



Notification Number: 2007/656/UK

Quality Protocol for the production and use of Eompost from source-segregated biodegradable waste.

Date received : 29/11/2007
End of Standstill : 29/02/2008 (02/06/2008)
Issue of detailed opinion by : Commission

Message

Message 001

Communication from the Commission - SG(2007) D/52823
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 : 2007/0656/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 késések - 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: 200702823.EN)

1. Structured Information Line

MSG 001 IND 2007 0656 UK EN 29-02-2008 29-11-2007 UK NOTIF 29-02-2008

2. Member State

UK

3. Department Responsible

Department for Innovation, Universities and Skills

3. Originating Department

Department for the Environment, Food and Rural Affairs

4. Notification Number

2007/0656/UK - S20E



5. Title

Quality Protocol for the production and use of Eompost from source-segregated biodegradable waste.

6. Products Concerned

Waste-derived (PAS 100) compost

7. Notification Under Another Act

Not applicable

8. Main Content

The compost Quality Protocol has three main purposes: – (1) to provide greater certainty of the point at which composted waste has undergone a complete recovery operation, has been fully recovered and has ceased to be waste within the meaning of Article 1(1)(a) of the Waste Framework Directive (2006/12/EC); (2) to provide users with confidence that the compost they purchase conforms with an approved standard; and (3) to protect the environment (including soil) and human health by describing acceptable best practice for the use of compost on land used for agriculture or soil-grown horticulture. Compost will be regarded as having ceased to be waste, and therefore no longer subject to waste management controls, only when a) it is produced using the source-segregated wastes listed in Appendix B to the protocol, b) it meets the requirements of an approved standard, and c) it is destined for appropriate use in one of the designated market sectors. Producers must demonstrate that these criteria have been met by obtaining certification from an approved certification body and by producing and keeping contracts of supply or information to customers which includes a declaration of conformance with the protocol. Where these conditions are met, the compost will be regarded as having ceased to be waste when despatched to the customer.

9. Brief Statement of Grounds

The Waste Framework Directive requires Member States to encourage the use of waste as a resource and the Landfill Directive sets stringent targets to reduce the amount of biodegradable municipal waste that is disposed of by landfilling. The interpretation of EU legislation is ultimately a matter for the European Court of Justice (ECJ) and there is now a substantial body of case law on the interpretation of the definition of waste in Article 1(1)(a) of the Waste Framework. Subject to ECJ case law, it rests with Member States' competent authorities to determine on a case-by-case basis when substances or objects are discarded and become waste and when waste has been fully recovered and ceases to be waste. Based on the principles set by the ECJ in case law, the compost Quality Protocol seeks to identify with greater certainty the point at which composted waste has been fully recovered and ceases to be waste. In so doing, the compost Quality Protocol's objective is to provide greater certainty for both establishments or undertakings composting waste under the terms of a permit issued by the competent authority under Article 10 of the Waste Framework Directive, or a permit exemption registered under Article 11 of the Directive, and to users of compost produced by such waste recovery operations. The greater certainty provided by the compost Quality Protocol will also fulfil not only the objectives of the Waste Framework Directive by making more effective use of waste as a resource but also those of the Landfill Directive by reducing the amount of biodegradable waste disposed of by landfilling.

10. Reference Documents - Basic Texts

a) BSI PAS 100: 2005



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

The impact assessment is attached.

16. TBT and SPS aspects

TBT Aspect

No

The draft does not have a significant effect on international trade.

SPS Aspect

No

The draft is not a sanitary or phytosanitary measure in the sense of Annex A of the SPS Agreement.

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European Commission

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