

Submission from Scottish Food and Drink Federation

Scottish Government's Policy Statement on the Zero Waste Regulations

1. This submission is made by the Scottish Food and Drink Federation, a devolved division of the Food and Drink Federation (FDF), the trade association for the UK food and drink manufacturing industry. Food and drink is the largest manufacturing sector in Scotland employing around 50,000 people, with annual turnover in the region of £9 billion, and exports worth over £4 billion.
2. The Scottish Food & Drink Federation (SFDF) responded to the consultation on the Zero Waste (Scotland) Regulations in February 2011. This response can be found [here](#).
3. Following the publication of the Policy Statement on Zero Waste Regulations in October 2011 SFDF would like to bring to the Committee's attention a number of issues of potential concern to our industry and which would benefit from further clarification.

Source Segregation

4. Regarding the stated intention to bring forward, through an extended Duty Of Care, a statutory requirement on all food businesses to present their food waste for separate collection (in addition to dry recyclables) SFDF seeks assurance that this would include a caveat to account for situations where compliance would be unreasonable and that this would include situations where food waste arises in a comingled state in conjunction with one or more other waste streams.
5. Whilst SFDF members fully understand the importance of source segregating their waste arisings wherever possible as part of good environmental practice there will be situations where we would consider it unreasonable to require separation, for example where an equipment fault results after packaging material (e.g. paper and card) has already come into contact with product such as on packing line. In this situation clean up of the packaging would be very labour intensive and use vast amounts of other resources (e.g. water which could not be recycled). Even then there is a risk that such 'separated' material may be rejected further up the recycling chain. For example, with cartons that have faulty seals whilst the product can be reclaimed the carton with product contamination cannot be easily separated.
6. We were pleased therefore to see that in the draft regulations, subject of the earlier consultation, the source segregation provision was subject to the caveat that compliance should not be "unreasonable" although we asked for clarity on what situations would be deemed "unreasonable" in this regard and which we suggested should include the example described above.
7. However this caveat was not addressed in the subsequent Policy Statement. SFDF understands from the Scottish Government that further information may be included in a guidance document due in early 2012 and then may be

considered for inclusion in the final Regulations. We would like to request that this issue be addressed as soon as possible to provide clarity for our industry.

Separate collection

8. We welcome the Government's concession to smaller businesses who will not now have to present their food waste for collection until the end of 2015.
9. Our understanding from reading section 5.1 of the Policy Statement is that the requirement on food businesses to present their food waste for separate collection will only apply where a food collection service is available. However reading this section alongside section 5.3 it is unclear whether "available" means only in terms of what is provided by a local authority or also what the private sector can offer. Subsequent discussions with the Scottish Government suggest that the latter interpretation will apply. If this is confirmed it is vitally important that the Regulations make clear what economic and environmental considerations would apply in such circumstances (as is intended for local authorities) as without such checks and balances this requirement could have significant cost implications for some of our members, most notably SMEs, given the geography of our country.

Thermal Treatment

10. We welcome the Policy Statement's declaration that the Scottish Government intends to express this restriction as a ban on separately collected materials going to incineration and therefore seek confirmation that waste streams that unavoidably arise in a co-mingled state will still be permitted to be recovered by this route.

The Scottish Food and Drink Federation

The Scottish Food & Drink Federation (SFDF) is an independent, industry funded organisation, universally recognised as the "voice" of food and drink manufacturers in Scotland. Established in Edinburgh in 1999, SFDF is a devolved division of the UK industry body the Food & Drink Federation (FDF).

The food and drink sector is the largest manufacturing sector in the country and together we ensure our industry is heard where it matters in the Scottish, UK and the EU contexts; with Government, regulators, key influencers across the food chain, consumers and the media.

A key focus of our work is on the competitiveness of the industry in Scotland and improving the legal and socio-economic environment in which our members operate.

We, therefore, represent our members' views at the highest levels within the Scottish Government, Scottish Parliament and the Food Standards Agency Scotland and liaise with related bodies such as Consumer Focus Scotland, the Scottish Retail Consortium, the Scottish Enterprise Network as well as the agricultural sector, and academic and research institutes.