characteristic feature of the district system also in the agri-food sector. See Ferdinando Albisinni, “I distretti agricoli e del cibo”, in Luigi Costato e Ferdinando Albisinni (eds.), *Trattato breve di diritto agrario italiano e dell’Unione europea*, Wolters Kluwer, Milano, Tomo I, IV ed., 2023, p. 536, also for a description of the subsequent evolution of the Italian legislation on the so-called “productive districts”, whose discipline also applied to RDs and QADs, and for an analysis of the Italian legislation of the ‘80s and ‘90s on “negotiated planning” as a tool for industrial districts.

Agriculture”) provided for two types of districts in the primary sector: Rural Districts (RDs) and Quality Agri-food Districts (QADs)¹⁹. Even though both typologies of districts are based on the concept of local production systems (LPSs), defined as “homogeneous productive contexts characterized by a high concentration of mainly small and medium sized enterprises, and by a peculiar internal organization”²⁰, each one also has specific features connected to the rural and agriculture world.

As regards RDs, LPSs are “characterised by a homogeneous historical and territorial identity, resulting from the integration of agricultural and other local activities, as well as from the production of goods or services of particular specificity, consistent with traditions and natural and territorial vocations” (article 13, paragraph 2).

Concerning QADs, LPSs, “even interregional” ones, are “characterised by a significant economic presence, and an interrelationship and productive interdependence between farms and agri-food businesses, as well as by one or more certified and protected products pursuant to current EU or national regulations, or by traditional or typical products” (article 13 paragraph 1)²¹.

Therefore, local traditions, the relationship between farms and other local activities, and multifunctional agriculture can be considered the identifying elements of RDs, whose name immediately evokes the objectives of the rural development policy²². On the other hand, the identifying elements of QADs can be recognized in the integration of the agri-food chain and in quality

¹⁹ Translated from Italian to English by the author. On article 13 of Legislative Decree no. 228 of 2001, concerning Rural Districts and Agrifood Districts, see Ferdinando Albisinni, “Commento all’Articolo 13 (Distretti rurali e agroalimentari di qualità). Decreto legislativo 18 maggio 2001, n. 228”, in *Rivista Diritto agrario*, No. 2-3, Part I, 2002, p. 459 ss.

²⁰ Article 36, paragraph 1, Law no. 317 of 1991, as modified by Law no. 140 of 1999 (translated from Italian to English by the author).

²¹ RD and QAD definitions have been translated from Italian by the author. On these definitions, see Giorgia Iovino, Eleonora Guadagno and Daniele Bagnoli, “Food for Thoughts ...” cit.

²² It is worth noting that the district dimension is typical of the LEADER approach (“Liaison Entre Actions de Développement de l’Economie Rurale” meaning “Liaisons between the rural economy and development actions”), which has become a structural component of the current CAP. See < https://agriculture.ec.europa.eu/common-agricultural-policy/rural-development_en#leader > [last accessed, 18 March 2024]. On the links between districts in agriculture and in rural areas and the LEADER programme in the CAP evolution, see Ferdinando Albisinni, “Distretti e sviluppo rurale: elementi per una lettura delle regole di diritto”, in *Agriregionieuropa* [<https://agriregionieuropa.univpm.it/it>], 6, 2010.

production²³. However, both typologies are based on a “sense of belonging”, which is the qualifying element of the district according to Giacomo Becattini, the main Italian theorist of districts from an economic point of view²⁴.

However, this innovative productive and social environment was only defined by the Law on Modernization of Agriculture²⁵, as it did not provide a specific legal framework for agriculture districts comparable to that of industrial districts. Regions were empowered to legally recognize districts according to the definitions in State law but could regulate them differently in response to specific requests from their territories or other social or economic pressure²⁶. Consequently, original forms of governance of the local economy were implemented²⁷ to promote socio-economic development initiatives in their rural and agricultural territories, especially through the use of EC Rural Development Policy²⁸ financial resources. Therefore, they have become protagonists of an integrated and participatory model of local development although the process has often appeared top-down rather than bottom-up, as district economic theory would establish²⁹.

However, the peculiar role of the Regions in this context is consistent with the Italian constitutional framework on the distribution of legislative competences between the State and Regions as the 2001 reform established that the Regions have exclusive competence in the field of agriculture³⁰. In this regard, it

²³ Giorgia Iovino, Eleonora Guadagno and Daniele Bagnoli, “Food for Thoughts ...” cit.; e Ferdinando Albinini, “I distretti agricoli e del cibo ...” cit., p. 539.

²⁴ Giacomo Becattini, *Il distretto industriale*, Torino, 2000, p. 52, who is also cited by Ferdinando Albinini, “I distretti agricoli e del cibo”, cit., p. 539.

²⁵ Giacomo Becattini, “Il distretto industriale marshalliano come concetto socio-economico”, in Pyke F., Becattini G., Sengenberger W. (eds), *Distretti industriali e cooperazione tra imprese in Italia*, Quaderno di “Studi e Informazioni” della Banca Toscana, No. 34, 1991, p. 51 ss.

²⁶ See Daniela Toccaceli, “Agricultural districts in the Italian regions ...” cit., p. 12 ss.

²⁷ See Ferdinando Albinini, “I distretti agricoli e del cibo...” cit., p. 540, where the author talks about districts as an “original form of local economy governance”.

