



Notification Number: 2011/542/UK

End of Waste Criteria for the production and use of quality compost from source - Segregated biodegradable waste. (Bi-annual review).

Date received : 24/10/2011
End of Standstill : 25/01/2012
Issue of comments by : Commission, France

Message

Message 001

Communication from the Commission - SG(2011) D/52481
Directive 98/34/EC

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notification - Notifica - Pieteikums - Pranešimas - Bejelentés - Notifika - Kennisgeving - Zawiadomienie - Notificação - Hlásenie-Obvestilo - Ilmoitus - Anmälan - Нотификация : 2011/0542/UK - Notificare.

No abre el plazo - Nezahtuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késésket - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - Не се предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201102481.EN)

1. Structured Information Line

MSG 001 IND 2011 0542 UK EN 24-10-2011 UK NOTIF

2. Member State

UK

3. Department Responsible

Department for Business, Innovation and Skills
Knowledge and Innovation Group
1 Victoria Street, London, SW1H 0ET.

Email: 9834@bis.gsi.gov.uk.

3. Originating Department



Department for the Environment, Food and the Rural Affairs
Ergon House, Horseferry Road
London SW1P 3JR

4. Notification Number

2011/0542/UK - S20E

5. Title

End of Waste Criteria for the production and use of quality compost from source - Segregated biodegradable waste. (Bi-annual review).

6. Products Concerned

Compost deriving from

- i) Wastes from agriculture, horticulture, aquaculture, forestry, hunting and fishing
- ii) Wastes from the preparation and processing of meat, fish and other foods of animal origin

7. Notification Under Another Act

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8. Main Content

A programmed general biannual review of the Compost Quality Protocol (2008) has now been undertaken. The Quality Protocol sets out criteria for the production of quality compost from source-segregated biodegradable waste destined for use in designated market sectors. If these criteria are met, the resulting outputs will normally be regarded as having been fully recovered and to have ceased to be waste.

The main purpose of the review was:

- to provide an up to date document with consistent and clear requirements making it easier for operators, industry bodies, accreditation bodies and the regulator to apply a consistent understanding.
- To align the requirements of the Compost Quality Protocol, the revised PAS and the Certification Scheme Rules.
- To consider a request by the industry to include a number of additional waste types.

The Quality Protocol has four main purposes:

- i. clarifying the point at which waste management controls are no longer required;
- ii. Providing users with confidence that the quality compost from source-segregated biodegradable waste they purchase conforms to an approved standard;
- iii. providing users with confidence that the quality compost from source-segregated biodegradable waste is suitable for use in designated market sector(s) including by conforming with the approved standard; and
- iv. Protecting human health and preventing pollution of the environment (including soil).

Producers and users are not obliged to comply with the Quality Protocol. If they do not, the compost produced will normally be considered to be waste and waste management controls will apply to its handling, transport and application.

9. Brief Statement of Grounds

Uncertainty over the point at which waste has been fully recovered and ceases to be waste within the meaning of Article 3(1) of the EU Waste Framework Directive (2008/98/EC) has inhibited the development and marketing of materials produced from waste which could otherwise be used beneficially without damaging human health and the environment. In some cases, this uncertainty has also inhibited the recovery and recycling of waste and



its diversion from landfill.

Interpretation of EU legislation is ultimately a matter for the Courts and there is now a substantial body of case law on the interpretation of the definition of waste in Article 3(1) of the Waste Framework Directive. Drawing on the principles established in this case law, it is possible to identify the point at which certain wastes cease to be waste and thus when the Waste Framework Directive's waste management controls no longer apply. This identification is the purpose of the Waste Protocols Project.

More specifically, depending on the circumstances of the waste concerned, the project seeks to achieve the following outcomes:

- to produce a Quality Protocol identifying the point at which waste, having been fully recovered, may be regarded as a non-waste product that can be either reused by business or industry, or supplied into other markets, enabling it to be used without the need for waste management controls; and/or
- To produce a statement that confirms to the business community what waste management controls they must comply with.

10. Reference Documents - Basic Texts

No Basic Text exists

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

-

16. TBT and SPS aspects

TBT aspect

No - The draft has no significant impact on international trade

SPS aspect

No - The draft is not a sanitary or phytosanitary measure

Catherine Day



EUROPEAN COMMISSION
GROWTH DIRECTORATE-GENERAL

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Prevention of Technical Barriers

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