

Statement on European Directive 2008/98/EC

We, the undersigned, support the below proposals for a more ambitious Circular Economy Package (CEP). We call for the below amendments to the EU's Circular Economy Package and more specifically to the Directive 2008/98/EC on waste, to be approved at the planned meeting of the ENVI committee in January 2017. These would further Europe's progress towards tackling food waste, and help Europe lead the world in achieving the Sustainable Development Goal 12.3:

- 1) The CEP to introduce a clear definition of food waste which includes food wasted at the level of primary production, and develop a methodology for measuring it by 31 December 2017. A clear timeline be introduced to measure and baseline food waste farm-to-fork by 2020.
(At the current time, this would be met by approving amendment 504/506, and amendment 944)
- 2) The CEP to establish a specific food waste hierarchy, rather than relying on a generic waste hierarchy
(At the current time, this would be met by approving amendment 539 or 540, and amendment 944)
- 3) The CEP food waste reduction target of 50% by 2030 to be specified as farm-to-fork. This means that it should include not just retailer and consumer food waste, but also food wasted at the primary production, manufacturing and distribution levels.
(At the current time, this would be met by approving amendment 255 or 256 and amendment 889/890)
- 4) The CEP food waste reduction target of 50% by 2030 to be binding at Member State level rather than a voluntary aim.
(At the current time, this would be met by approving amendment 255 or 256 and amendment 889/890)

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Arguments in favour of the proposed amendments to the Circular Economy Package:

1) Introduce a clear definition of food waste which includes food wasted at the level of primary production, and develop a methodology for measuring it by 31 December 2017. A clear timeline be introduced to measure and baseline food waste farm-to-fork by 2020.

Including a comprehensive definition of food waste is a necessary precursor to measuring and reducing our food waste and loss along the entire production and supply chain. The proposed definition is:

"Food waste" means edible and inedible food removed from the supply chain or disposed of at processing, manufacturing, retail and consumer levels, and food losses along the whole production and supply chain, including primary production, transportation and storage losses.

A clear timeframe to complete a methodology for measuring food waste should be set out by December 31 2017, as measurement and targeted reduction depend on this happening first.

A clear timeline should be introduced to measure and baseline food waste farm-to-fork by 2020 – later baselines may be made for states significantly behind on data collection, and earlier ones for states who already have good quality data.

2) Establish a specific food waste hierarchy, rather than relying on a generic waste hierarchy.

Establishing a specific food waste hierarchy is necessary as food waste is in itself a highly variant waste stream with end components that can go in several different directions, differing from those of municipal solid waste. This needs to be clearly outlined via a food waste hierarchy to enable better prevention and management of food waste, clarifying the priority order for this waste stream, distinguishing between prevention and edible food rescue, when food is redistributed.

The proposed food waste hierarchy, in order of priority, is:

- a) source prevention / reduction (through procurement);
- b) edible food rescue – human consumption;
- c) edible food rescue – animal feed;
- d) residential composting and/or conversion into other products;
- e) centralised composting or anaerobic digestion;
- f) mechanical biological mixed waste treatment;
- g) landfill/incineration.

Moving food waste up this hierarchy would help ensure that currently wasted food would be used for its most environmental and socially useful purpose. Using a specific food waste hierarchy would enable harmonised reporting of the fight against food waste as part of the global Sustainable Development Goal 12.3.

3) The Circular Economy food waste reduction target of 50% by 2030 should be farm-to-fork – not just retailer and consumer food waste, but also food wasted at primary production, manufacturing and distribution levels.

The European Commission's draft text currently only includes consumer and retailer level food waste in the target to reduce food waste across the EU by 50% by 2030, referring to the Sustainable Development Goal 12.3.

You can't manage what you don't measure. Approaching consumer and retail level food waste in a systematic targeted way, but having a vaguer non-targeted approach to reducing food wasted in the supply chain, is inconsistent and will bias action to those stages of the supply chain. The only way to know where the hotspots for food waste are in European supply chains, and prioritise them accordingly, is to have farm-to-fork measurement and reduction targets.

The scale of food waste at primary production and processing levels is certainly substantial, and should not be sidelined. Recent studies reveal that the scale of pre-retail waste in Europe are significant, between 30% (EU FUSIONS)ⁱ to 59% (FAO)ⁱⁱ of Europe's total food waste – if the FAO's estimate is closer to the truthⁱⁱⁱ, targeting only retail and consumer waste may miss out 59% of Europe's food waste from the targets.

Moreover, food waste is often more concentrated in a few businesses than throughout many households, so it is often easier for businesses to implement large-scale reductions than to persuade millions of consumers to implement behaviour change. Businesses have the opportunity to lead the way in food waste reduction, using their scale for good.