²⁸ According to Ferdinando Albinini, “Distretti e sviluppo rurale...” cit., the terminology “rural districts” and “quality agri-food districts” is “more evocative than preceptive”, because it is the subject of non-homogeneous disciplines, which have overlapped over time with different purposes. They include regulations that explicitly aim to support agricultural districts, and others concerning various phenomena that merely impact the districts and LFSs, such as the national legislation on “negotiated planning” or the EC Rural development policy.

²⁹ See Ferdinando Albinini, “I distretti agricoli e del cibo...” cit., p. 542, and Giorgia Iovino, Eleonora Guadagno and Daniele Bagnoli, “Food for Thoughts ...” cit.

³⁰ See article 117 of the Italian Constitution as replaced by Constitutional Law no. 3 of 18 October 2001. On the legislative competence of Italian Regions in agriculture as a “residual matter”, according to article 117 of the Italian Constitution, see Clelia Losavio, “Vent’anni di

should be noted that from its foundation in 1999 until the last CAP Reform of 2021³¹, the Rural Development Policy has been implemented in Italy through Regional plans.

In 2017 a new season of districts in the agri-food sector began in Italy, with increased valorisation of LFSs. In fact, a new unified and well-defined Italian legislation framework was provided for the district phenomenon in this sector, enhancing its instrumental role in the pursuit of the various pillars of sustainable development, while keeping it anchored to local production systems. In the 2018 Italian Budget Law, article 13 of the Law on Modernization of Agriculture was replaced with a new one named “Food Districts”³². This lists 7 categories of FDs, including the RDs and QADs already recognized as of the law’s date of entry into force and other districts already operating on Italian territory in accordance with regional regulations: LPSs characterised by a high concentration of small and medium-sized agricultural and agri-food businesses, as per article 36.1 of Law 317 of 1991, as mentioned above; LPSs, also of an interregional nature, characterized by the interrelation and productive interdependence of agricultural and agri-food businesses, as well as by one or more certified and protected productions in accordance with current European, national and regional legislation; LPSs located in urban or peri-urban areas characterized by a significant presence of agricultural activities aimed at the environmental and social regeneration of the areas; LPSs characterized by interrelationships and integration between agricultural activities, in particular the direct sale of agricultural products, and local marketing and catering activities carried out in the same area, as well as solidarity economy networks and solidarity purchasing groups; LPSs characterized by the presence of cultivation, breeding, processing, food preparation and agro-industrial activities carried out

competenza residuale regionale in materia d’agricoltura: uno sguardo di sintesi”, in *Federalismi.it*, 1° August 2022.

³¹ More precisely, until the last CAP Reform of 2021, in addition to the 21 autonomous Rural Development Plans, approved by various Italian Regions, the Rural Development Policy was implemented through a national-level plan. According to the current CAP, Italy, like every other Member State, has elaborated a single CAP National Strategic Plan which includes rural development measures. However, each Italian Region has elaborated “complementary measures for rural development 2023-2027”. For more details on the current Rural Development Policy in Italy, see <<https://www.reterurale.it/flex/cm/pages/ServeBLOB.php/L/IT/IDPagina/1>> [last accessed, 18 March 2024].

³² Article 1, paragraph 499, of Law no. 205 of 27 December 2017, “*Legge di bilancio 2018*”.

using an organic method or in compliance with the criteria of environmental sustainability in accordance with current European Union, national and regional regulations; biodistricts and organic districts, considered as territories for which organic farmers, processors, consumer associations or local authorities have stipulated and signed protocols for expanding the organic method of cultivation, for its dissemination as well as for the support and valorisation of the sustainable management of activities other than agriculture³³.

Aiming “to fill an information and monitoring gap”³⁴, the new law established a “National Register of Food Districts” at the Ministry of Agriculture³⁵, to be updated by communication from the Regions upon their recognition of FDs³⁶. Therefore, the model of multilevel governance based on the application of the subsidiarity principle was confirmed by the new discipline of FDs³⁷.

Moreover, the new rules clarify that the instruments to support interventions for the creation and consolidation of FDs are “district contracts”, defined as “contracts” between the Ministry of Agriculture and “members” of districts, which are regulated and financed according to Ministry Decree no. 7775 of 22 July 2019³⁸. Without going into detail, it is interesting to note the characteristic

³³ Article 13.1, letter h, of Law No. 228 of 2001, as replaced by article 1, paragraph 499, of Law No. 205 of 2017, concludes specifying that the definitions established by the said legislation apply also in regions that have adopted specific legislation regarding biodistricts or organic districts. Subsequently, article 13 of Law no. 23 of 9 March 2022, “*Disposizioni per la tutela, lo sviluppo e la competitività della produzione agricola, agroalimentare e dell’acquacoltura con metodo biologico*”, provided for the establishment of organic districts, in addition to those regulated by Law no. 205 of 2017.

On solidarity purchasing groups (“*Gruppi di acquisto solidale*”) in Italy, see Irene Canfora, “Le nuove forme di commercializzazione di prodotti alimentari: dalle vendite in rete ai «gruppi di acquisto solidale»”, in Marco Goldoni and Eleonora Sirsi (eds), *Il ruolo del diritto nella valorizzazione e nella promozione dei prodotti agro-alimentari*, Atti del Convegno (Pisa, 1-2 luglio 2011), Giuffrè editore, Milan, 2011, p. 237; Roberto Franco Greco, “I gruppi di acquisto solidale: una formula di sintesi dei principi di sussidiarietà, solidarietà e sostenibilità”, in *Giustizia Amministrativa italiana*, 2017, 7, p. 10.

