Delegated act on food waste measurement – discussion on 3rd draft and comments received

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Part 1

Main differences between 2nd and 3rd draft

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No major changes – several clarifications to improve clarity of the provisions.

- Update references to amended Waste Framework Directive

- Clarification concerning annual reporting and periodical detail analysis (recital 15 and Article 5).

- Clarification of transitional period concerning food waste drained as or with wastewater (Article 7) – monitoring may be postponed until 1 January 2024.

Main differences between 2ⁿᵈ and 3ʳᵈ draft

Annex II

- **Clarification concerning <u>recommended</u> methods to measure food waste by FBOs or households**

- **change of the structure of the table**

- **Adding recommendations on collection of data from FBOs**

Main differences between 2ⁿᵈ and 3ʳᵈ draft

Art. 4.2

Removal of "technically feasible" disclaimer from assessment of mass of materials collected together with food waste

Art 5.2

Reference to Annex III supplemented with possibility to use other codes.

Art 5.5

Requirement of reporting the weight in terms of "fresh mass"

Main differences between 2ⁿᵈ and 3ʳᵈ draft

Art 6.2(a)

Addition of provision requesting informing of changing or modifying the national measurement methods.

Annex III

- **Removal of sludges (02 01 01) from the list of potential codes of food waste**

Other proposals and comments received

- **Reference to SDG 12.3 –** on hold due to lack of agreement on SDG 12.3 measurements (still in Tier 3, FLI – advanced, FWI – work in progress)

- **Compatibility with System of Environmental Economic Accounting –** in our view SEEA is too general

- **Re-use of food waste –** in our view it is legally impossible. Once food becomes food waste, it can only be recycled, not re-used.

- **Comments concerning baseline for possible future targets –** in the absence of the target we think this legislation is not right place for baseline. The 2023 Commission report (and potential proposal of targets) will address this issue.

- **Food waste in the mixed municipal waste (may cover several stages of food supply chain) –** we believe the situation will be greatly improved with separate collection of bio-waste.

- **Direct link to Waste Statistics including "plug-in exercise" –** in our view not viable, as this is reporting obligation and not statistics per se.

- **Scope for voluntary reporting (e.g. non-waste streams) –** will be discussed as part of discussion on reporting format

- **Better description of the methods to measure food waste (direct reference to Food Loss and Waste Protocol)** – while we agree with the idea (hence reference to FLW Protocol in recitals) – we do not see how to put a links in a legal document

- **Minimum harmonized requirements (DK) –** in our view we need more experience to set binding quality criteria

- **In annex III, Use 6 digit codes for chapter 2 –** yet to be decided

Questions and comments on part 1?

Part 2

Food waste drained as of or with wastewater (discarded via sewer)

Background – why to monitor this waste

- food discarded via the sewer (both solid and liquid) is important part of wasted food

- In case of targets - lack of monitoring of food discarded via the sewer may lead to direct food waste to sewer rather than prevent it.

- More and more companies declare monitoring of food waste to know where to prioritize efforts

Disadvantages:

- More complex data collection – diaries (consumers), process analysis (industry). However, detailed analysis are to be conducted only every 4 years to reduce the burden (2024, 2028…)

- Underreporting is common issue (especially from households)

Important: Monitoring of food waste going to sewer should be based on data provided by FBOs. Cooperation with food sectors is a must.

Alternative approaches proposed during consultations:

- **Resign from monitoring of waste to sewer (at least for time being)**

- **Monitor only household waste (UK, ITA) –** in response we added transition period (Art. 7)

- **Monitor Waste Water Treatment Plants in order to assess amount of food waste (SE)** – we think that this way we lose key information of input by stages

Now, we would like to ask you about your positions