European data on primary production and processing food waste is currently patchier than for other levels of the supply chain^{iv} which makes measurement and targets more challenging, but acquiring the data by 2020 is both possible and necessary. For instance, WRAP in the UK will have data on primary production food waste by 2018, and have developed a methodology for measuring this. This could be rolled out through Europe by 2020 to create an EU-wide baseline for targets.

There are already examples of agreements that will include pre-retailer food waste in their reduction targets, including the Consumer Goods Forum's [Food Waste Resolution](#), which extends the SDG 12.3 to also cover manufacturing level food waste. The Circular Economy needs to lead the world in including farm to fork reduction targets.

4) The food waste reduction target of 50% by 2030 to be binding at Member State level rather than a voluntary aim, against a 2014 baseline

The Circular Economy Package currently references the Sustainable Development Goal 12.3 on food waste, which is not binding for member states. Including a binding, rather than a voluntary target, across Europe would be a great opportunity to speed progress towards the Sustainable Development Goal target. Mandatory targets would create a level playing field for businesses to operate in, including unified measuring standards, stronger regulatory incentives to reduce waste and greater harmonisation across states. It would ensure that businesses receive the support they need to reduce their waste, and embed support for waste reduction policies within national Governments.

In one of the only thorough explorations of the subject, the RSPB conducted an analysis of the effectiveness of over 150 voluntary schemes across a range of sectors and issues to determine how well they perform, and found that "Over 80 per cent of schemes were found to perform poorly on at least one key measure. The majority of schemes set unambitious targets, with many also failing to achieve 'unambitious' targets. In addition, many schemes were undermined by low rates of private sector participation and the resultant lack of a 'level playing field' for those participants seeking to improve their performance. The research found nothing to support the claim that voluntary approaches can be an effective alternative to regulation."^v They concluded that "the impacts of most voluntary schemes are limited, and that the efforts of responsible businesses are often undermined by the failure of such schemes to attract widespread industry participation and compliance".^{vi}

Furthermore, in 2010 the EC reviewed numerous initiatives for the reduction of food waste, and concluded that "voluntary agreements"^{vii} should not be a priority. A mandatory target will motivate member states to take action now, and to have the structures in place to begin implementing the target by the time a common measurement methodology is defined.

Full List of Proposals and Associated Amendments for European Directive 2008/98/EC

The European Parliament Environment Committee is currently scheduled to vote on final amendments to the Waste Framework Directive (2008/98/EC) in January 2017. This document outlines the four key proposals we invite you to support, and the associated amendments that we invite you to vote for in order to support these proposals.

The amendments in full we ask you to support are:

- 255 or 256
- 504/506
- 539 or 540
- 889/890
- 944

Proposal 1:

- The Circular Economy package to introduce a clear definition of food waste which includes food wasted at the level of primary production, and develop a methodology for measuring it by 31 December 2017. A clear timeline to be introduced to measure and baseline food waste farm-to-fork by 2020.

Supporting Amendments

- 504/506
- 944

Amendment 504 Davor Škrlec

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point f d (new)
Directive 2008/98/EC
Article 3 – point 24 (new)

Text proposed by the Commission	Amendment
	<i>(fd) The following point is inserted:</i> <i>24. "food waste" means edible and inedible food removed from the supply chain or disposed of at processing, manufacturing, retail and consumer levels, and food losses along the whole production and supply chain, including primary production, transportation and storage losses."</i>

Amendment 506

Josu Juaristi Abaunz, Kateřina Konečná, Estefanía Torres Martínez

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point f d (new)

Directive 2008/98/EC

Article 3 – point 24 (new)

<i>Text proposed by the Commission</i>	<i>Amendment</i>
	(fd) The following point 24 is inserted: 24. "food waste" means edible and inedible food removed from the supply chain or disposed of at processing, manufacturing, retail and consumer levels, and food losses along the whole production and supply chain, including primary production, transportation and storage losses."

Amendment 944

Josu Juaristi Abaunz, Kateřina Konečná

Proposal for a directive

Article 1 – paragraph 1 – point 9

Directive 2008/98/EC

Article 9 – paragraph 3

<i>Text proposed by the Commission</i>	<i>Amendment</i>
3. Member States shall monitor and assess the implementation of their food waste prevention measures by measuring food waste on the basis of <i>methodologies established</i> in accordance with <i>paragraph 4</i>.	3. Member States shall monitor and assess the implementation of their food waste prevention measures by measuring <i>the levels of</i> food waste on the basis of <i>a common methodology</i>. <i>By 31 December 2017, the Commission shall adopt a delegated act in accordance with Article 38a to establish the methodology, including minimum quality and quantity requirements, for the uniform measurement of the levels of food waste. In the reduction of food waste, prevention plans and measurement methodologies shall refer to the food waste hierarchy, as outlined in Article 4(3a), rather than the waste hierarchy.</i>