³⁴ Giorgia Iovino, Eleonora Guadagno and Daniele Bagnoli, “Food for Thoughts...” cit.

³⁵ The current name of the Italian Ministry for agriculture matters is “Ministero dell’agricoltura e della sovranità alimentare e delle foreste (MASAF)” (pursuant to Law Decree no. 173 of 11 November 2022).

³⁶ Article 13, paragraph 3, of Legislative Decree No. 228 of 2001, in the version in force today.

³⁷ See Giorgia Iovino, Eleonora Guadagno and Daniele Bagnoli, “Food for Thoughts ...” cit., p. 6. The principle of horizontal subsidiarity is stated in article 118, paragraph 4, of the Italian Constitution.

³⁸ District contracts are “contracts” signed between the Ministry of agriculture and those who have concluded District Agreements (beneficiaries), which are defined by art. 1, par.1, letter a) of Ministerial Decree no. 7775 of 2019, as “agreement[s] signed by various entities operating in the territory of the food district, which identify the proposing entity, objectives and actions, and include the Program, implementation times, results and the mutual obligations of the Beneficiaries”. The interventions eligible for aid are listed in article 6 of the Ministerial Decree

elements of this peculiar regulatory framework: the collaboration between private and public subjects, the involvement of local communities, the establishment of an investment programme at local level and agreement between the public authority and stakeholders.

Furthermore, the regulation of FD creation and financial support aims to achieve a long list of goals, as mentioned in the *incipit* of article 13, which concern not only the promotion of territorial development, the integration of activities characterized by territorial proximity and the safeguarding of the territory, but also “cohesion and social inclusion”, food security, the reduction of the environmental impact of production and food waste, and the safeguarding of rural landscapes through agricultural and agri-food activities. Therefore, today’s FDs are considered an important tool for pursuing the sustainable development of LFSs in Italy, although it is up to the Regions to seize the opportunity offered by State legislation.

III. THE TUSCANY REGION’S CHOICE TO INCLUDE “WINE AND OLIVE OIL ROADS” AND “FOOD COMMUNITIES” IN “FOOD DISTRICTS”

There are more than 200 FDs currently listed in the Italian National Register³⁹. Tuscany is the Region with the greatest number of FDs, with 43 registered items⁴⁰. It is an interesting case not only for this reason, but also for its original approach to FDs. In addition to the local production systems expressly named “districts” according to article 13 of the Law on Modernization of Agriculture (RDs, QADs, biodistricts), Tuscany is the only Italian Region that has chosen to

and include, for example, investments for the transformation or/and marketing of agricultural products; costs for the participation of producers of agricultural products in quality schemes; investments to promote the image and activities of the district, etc. On the official documents and the first call for financing food district contracts, see <<https://www.politicheagricole.it/flex/cm/pages/ServeBLOB.php/L/IT/IDPagina/15042>> [last accessed, 12 February 2024].

³⁹ According to the National Register of Food Districts, updated on 12 February 2024.

⁴⁰ It should be noted that not all Italian Regions have recognized and registered FDs in the Ministry's list. Furthermore, the number of FDs per Region varies: for example, in Liguria there is only one district (*Biodistretto Val di Vara Valle del biologico*), in Emilia Romagna there are six FDs (one biodistrict and others related to PDO production) and in Sardinia there are nineteen FDs (biodistricts, rural districts and QADs). The local productive structure of these FDs is evidently very different: for example, those of Emilia Romagna relating to PDO production are characterized by the presence of big food businesses and well-organised agri-food supply chains; therefore, they are not comparable to the small rural districts, recently created biodistricts or “wine roads” registered by the Tuscany Region (on which see this paragraph).

communicate its “roads” of wine, olive oil and other typical agri-food products (21) to the Ministry of Agriculture, as well as the “food and biodiversity communities for agriculture and food” (“Food Communities”) (5) that have been legally established and recognized in the regional territory over the last twenty-five years.

Although wine and agri-food “roads” and “food communities” have been formally established in various Italian Regions according to State legislation, the Tuscany decision shows that these tools of sustainable local development have been successful at a regional level and have continued to be supported by local public and private stakeholders⁴¹. Therefore, regional public authorities aim to keep investing in and promoting these tools according to an innovative participative approach, also with a view to achieving the sustainable development goals by 2030⁴².

In any case, both “roads” and “food communities” have taken on peculiar features depending on their forms of implementation by local communities. The following illustration of the identifying characteristics of Tuscan “roads” and “food communities” is meant to increase understanding of which goals listed in the FD legislation are really being pursued and to what extent, if any, local food systems are being strengthened through these tools.

1. “Wine, Olive Oil and Quality Agri-Food Product Roads” in Tuscany

Tuscany wine and food “roads” consist of legally identified itineraries managed by “formal territorial organizations”⁴³, according to the definitions, goals and instruments briefly identified in State Law no. 268 of 1999 and in the Ministerial

⁴¹ On the heterogeneous panorama of the wine roads in Italian Regions see, for example, Emilio Chiodo et al., “Wine Routes and Sustainable Social Organization within Local Tourist Supply: Case Studies of Two Italian Regions”, in *Sustainability*, 12, 2020, p. 93288.

