

New Food Waste Regulations

1 July 2010 is the date the Food Waste Regulations (SI 508 of 2009) enter into force in Ireland.

The Regulations mean that major producers of food waste will have to source segregate food waste, ensure that it is not mixed with other waste and make it available for a brown bin collection service where it is recycled in a food waste recycling plant (e.g. composting plant). Alternatively, waste producers can bring the food waste directly to a food waste recycling plant; or the food waste can be treated by composting it on the premises where it is generated.

At the present time, the recycling rate in Ireland for food waste generated by businesses is very low – less than 10%. However, this material can be recycled relatively easily. This new legislation is designed to ensure that all major commercial sources of food waste make their contribution to increasing national recycling levels.

Besides causing increased recycling, the purpose of the legislation is to comply with EU legislation. The Landfill Directive requires all EU countries to reduce the amount of waste sent to landfill sites by a series of yearly, and increasingly stringent, targets. A failure to meet these targets may cause Ireland having to pay significant fines.

Affected Businesses and Premises

The regulations impose obligations on the major producers of food waste, such as shops, supermarkets, public houses, state buildings, restaurants, cafés, bistros, wine bars, hot food outlets, canteens in office buildings, hotels, B&Bs, guest houses, hospitals, nursing homes, schools, colleges, train stations, marinas and airports.

Exemptions

Small businesses that produce less than 50 kgs of food waste per week must send a written declaration to their local authority by immediately to get an exemption from the Regulations until 1 July 2011. From 1 July 2011, all businesses will be covered by the regulations irrespective of the amounts of food waste produced.

The written declaration should include the following information:

- The address of the premises;
- The names of the owner and occupier;
- Identification of the type of business (e.g. shop, wine bar, guest house etc.);
- A clear statement that the premises generates less than 50 kgs of food waste per week and;
- A statement that this declaration is being made under Article 3 of the Waste Management (Food Waste) Regulations 2009.

In addition, a local authority can ask a waste producer for proof of generating less than 50 kgs of food waste per week by requesting a competent person to prepare a food waste management implementation report.

Key Obligations for Businesses

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A key requirement of the Food Waste Regulations is that food waste must be kept separate from other waste. This prevents it becoming contaminated and unsuitable for recycling. The legislation also prevents segregated food waste from being disposed of by being sent to landfill.

A business that is subject to this legislation has three alternative options for its segregated food waste:

- The waste can be collected by a waste collector that is offering a brown bin collection service. The collector always must take it to an approved plant for recycling by composting or by another similar process;
- The waste can be transported by the business directly to a composting plant or other type of food waste recycling facility ; or
- The waste can be dealt by the business on-site using a composting unit.

Businesses that want to compost food waste on site usually need a Certificate of Registration from their local authority. This is a requirement of the Waste Management Act.

Macerators

Some businesses have installed food waste macerators that attach to sink units. The use of these and other similar devices to dispose of food waste into the sewerage system is prohibited by the Food Waste Regulations when a food waste collection service is available. This provision applies irrespective of whether a discharge licence has been issued which allows food effluent to pass to a sewer. Again, this is to ensure that food waste is consigned for recycling.

Do the Regulations Affect me?

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- Supermarkets
- Public houses
- State buildings
- Restaurants
- Cafés
- Bistros
- Wine bars
- Hot food outlets
- Canteens in office buildings
- Hotels
- B&Bs
- Guest houses
- Hospitals
- Nursing homes
- Schools
- Colleges