Proposal 2:
• The Circular Economy package to establish a specific food waste hierarchy, rather than relying on a generic waste hierarchy
Supporting Amendments
• 539 or 540 • 944

Amendment 539

Damiano Zoffoli, Renata Briano, Massimo Paolucci, Elena Gentile, Caterina Chinnici, Simona Bonafè

Proposal for a directive

Article 1 – paragraph 1 – point 3 a (new)

Directive 2008/98/EC

Article 4 – paragraph 3a (new)

Text proposed by the Commission	Amendment
	<i>(3a) In Article 4, the following paragraph 3a is inserted:</i> <i>‘(3 a) In addition to the established waste hierarchy referred to paragraph 1, the following specific food hierarchy shall apply as a priority order in food waste prevention and management legislation and policy:</i> <i>a) source prevention;</i> <i>b) edible food rescue, prioritising human over animal feed or biochemical reprocessing;</i> <i>c) residential composting and / or conversion into other products;</i> <i>d) centralised composting or anaerobic digestion;</i> <i>e) mechanical biological mixed waste treatment;’</i>

Amendment 540

Josu Juaristi Abaunz, Kateřina Konečná, Estefanía Torres Martínez

Proposal for a directive

Article 1 – paragraph 1 – point 3 a (new)

Directive 2008/98/EC

Article 4 – paragraph 3 a (new)

Text proposed by the Commission	Amendment
	(3a) In Article 4, the following paragraph 3a is added: <i>In addition to the established waste hierarchy, a specific food waste hierarchy shall apply as a priority in food waste prevention and regulatory policy as follows:</i> a) source prevention / reduction (through procurement); b) edible food rescue, prioritising human over animal feed; c) residential composting and/or conversion into other products; d) centralised composting or anaerobic digestion; e) mechanical biological mixed waste treatment; f) landfill/incineration.'

Amendment 944

Josu Juaristi Abaunz, Kateřina Konečná

Proposal for a directive

Article 1 – paragraph 1 – point 9

Directive 2008/98/EC

Article 9 – paragraph 3

Text proposed by the Commission	Amendment
3. Member States shall monitor and assess the implementation of their food waste prevention measures by measuring food waste on the basis of <i>methodologies established</i> in accordance with paragraph 4.	3. Member States shall monitor and assess the implementation of their food waste prevention measures by measuring <i>the levels of</i> food waste on the basis of <i>a common methodology</i>. <i>By 31 December 2017, the Commission shall adopt a delegated act in accordance with Article 38a to establish the methodology, including minimum quality and quantity requirements, for the uniform measurement of the levels of food waste. In the reduction of food waste, prevention plans and measurement methodologies shall refer to the food waste hierarchy, as outlined in Article 4(3a), rather than the waste hierarchy.</i>

Proposals 3 and 4:
• The Circular Economy Package food waste reduction target of 50% by 2030 to be specified as farm-to-fork. This means that it should include not just retailer and consumer food waste, but also food wasted at the primary production, manufacturing and distribution levels. • The Circular Economy package food waste reduction target of 50% by 2030 to be binding at Member State level rather than a voluntary aim.
Supporting Amendments
• 255 or 256 • 889/890

Amendment 255

Sirpa Pietikäinen

Proposal for a directive

Recital 12

Text proposed by the Commission	Amendment
(12) Member States should take measures to promote prevention of food waste in line with the 2030 Agenda for Sustainable Development, adopted by the United Nations General Assembly on 25 September 2015, and in particular its target of halving food waste by 2030. These measures should aim to prevent food waste <i>in primary production, in processing and manufacturing, in retail and other distribution of food, in restaurants and food services as well as in households</i>. Having regard to the environmental and economic benefits of preventing food waste, Member States should establish specific food waste prevention measures <i>and should measure progress in food waste reduction. To facilitate exchange of good practice across the EU both between Member States and between food business operators, uniform methodologies for such measurement should be established</i>. Reporting on food waste levels should take place on a biennial basis.	(12) Member States should take measures to promote prevention of food waste in line with the 2030 Agenda for Sustainable Development, adopted by the United Nations General Assembly on 25 September 2015, and in particular its target of halving <i>per capita</i> food waste by 2030. These measures should aim to prevent food waste <i>at processing, manufacturing, retail and consumer levels, and food losses along the whole production and supply chain, including primary production, transportation and storage losses</i>. Member States should take measures to improve animal welfare with the aim of reducing losses due to poor productivity or mortality. They should encourage a reduction in the use of human-edible crops as animal feed as livestock are most efficient when they convert inedible materials such as pasture and by-products into meat, milk and eggs. Having regard to the environmental and economic benefits of preventing food waste, Member States should establish specific food waste prevention measures <i>in their waste prevention programmes in order to reach a 50 % food waste reduction target by 2030, compared to the 2014 baseline and should measure progress made in food waste reduction</i>. Reporting on food waste levels should take place on a biennial basis. <i>Based on these reports, the Commission should monitor the progress towards attaining the EU-level target including possible corrective measures if it seems like the target cannot be reached.</i>