⁴² On the 2030 Agenda for Sustainable Development adopted by all United Nation Member States in 2015, and specifically on the commitment of Italy to pursuing these sustainable development goals, see the reports periodically published by the Italian Alliance for Sustainable Development (ASviS) on <<https://asvis.it/>> [last accessed, 18 March 2024].

⁴³ Chiodo et al., “Wine Routes and Sustainable Social Organization ...” cit., paragraph 1.3.

Decree of 12 July 2000 which established “minimum quality standards”, and which were then detailed in regional legislation⁴⁴.

The promotion of rural territories by creating tourism itineraries characterized by the production of symbolic foods of the Mediterranean diet and especially of Italian culture, such as wine and olive oil, started in Italy in '60-'70s as a spontaneous “bottom-up” initiative of local producers. As Tuscany was one of the first Italian Regions to regulate and formally recognize “wine roads” as an instrument to support the promotion of wine-producing territories, including through the resources of the EU rural development policy⁴⁵, this local development tool has long been well-known and well-established there.

After the enactment of State Law no. 268 of 1999 aimed at homogenizing the disciplines adopted at regional level, Tuscany replaced its previous legislation with Law no. 45 of 5 August 2003, which is currently in force and provides for the regulation and recognition of new wine, extra virgin olive oil and quality agri-food “roads”⁴⁶. As previously mentioned, 21 “roads” are currently recognized by the Tuscany Region, which have been integrated since 2005 into a regional Wine Roads Association (*Federazione Strade del Vino dell'Olio e dei Sapori di Toscana*) involving the regional authority, with the purpose of effectively exploiting the regional brand of “Tuscany”⁴⁷.

According to the definition provided by State Law no. 268 of 1999 and Tuscany Law no. 45 of 2003, “wine roads” are itineraries “marked and advertised with special signs”, and characterized, on the one hand, by “natural, cultural and environmental values” and, on the other, by vineyards and wineries of single

⁴⁴ State Law no. 268 of 27 July 1999, “*Disciplina delle strade del vino*”, is a so-called “*legge cornice*” o “*legge quadro*” because, in accordance with previous versions of article 117 of the Italian Constitution, it established a general regulatory framework for matters of shared competence between State and Regions, such as agriculture and tourism, within which the Regions could enact detailed rules.

⁴⁵ See Tuscan Regional Law no. 69 of 13 August 1996, available at <<https://raccoltanormativa.consiglio.regione.toscana.it/#>> [last accessed, 18 March 2024]. See also Lazio Regional Law no. 27 of 28 July 1988, “*Istituzione delle strade dei vini delle zone del Cesanese*” (and Lazio Regional Law no. 39 of 22 May 1995, “*Istituzione e gestione delle «strade dell'olio d'oliva»*”), and Piemonte Regional Law no. 37 of 12 May 1980, “*Le Enotecche regionali, le Botteghe del Vino o Cantine Comunali, i Musei Etnografici Enologici, le Strade del Vino*”.

⁴⁶ The original and current text of Tuscany Law no. 45 of 2003, as well as the implementing regulation of no. 16/R of 16 March 2004 are available at <<https://raccoltanormativa.consiglio.regione.toscana.it/#>> [last accessed, 18 March 2024].

⁴⁷ Chiodo et al, “Wine Routes and Sustainable Social Organization ...” cit., paragraph 1.3.

farms or associated companies which are open to the public⁴⁸. “Roads”, in fact, are declared to be instruments through which the territories and their productions can be “disseminated, marketed and enjoyed in the form of a tourist offer”. However, the legal framework set out for “wine roads” also applies to the promotion, through the tool of the “road”, of territories with quality production vocations (like areas of PDO or PGI production) or traditional production⁴⁹.

Therefore, essential elements for legally establishing a “road” are agricultural enterprises producing an agri-food product that identifies the itinerary and the recognition of specific environmental and landscape values in the territory involved in the route.

In order to allow tourists to appreciate the territory crossed by the “road” through a sensorial experience of local food and adequate information on the culture and traditions linked to it, the legislation states that agricultural enterprises can organize tasting of their products on their farm or in designated areas along the “roads” by supplying tourists with traditional regional agri-food products and PDO or PGI products⁵⁰, as well as recreational, cultural and educational activities, including participation in the food production process⁵¹.

Moreover, State and regional regulations require that other categories of entities, such as agritourisms, documentation centres on rural culture (or wine museums) and the hospitality industry (e.g., hotels and restaurants), be involved in the creation of “roads”, in consideration of their direct relationship

⁴⁸ Article 2 of Tuscany Law No. 45/2003.

