



## SUMMARY REPORT

### JOINT MEETING OF THE EXPERT GROUP ON FOOD LOSSES AND FOOD WASTE WITH EXPERTS FROM THE EXPERT GROUP ON WASTE DG HEALTH AND FOOD SAFETY (SANTE)

*Brussels, Rue Froissart 36, Room 1D  
09 July 2018 – From 10:00 to 12:30*

**Chair:** Tim Gumbel, *Deputy Head of Unit, Food information and composition, food waste, DG SANTE*

**Commission:** DG SANTE: Bartosz Zambrzycki, Anne-Laure Gassin, Karin Ostra; DG ENV: Silvija Aile, Julius Langendorff; EUROSTAT: Hans-Eduard Hauser; JRC: Carla Patinha Caldeira.

**Member States represented (23):**

AT, BE, CZ, CY, DE, DK, EE, EL, ES, FI, HU, IE, IT, LV, LU, MT, PL, PT, RO, SE, SI, SK, UK

**Observers:** Norway

## 1. WELCOME AND ADOPTION OF THE AGENDA

The Chair welcomed participants to the joint meeting of the Expert Group on Food Losses and Food Waste and the Expert Group on Waste Directive, discussing the 3<sup>rd</sup> draft of the Commission delegated act on a food waste measurement methodology and other follow-up work related to the revised EU waste legislation. The Chair thanked experts for the input provided on the document and reminded participants about the timeline of actions to take until its adoption (foreseen in March 2019). Further on, he announced the beginning of work on the related implementing act laying down the reporting format.

## 2. FOOD WASTE

### 2.1 THIRD DRAFT OF THE DELEGATED ACT: CHANGES IN COMPARISON TO THE SECOND DRAFT – PRESENTATION BY THE COMMISSION

The first part of the presentation offered an overview of the main changes implemented in the third draft of the document; indicating comments, questions and suggestions received

from Member State experts and the rationale for taking them into account in the revised document.

DE inquired about the new format of Annex II which indicates recommended methods of measurement. The Commission clarified that the information had been reorganised as a table to include all stages of the food supply chain, with white fields to indicate preferred methods and grey fields for ill-favoured ones. Members were asked to submit their comments should they consider other recommended methods.

LV required further explanations as regards the process of running detailed analysis at each stage of the food supply chain in view of the first reporting period (2020). The Chair explained that Member States have the obligation to carry out a detailed analysis for each sector of the food supply chain over the 4 year cycle, being free to organise their work as they wish (e.g. focusing on different sectors across years rather than covering all sectors within a year). It is expected that Member States will conduct the detailed analysis for the first reporting period, however could also consider running a pre-analysis of food waste quantities for any stage of the food supply chain before the first reporting period and repeat detailed study at a later stage.

DE highlighted that Recital 5 appears to be in contradiction with the definition of food laid down in Regulation (EC) No 178/2002, arguing that inedible parts of foods cannot be 'ingested by humans', therefore should not be considered 'food' and taken into account when measuring food waste. The Chair clarified that the explanation provided under Recital 5 does not go against the definition of food from Regulation (EC) No 178/2002 which considers foods in their entirety; however the Commission will ensure that the drafting does not lead to any possible confusions.

IT asked for clarification regarding the measurement of food waste mixed with packaging. The Commission explained that the mass of non-food materials should not be taken into account when measuring food waste levels.

In regard to the use of Annex III listing European Waste Catalogue codes which typically include food waste (AT), the Commission clarified it was an indicative list of recommended codes, aimed to help Member States in their monitoring requirements. Further on, Member States were encouraged to contribute to improve the list of codes and the drafting of Annex III.

The second part of the presentation focussed on the rationale for monitoring food waste discarded via the sewer, disadvantages and alternative approaches proposed during consultations with Member State experts. The Chair explained that the transitional provision under Article 7 (1 January 2024) offered a window of opportunity to work on guidance, collection of best practices and further clarifications to help identify relevant measuring methods at each stage of the food supply chain.

