

The Food Waste Regulations (Northern Ireland) 2015

The Regulations came into operation on the 14th February 2015, placing a responsibility on food businesses to separately collect their food waste. Food waste means controlled waste that was at any time food intended for human consumption (even if of no nutritional value) and includes biodegradable waste produced as a consequence of the processing or preparation of food, but does not include drink. A food business is defined as any business that carries out activities related to the processing, distribution, preparation or sale of food.

Food Businesses include:

- Restaurants
- Cafés
- Shopping centre food courts
- Canteens
- Hotels
- Public Houses that serve food
- Shops that sell food
- Supermarkets
- Schools & colleges with canteens
- Prisons
- Nursing Homes
- Hospitals

Please note The Food Waste Regulations (Northern Ireland) 2015 do not place obligations on householders and they do not include the preparation and sale of drinks.

Food waste is covered by the same obligations with regard to Duty of Care as other waste streams. Information on Duty of Care is available at the link below.

<https://www.daera-ni.gov.uk/sites/default/files/publications/doe/waste-policy-duty-of-care-code-of-practice-2014.pdf>

Important Dates and Regulatory Requirements

01/04/2015 - Where food waste is segregated, carriers must collect and transport food waste separately from other waste. No requirement for producers to segregate food waste but, if they choose to do so, carriers obligation applies.

01/04/2016 - Food businesses producing 50kg or more of food waste per week, must ensure the separate collection of that waste. There is no legislative requirement for food businesses which produce less than 50kg of food waste, to collect it separately between 01/04/2016 and 01/04/2017.

01/04/2017 - Food businesses producing 5kg or more of food waste per week, must ensure the separate collection of that waste. There is no legislative requirement for food businesses which produce less than 5kg of food waste per week, to collect it separately.

01/04/2017 - Food waste must not be deposited in a lateral drain or public sewer.

Actions For Those Producing Food Waste

- You must collect your food waste and not contaminate it with non-food waste items.
- You must ensure that food waste containers are clearly labelled and easily accessible for your staff.
- You must ensure that all your staff are trained to use internal and external waste segregation systems effectively.
- You must present food waste correctly for collection, in accordance with your food waste collectors' instructions.
- You should normally remove the packaging from your food waste. Packaging may only be retained, if agreed with your food waste collector. The collectors' position will be based on the de-packaging capability of the treatment facility they utilise.
- You must obtain evidence from your collector (a copy of their waste carriers licence) that they are a current registered carrier with NIEA.
- You must have waste transfer notes for all food waste removed from your premises and you must retain these for two years. All waste must be appropriately described with the correct EWC Code.
- Your food waste must only be transferred to an appropriately authorised waste management facility. You should obtain a copy of the sites' authorisation (PPC Permit, Waste Management Licence, Waste Management Exemption) and where required their current working plan, to confirm the EWC Codes they are allowed to accept.

Actions For Those Collecting Food Waste

- You must be a current registered waste carrier with NIEA.
- You must work with food waste producers and appropriately authorised food waste treatment facilities, to ensure that you only collect acceptable material and that the method of collection you use is correct.
- You must fully understand the types of food waste that food waste treatment facilities can accept in Northern Ireland.
- You must provide instructions to your customers on how they should present food waste for collection.
- You must engage with customers and provide them with information, to eliminate non-conforming material from the food waste you will collect.
- You should provide customers with feedback to maintain or improve the quality of the material you collect.
- You must develop and implement a policy whereby, you do not collect food waste which is contaminated with non-conforming waste.
- You must have waste transfer notes for all the waste you carry and you must retain these for two years. All waste must be appropriately described with the correct EWC Code.

Actions For Those Accepting, Storing And Treating Food Waste

- You must hold an appropriate waste authorisation for the acceptance, storage and treatment of food waste (PPC Permit, Waste Management Licence, Waste Management Exemption).
- You must work with collectors of food waste, to ensure that the material you receive complies with your facility's waste authorisation.
- You must assess food waste streams from individual collection service providers, to ensure your facility can accept their material.

- If your facility has a capability to remove packaging, this capability should be used to develop critical limits for the acceptance of food waste, to ensure you will comply with storage limits and times detailed on your waste authorisation.
- You must inspect all incoming loads of food waste and reject those that, contain materials which are not compliant with the waste authorisation in place for your facility.
- You must notify NIEA of all rejected loads of food waste from your food waste facility.
- You must not mix food waste with any other waste or any material, to the extent that mixing would hamper future recycling.
- You must have waste transfer notes for all waste transferred to and removed from your premises and these must be retained for two years. All waste must be appropriately described with the correct EWC Code.

Short Enforcement Guide

- You will be committing an offence, if you give food waste to an unregistered waste carrier.
- You will be committing an offence, if you do not have valid waste transfer notes for the movement of food waste.
- You will be committing an offence, if you transport food waste and you are not registered with NIEA to do so.
- You will be committing an offence, if you transport food waste and do not have a complete waste transfer note with you.
- You will be committing an offence, if you accept food waste without holding the relevant waste authorisation.
- You will be committing an offence, if you keep, treat or dispose of food waste without the relevant waste authorisation.