⁴⁹ See the National List of Traditional Agri-food Products established pursuant to article 3 of the Ministerial Decree no. 3501 of 8 September 1999. The last updating of the National List was published on 5 March 2024: see <<https://www.politicheagricole.it/flex/cm/pages/ServeBLOB.php/L/IT/IDPagina/21121>> [last accessed, 18 March 2024]. According to article 2 of this Ministerial Decree and successive Ministerial orders, Traditional Agri-food Products are defined as products obtained by processing, storage and maturing methods which have been consolidated over a period of at least 25 years. On this item, see, for example, Stefano Masini, “I «prodotti agroalimentari tradizionali»”, in Paolo Borghi, Irene Canfora, Alessandra Di Lauro, Luigi Russo (eds), *Trattato di diritto alimentare italiano e dell’Unione europea*, Giuffrè, Milan, 2021, p. 504 ss. Tuscany Law on wine and food roads also allows for the establishment of “roads” to promote territories with organic farming or integrated agriculture, but this has never been done, possibly because this kind of production remains undistinguished and is not characterized by a close link to the territory. Therefore, farmers have shown no interest in establishing them.

⁵⁰ On the simplified administrative procedure for selling PDO and PGI food products within established “roads”, see Giuliana Strambi, “Le Strade del vino, dell’olio e dei sapori: il quadro giuridico di riferimento”, in *Rivista di diritto agrario*, No. 2, 2006, p. 204 ss.

⁵¹ Italian legislation on agritourism applies in this case of service provisions by agricultural enterprises.

with tourists/consumers⁵². In derogation of the law in force, also industrial wineries and wine shops (“*enoteche*”) included in “wine roads” are allowed to carry out the presentation, tasting and serving of wine products in compliance with the established regulations for agricultural enterprises⁵³.

As the scientific literature has highlighted, a “road” is considered to be “an integrated system of both territorial and tourism offers organized along a route characterized by places of historical, artistic and environmental interest, flanked at the same time by a series of structures of reception, promotion and marketing of local products”⁵⁴. It has also been studied as an example of “enogastronomic tourism” contributing to rural development in Italy. However, this paper aims to focus on its contribution to local endogenous development and local community identity strengthening, and on the innovative dimension of the roads’ governance⁵⁵.

As regards the procedure of “road” establishment, according to Tuscany Law no. 45 of 2003, the initiative is to be taken by a “Promoting Committee”, comprising all the subjects interested in the initiative, especially the producers of the food to be valorised, including producer organizations, consortia protecting the PDO/PGI of the “roads”, local public authorities, and cultural and environmental associations. After formal recognition of the “road” on the basis

⁵² See, e.g., article 4 of Ministerial Decree of 12 July 2000, which establishes that “At least the following subjects must be present in each ‘wine road’: two or more wineries; b) one or more cellars; c) one or more structures among: wineries; agritourism; establishments authorised for offering «wine route» meals, food and drink; tourist accommodation companies; wine and vine museums or ethnographic oenological museums. The Decree identifies specific characteristics for each of them, which can be integrated by regional legislation.

⁵³ It is important to stress that in Italy the legal framework for agricultural undertakings (as defined by article 2135 Civil Code) is different from that of commercial ones (see Alberto Germanò, *Manuale di Diritto agrario*, Giappichelli, Torino, IX ed., 2022, cap.1). Basically, the “wine roads” legislation extends the more favourable legislation provided for agricultural (and agritourism) undertakings to commercial ones operating along “wine roads”. Instead, the phenomenon of wine-tourism offers, considered independently from the establishment of “wine roads”, is governed by specific recent Italian State and regional legislation. At State level, see article 1, paragraphs 502, 503, 504, 505, of Law no. 205 of 25 December 2017, “*Bilancio di previsione dello Stato per l'anno finanziario 2018 e bilancio pluriennale per il triennio 2018-2020*”, and Ministerial Decree 12 March 2019. On this item, see Giuliana Strambi, “Dalle Strade del vino” all’*enoturismo* alla ricerca della qualità”, in *Diritto agroalimentare*, No. 3, 2019, p. 503 ss.

⁵⁴ Manuel Vaquero Piñeiro, Paola de Salvo and Francesca Giommi, “Rural Tourism and Territorial Development in Italy”, in María José Bastante-Ceca, Jose Luis Fuentes-Bargues, Levente Hufnagel, Florin-Constantin Mihai and Corneliu Iatu (eds), *Sustainability Assessment at the 21st century*, 2019

⁵⁵ Manuel Vaquero Piñeiro, Paola de Salvo and Francesca Giommi, “Rural Tourism and Territorial Development ...” cit.

of a specific *Disciplinare* (i.e., the document listing rules concerning the organization of the “road”, the modality of participation and the activities) by Decision of the Regional Executive, the Committee will become responsible for the managing and functioning of the “roads”, in accordance with the *Disciplinare*. To this end, the “Management Committee” needs to be established as an association through a public authority act whose statute declares, among other things, the name of the “road”, members’ rights and obligations, the legal headquarters of the Committee and its legal representative⁵⁶.

Once it has been recognized, a “road” may be eligible for incentives made available by the state and the region and is included in Italian and Tuscany official tourism promotion channels.