Amendment 256

Josu Juaristi Abaunz, Kateřina Konečná, Estefanía Torres Martínez

Proposal for a directive

Recital 12

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(12) Member States should take measures to promote prevention of food waste in line with the 2030 Agenda for Sustainable Development, adopted by the United Nations General Assembly on 25 September 2015, and in particular its target of halving food waste by 2030. These measures should aim to prevent food waste <i>in primary production, in processing and manufacturing, in retail and other distribution of food, in restaurants and food services as well as in households</i>. Having regard to the environmental and economic benefits of preventing food waste, Member States should establish specific food waste prevention measures and should measure progress in food waste reduction. To facilitate exchange of good practice across the EU both between Member States and between food business operators, uniform methodologies for such measurement should be established. Reporting on food waste levels should take place on a biennial basis.	(12) Member States should take measures to promote prevention of food waste in line with the 2030 Agenda for Sustainable Development, adopted by the United Nations General Assembly on 25 September 2015, and in particular its target of halving food waste by 2030. These measures should aim to prevent food waste <i>at processing, manufacturing, retail and consumer levels, and food losses along the whole production and supply chain, including in primary production, transportation and storage losses</i>. Having regard to the environmental and economic benefits of preventing food waste, Member States should establish specific food waste prevention measures <i>in their waste prevention programmes in order to reach a 50% food waste reduction target by 2030, compared to the baseline</i> and should measure progress in food waste reduction. <i>Member States should encourage the setting up of conventions enabling the food retail sector to distribute unsold products to charitable organizations.</i> To facilitate exchange of good practice across the EU both between Member States and between food business operators, uniform methodologies for such measurement should be established. Reporting on food waste levels should take place on a biennial basis.

Amendment 889

Sirpa Pietikäinen

Proposal for a directive

Article 1 – paragraph 1 – point 9

Directive 2008/98/EC

Article 9 – paragraph 1 – indent 5

<i>Text proposed by the Commission</i>	<i>Amendment</i>
- reduce the generation of food waste <i>in primary production, in processing and manufacturing, in retail and other distribution of food, in restaurants and food services as well as in households.</i>	- reduce the <i>total</i> generation of food waste <i>at processing manufacturing, retail, distribution, consumer and households levels and food losses along the whole supply chain, including primary production, losses due to poor animal welfare and to the use of human-edible crops as animal feed, transportation and storage by 50% by 2030, compared to 2014 baseline.</i>

Amendment 890

Josu Juaristi Abaunz, Estefanía Torres Martínez, Kateřina Konečná

Proposal for a directive

Article 1 – paragraph 1 – point 9

Directive 2008/98/EC

Article 9 – paragraph 1 – indent 5

<i>Text proposed by the Commission</i>	<i>Amendment</i>
- reduce the generation of food waste <i>in primary production, in processing and manufacturing, in retail and other distribution of food, in restaurants and food services as well as in households.</i>	- reduce the <i>total</i> generation of food waste <i>at processing manufacturing, retail, distribution, consumer and households levels and food losses along the whole supply chains, including primary production, transportation and storage by 50% by 2030, compared to 2014 baseline.</i>

References

ⁱ FUSIONS (2016), *Estimates of European food waste levels*, p4

<http://www.eu-fusions.org/phocadownload/Publications/Estimates%20of%20European%20food%20waste%20levels.pdf>

ⁱⁱ FAO (2011), *Food losses and food waste*

<http://www.fao.org/docrep/014/mb060e/mb060e.pdf>

ⁱⁱⁱ It seems likely that the FUSIONS figures for food waste at primary production are significant underestimates as they put food waste at only 1-2% of productionⁱⁱⁱ. This is significantly lower than the FAO's report, which puts average agricultural and postharvest food waste in Europe at 15% of edible food production intended for human consumptionⁱⁱⁱ.

^{iv} In EU FUSIONS *Estimates of European food waste levels* (2016), the number of countries who submitted data of sufficient quality on food waste at primary production level was only 6 out of 28 and for processing it was only 4 out of 28 – the lowest coverage of data for any stages in the supply chain.

^v <http://www.rspb.org.uk/news/details.aspx?id=409329>

^{vi} RSPB (2015), *Using Regulation as a last resort? Assessing the performance of voluntary approaches*, RSPB

https://www.rspb.org.uk/Images/usingregulation_tcm9-408677.pdf

^{vii} European Commission (2010), *Preparatory Study on food waste across EU 27, Technical Report 054*, EC, p122

http://ec.europa.eu/environment/eussd/pdf/bio_foodwaste_report.pdf