As regards the legal basis for including food waste discarded via sewer in the delegated act (AT, PT), the Commission indicated that food discarded to wastewaters would be excluded only if covered by specific legislation<sup>1</sup> (in this case the Urban Waste Water Treatment Directive<sup>2</sup>). As this is not the case, the legal basis for any requirements related to food discarded to wastewaters remains under the Waste Framework Directive.

Several Member States pointed out to national legislations which prohibited the disposal of foods and drinks to the sewer (DE, SI, AT), raising the issue of referencing such practice in diaries. Further on, DE requested countries with such national bans to be exempted from monitoring under Article 4 of the delegated act. The Chair inquired about the scope of the ban and requested further explanations in writing, explaining further reflection would be given to the matter. DE confirmed the ban applied to all levels of the food supply chain.

Members raised concerns about the significant administrative burden to measure food waste drained with wastewater and the reliability of data collected, questioning the feasibility of such monitoring (AT, CY, PT). AT proposed to focus on awareness raising activities instead. The Chair explained that the option not to monitor such waste was disadvantageous to the proposed alternative to start measuring food waste going to sewer using available methods. The figures obtained through the exercise would offer policy makers a better view of the issue and could also help build awareness on the topic.

ES referred to the reliability of data obtained from diaries if questions on how food waste is disposed of were included (as it could imply some options are worse than others), and inquired for further guidance on how to design such a tool. The Commission pointed out to diaries created by WRAP and the Food Loss and Waste Protocol, mentioning that the advantage of such a method relies in the opportunity to gather data on type of foods discarded, reasons for disposal etc.

The Chair asked members to present preliminary indications and general feedback in regard to the position of their Member States on the issues presented. Most members present did not have an official position ready (BE, CY, EE, ES, LV, LU, MT, PL, RO, SI, SK, FI, UK), however the progress made with the new draft of the delegated act was generally acknowledged. Several Member States expressed their general support for the legal act (ES, FI, HU, IE, SE, SK, UK). The issue of food waste going to sewer was raised by most Member States (AT, BE, CZ, DE, DK, EE, EL, IT, LU, PT, SE, SI) who voiced concerns about the administrative and financial burdens involved; further guidelines on measurement methods were requested, in particular for measuring food waste drained with wastewater (CY, EL, FI, HU, LV, PL, SE, SK).

The Commission clarified that the unit of measurement for food waste discarded via sewer would be metric tons (CZ). IT proposed to measure such waste only for households, while BE announced a future exercise in collaboration with WRAP to quantify different food waste

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<sup>1</sup> Art 2.2(a) of the Waste Framework Directive

<sup>2</sup> 91/271/EEC

streams, foreseen for 2019. ES questioned the need to measure separately. If the final goal was to raise awareness and reduce food waste in general, a reduction in solid food waste due to awareness would be accompanied by a reduction in liquid food waste, and measuring separately would only increase the costs without a clear benefit.

AT expressed concerns about the reliability of data on food waste disposed via sewer and the ability to compare results across countries/different years of monitoring (due to changing methods). UK pointed out primary production as a particularly difficult stage to monitor food waste due to limited availability of data.

AT proposed Member States run detailed analysis every 6 years instead of 4 years as envisioned in the delegated act. FI inquired about the position of the European Parliament on this matter; the Commission explained that members would be updated on the outcome of launched informal contacts with the European Parliament in due course.

## **2.2 FORMAT TO REPORT AMOUNTS OF FOOD WASTE: CONCEPT – PRESENTATION BY THE COMMISSION**

The Commission offered an overview of the work carried out thus far and requested members to provide their questions and comments on the format presented.

It was explained that the same format would apply for reporting detailed analysis (DK), with additional information (on how the information had been collected etc.) included in the form of free text.

NO highlighted the need to clarify the opportunity for Member States to voluntarily report on additional data beyond the minimum requirements laid down in the delegated act, which was foreseen under Article 18.

In closing the agenda point on food waste, the Chair asked Member States to provide their written positions on the delegated act by the end of July, as well as further suggestions on the third draft by the first week of August. Based on the input received, the Commission would then decide whether a future Expert Group meeting would be required.