In light of the above, it is worth emphasising some important aspects. First of all, the involvement of all the various local stakeholders “in order to innovate and integrate their services into a wider territorial tourist offer”⁵⁷ according to the spatial-system paradigm has been adopted more frequently in Italian territorial development policies since the 1990s than the vertical-supply chain integration paradigm. Secondly, public-private collaboration exists as a tool to favour local development. Thirdly, the Italian legislation manifestly aims to support a multifunctional model of agriculture, as agriculture is considered not only in its role as food producer, but also as a guardian of nature, ecosystems and culture, and as a presidium and disseminator of rural traditions and knowledge⁵⁸. Fourthly, the direct sale of agricultural products is promoted as a typical LFS tool “enabling communication and the establishment of bonds between producers and consumers”⁵⁹, in addition to strengthening small farmers’ incomes. Lastly, the “roads” are attractive to tourists sensitive to

⁵⁶ On these aspects and on the requirements of representativeness stated in regional legislation, see Giuliana Strambi, “Le Strade del vino, dell’olio e dei sapori ...” cit. Pursuant to article 12 of the Ministerial Decree of 12 July 2000, by 31 December every year, Regions are required to communicate the list of “roads” established (and formally recognized) on their territories to the Agricultural Ministry.

⁵⁷ Chiodo et al., “Wine Routes and Sustainable Social Organization ...” cit., paragraph 2.

⁵⁸ See, for example, Stefano Masini, “Orientamenti per un’agricoltura «multifunzionale»”, in *Diritto e giurisprudenza agraria e dell’ambiente*, 9, 1999, p. 453 ss.

⁵⁹ Efyta Wulan Anggraeni, Yuanita Handayati, Santi Novani, “Improving Local Food Systems through the Coordination of Agriculture Supply Chain Actors”, in *Sustainability*, No. 14, 2022. On the Italian legislation promoting the direct sale of agri-food production, see Mariagrazia Alabrese, “Sobre la legislación italiana para el fomento de cadena corta en la venta de productos alimenticios”, in *Revista Iberoamericana de Derecho Agrario*, No. 6, Julio 2017.

environmental issues (green tourism) by providing travel by bike, horse or on foot to discover and appreciate nature and new landscapes.

2. “Food Communities” in Tuscany

A “food and biodiversity community for agriculture and food” is one of the tools identified by Italian State Law no. 194 of 1st December 2015 to protect the genetic resources of local food and agricultural interest from the risk of extinction and genetic erosion⁶⁰ within the implementation measures framework of the FAO International Treaty on Plant Genetic Resources for Food and Agriculture⁶¹.

They are legally defined as “local spheres resulting from agreements between farmers; custodian farmers and breeders; solidarity purchasing groups; schools and universities; research centres; associations for the protection of the quality of biodiversity for agriculture and food; school canteens; hospitals; catering and commercial establishments; small and medium-sized artisan agricultural and food processing businesses, as well as public bodies”⁶².

In order to raise public awareness and support agricultural and food production, as well as promote behaviours for protecting agrobiodiversity, the law lists the following admissible subjects of the agreements: a) the study, recovery and transmission of knowledge on genetic resources of local food and agricultural interest; b) the creation of forms of short supply chains, direct sales, exchange and purchasing of agricultural and food products within local circuits; c) the study and dissemination of organic farming practices or other cultivation

⁶⁰ Law no. 194 of 2015, “*Disposizioni per la tutela e la valorizzazione della biodiversità di interesse agricolo e alimentare*”, establishes a national system for the protection and enhancement of agricultural and food interest biodiversity consisting of: the National Register of Agricultural and Food Interest Biodiversity (article 3); the National Network of Agricultural and Food Interest Biodiversity (article 4); the National Portal of Agricultural and Food Interest Biodiversity (article 5); the Standing Committee on Agricultural and Food Interest Biodiversity (article 8). It also establishes a Fund for the Protection of Agricultural and Food Interest Biodiversity; a National Agricultural and Food Interest Biodiversity Day, which falls on May 20 of each year; Agricultural and Food Interest Biodiversity Routes, in addition to Food and Biodiversity Communities for Agriculture and Food.

⁶¹ 2001 FAO International Treaty on Plant Genetic Resources for Food and Agriculture, which was ratified by Italy with Law 6 April 2004, No. 101.

⁶² Article 13.2, Law No. 194/2015. See Gianpiero Mazzocchi, Francesca Giarè, Roberta Sardone et al., “Food (di)lemmas: disentangling the Italian Local Food Policy narratives”, in *REA Italian Review of Agricultural Economics (Online first)*, 2023.

systems with low environmental impact aimed at saving water, reducing carbon dioxide emissions, improving soil fertility and reducing the use of packaging for the distribution and sale of products; d) the study, recovery and transmission of traditional knowledge relating to agricultural crops, to the natural selection of seeds to cope with climate change and to the provision of proper nutrition; e) the creation of educational, social, urban and collective gardens, as tools for valorising local varieties, education on the environment and agricultural practices, social aggregation, redevelopment of brownfields or degraded areas and unused agricultural land⁶³.

Therefore, FCs regulated by Italian legislation aim to promote sustainable models of food production and distribution while respecting the environment and biodiversity⁶⁴. However, as the scientific literature has well highlighted, they can have very diverse characteristics, given the different relationships that can be established between the various subjects involved and the diversity of their action programmes⁶⁵.

According to Law no. 194 of 2015, nine Food Communities have been established in Tuscany, which benefit from public funds. Central to their functioning is the figure of “custodian cultivators”, recognized in regional law since 2004 as those who ensure the “*in situ*” conservation of threatened genetic resources registered in the regional repertory. Five of them have been registered in the National Register of FDs and have accessed the specific resources for their functioning.

Apart from the important role of custodian farmers for environmental and food security and sovereignty issues in FCs, it is useful to highlight the involvement of the local community in the heterogeneous activities that FCs carry out starting from LFSs in order to develop not only a productive but also an

⁶³ Article 13.3 of Law no. 194/2015.

⁶⁴ Gianpiero Mazzocchi, Francesca Giarè, Roberta Sardone et al., “Food (di)lemmas...” cit., p. 17. The Authors argue that “At the national level, the only forms of territorial governance related to food are Food Districts and Food and Biodiversity Communities of agricultural and food interest which have been regulated by national and regional laws over the years as rural development policies have evolved” (*ivi*, p. 7). It is not surprising, then, that Tuscany Region has chosen to include FCs among the Food Districts recognized by State Law. Given the broad purposes of the FDs and the wide variety of their legal definitions, it seems to be a coherent choice aimed at not dispersing and fragmenting territorial policies supporting local community initiatives.

⁶⁵ Gianpiero Mazzocchi, Francesca Giarè, Roberta Sardone et al., “Food (di)lemmas...” cit.

environmental and social organization model based on a set of shared values⁶⁶. The form of the organization is usually an association (for social advancement) which includes numerous kinds of entities. Even if the participation of public entities is not formalized, the municipal administrations and research bodies present in the area concerned also generally support the Food Community through the stipulation of “Community Pacts” undertaking to support and encourage the Food Community’s actions as well as protecting and enhancing local agrobiodiversity⁶⁷.

Therefore, FCs are identified by goals which integrate aspects of food sovereignty, environmental protection, social cohesion, forms of territorial governance based on a participative approach as well as the active role of farmers, despite the difficulty of leading back to a single model.

In light of the above, the Tuscany Region’s choice to include FCs among the FDs as recognized by State Law is not surprising. Given the broad purposes of the FDs and the wide variety of their legal definitions, it seems a rather coherent choice aimed at not dispersing and fragmenting the various territorial policies supporting local community initiatives related to food.

IV. FOOD DISTRICTS RECOGNIZED AS TYPICAL ITALIAN PRODUCT DISTRICTS

The latest step in the evolution of Italian legislation on the promotion of the “districts” paradigm in the agri-food sector was taken in December 2023 with the establishment of a Fund for “Typical Italian Product Districts” (*Distretti del prodotto tipico italiano*) within the Ministry of Agriculture, Food Sovereignty and Forestry.

⁶⁶ See, e.g., the Charter of Value of the “*Comunità del cibo e dell’agrobiodiversità della Garfagnana-APS*”, which was the first FC established in Tuscany. In the Preamble, it is described as “an ethical and cultural, open and transparent movement that aims to improve the quality of local life by encouraging a solidarity economy and preserving ecosystems and natural balances as well as the history and vocation of the places” (translation by the Author) (<<https://comunitadelcibo.it/aps/>>) [last accessed, 18 March 2024].

⁶⁷ See Elisa Butelli and David Fanfani, “Il cibo come *commons* nella dimensione territoriale. Il ruolo delle Comunità del Cibo nel caso toscano”, in *Rivista della Rete Italiana Politiche Locali del Cibo*, No. 1, 2023, pp. 73-74.

See, e.g., the “*Comunità del cibo e dell’agrobiodiversità della Garfagnana*” (<<https://comunitadelcibo.it/comunita-del-cibo/>>) and the “*Comunità del cibo della Maremma*” (<<https://www.comunitadelcibomaremma.it/>>) [last accessed, 18 March 2024].

More specifically, article 39 of Law no. 206 of 2023 adopting “Provisions for the valorisation, promotion and protection of Made in Italy”⁶⁸ allocated EUR 2 million in both 2024 and 2025 to support these kinds of districts defined as “local production systems characterized by the synergy of subjects who group together to produce a specific agricultural or agri-food product with strong territorial value, for the purpose of valorising and promoting the typical Italian product in national and international markets”. In addition to laying down the procedure for the recognition of such Districts by the Ministry, which also involves the Region concerned, and the financing modalities, the article states that FDs complying with the conditions stated therein can be recognized as Typical Italian Product Districts (TIPDs).

Actually, the terminology seems rather generic: what does “typical” mean? What does an agri-food product’s “strong territorial value” mean? Does the category of typical products include only PDO and PGI or also the traditional ones listed at national level, or even other kinds of local production registered or labelled at local level⁶⁹?

Despite the important legal and economic implications of these considerations, the purpose of the law is clear concerning the valorisation and protection of “made in Italy” production in Italy and abroad, thanks to the regulatory context in which it has been introduced. “Excellent” agri-food production as well as “cultural heritage and national cultural roots” are considered “factors to be preserved and handed down not only for identity purposes, but also for the growth of the national economy”⁷⁰. Therefore, although it is stated that the law is consistent with EU market provisions, a nationalistic approach also clearly emerges from the law on TIPDs.

⁶⁸ Law no. 206 of 27 December 2023, “*Disposizioni organiche per la valorizzazione, la promozione e la tutela del made in Italy*”.

⁶⁹ E.g., local products which are registered in the List of Municipal denominations (*Denominazioni comunali-De.Co.*) provided by some Italian Regions. See Simone Matteoli, “Le «denominazioni comunali»”, in Paolo Borghi, Irene Canfora, Alessandra Di Lauro, Luigi Russo (eds), *Trattato di diritto alimentare italiano e dell’Unione europea*, Giuffrè, Milan, 2021, p. 513 ss. On Italian Law no. 30 of 1st April 2022 promoting “Small Local Agri-Food Production”, see Clelia Losavio, “L’agricoltura contadina tra interventi nazionali in favore delle piccole produzioni locali e del chilometro zero e interventi regionali a presidio e custodia del territorio”, in *Rivista quadrimestrale di diritto dell’ambiente*, No. 1, 2023, p. 266. On the juridical implication of local consumption, see, for example, Eleonora Sirsi, “Regole e implicazioni giuridiche della produzione e del consumo di cibo locale”, in *Studi in onore di Luigi Costato*, Jovene editore, Napoli, 2014, vol. III, p. 499.

⁷⁰ Article 1 of Law No. 206/2023.

However, this recognition represents an attractive opportunity from an economic point of view for FDs, allowing them to function better, despite the fact that at the moment funds have only been allocated for a two-year period.

V. CONCLUSION

Given that over the last few decades the Italian Government and civil society organizations have promoted local food systems to favour local development and especially the transition towards more inclusive, resilient and sustainable food systems⁷¹, this article has focused on Food Districts as LFS governance instruments regulated by Italian legislation.

As legally defined, FDs cannot be traced back to a unitary model of territorial governance because they include a range of typologies whose characterizing element is the fact of being based on the collaboration and integration of farmers and other actors in the food supply chain at local level. Moreover, each FD recognized by the Italian Regions has specific features depending on the forms of implementation by the local community according to the horizontal subsidiarity principle. However, the FDs' characterizing element can become a weakness. If there is no consensus and collaboration among its members or if there is no active participation by the stakeholders, FDs are doomed to fail in pursuing their local development goal and the other objectives identified by Italian legislation⁷².

From this point of view, the case of Tuscany represents a virtuous example. FDs recognized by Tuscany Region have arisen from a bottom-up process and have effectively created forms of self-government supported by public aid.

Furthermore, they also seem to be virtuous from another point of view. Economic literature has highlighted the risk of marginality for the agricultural sector in food policy discourses, including FDs, because they are constructed "around the topic of food planning", with particular emphasis on governance and

⁷¹ Laura Enthoven and Goedele Van den Broeck, "Local food systems ..." cit.

⁷² The degree of participation in a Food District's activities and in its decision-making processes, as well as the interest of stakeholders involved in the districts are important elements of the success of FDs. On this aspect, see Giorgia Iovino, Eleonora Guadagno and Daniele Bagnoli, "Food for Thoughts ..." cit.

actors, while neglecting the essential role of agriculture “in the functioning of LFSs based on systemic and circular approaches”⁷³. This is not the case of Tuscany FDs represented by Wine and Olive Oil Roads and Food Communities, which instead conserve the centrality of the role of farmers and aim to enhance the agricultural role in local food systems with a view to a transition to sustainability.

In addition, a panorama of the tools available to Tuscany FDs shows how a political approach based only on the promotion of short supply chains to enhance the resilience of LFSs, as expressed for example by the Commission within the Farm to Fork Strategy⁷⁴, risks being reductive and partial. Indeed, talking about food systems and their transition to sustainability means adopting, even at a local level, a systemic approach, which by its nature is complex⁷⁵, and therefore requires leveraging a set of heterogeneous policies, actions, tools and subjects. In this regard, also “niche phenomena” like some forms of direct sales, solidarity purchasing groups, community-supported agriculture, or collective farmer shops⁷⁶ could take on an important role in strengthening LFSs.

Recent rules on Typical Italian Product Districts do not follow the same logic as FDs. Despite involving FDs as defined by article 13.2 of Law no. 228 of 2001, they are part of a package of measures to counter the so-called phenomenon of Italian Sounding⁷⁷, even if they contribute to further promoting local development. However, given the complex Italian legal system, only time will tell if and how the various Regions implement this legislation.

⁷³ Gianpiero Mazzocchi, Francesca Giarè, Roberta Sardone et al., “Food (di)lemmas: ...” cit.

⁷⁴ COM (2020) 381 final, cit.

⁷⁵ Francesca Coli, “La “Policy Coherence” come strategia per l’attuazione del ‘Food System Approach’: il caso dell’Unione europea”, in *Rivista quadrimestrale di Diritto dell’Ambiente*, No. 3, 2023, p. 239 ss.

⁷⁶ See Gianpiero Mazzocchi, Francesca Giarè, Roberta Sardone et al., “Food (di)lemmas: ...” cit.

⁷⁷ See the 31 May 2023 Press Release of the Italian Minister for Agriculture: <<https://www.politicheagricole.it/MadeinItaly>> [last accessed, 18 March 2024]. On the phenomenon of Italian Sounding, see Vito Rubino, *I limiti alla tutela del ‘made in’ fra integrazione europea e ordinamenti nazionali*, Giappichelli editore, Torino, 2017, p. 124 ss., and Edoardo Gambaro and Pietro Missanelli, “La tutela dei prodotti agroalimentari tra disciplina italiana ed europea: pratiche commerciali sleali e concorrenza estera”, in *Diritto agroalimentare*, No. 2, 2019, p. 167.

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