



PRESS RELEASE

Environmental and social groups, Waste Managers, Local Authorities and Industry united in concern over the Commission's plan to drop Biowaste Directive

(14 April 2005, Brussels) A coalition of 6 organisations, bringing together European environmental protection groups, social integration interests, Waste Managers, Local Authorities and Industry, supported by acknowledged experts in the field, have expressed their deep concern about the apparent intention of the Commission's DG Environment to abandon an independent Directive on Biowaste. After five years, several advanced Commission working papers, numerous stakeholder meetings and at least seven different institutional calls for legislation¹ nothing has yet been delivered.

Given the critical stage of decision-making on the Thematic Strategies derived from the 6th Environment Action Programme the coalition has called on Environment Commissioner Dimas, in a joint letter earlier this month, to ensure that the Thematic Strategies include a proposal for a Biowaste Directive based on the already advanced discussions on the need for such legislation.

“The Commission's idea of focusing only on Compost Product Standards for this waste stream is insufficient. Standards without complementary strategic legislation on biowaste would not generate the critical mass needed to drive change, or give the legal certainty to address the current financial risks for both the private and public sectors. Essential investments in collection and treatment infrastructure, quality guarantee schemes and research would not be viable. We are therefore extremely concerned about the change of direction the Commission has taken on this issue in the last year”, said a coalition spokesperson.

‘Such legislation is a crucial strategic element of both Soil and Waste Policies, and has a powerful potential to help Member States fulfil the diversion targets of the Landfill Directive as well as positively contributing to European Climate Change and future Soil Policies. It would send a clear political signal to steer (bio) waste management infrastructure investments at local and regional level for the immediate future.

The advantages of quality compost and the need for reliable sources of clean bio waste are widely documented, but are also highly dependent on creating critical mass to ensure high volumes of quality (clean) supply for these applications.’

Failure by the Commission to come forward with a Biowaste Directive constitutes a **loss of a unique opportunity at a crucial time** given the crosscutting environmental, economic and social benefits such a Directive would have and the strong support that exists among stakeholders, Council and the European Parliament for such legislation.

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For the coalition letter to Commissioner Dimas see:

www.assurre.org

<http://www.eeb.org/activities/waste/composting/Index.htm>

www.compostnetwork.info

www.fead.be/key_issues

www.iswa.org

www.rreuse.org

ⁱ **Annex I – Overview of key political commitments and calls for biowaste legislation**

1) DECISION No 1600/2002/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 22 July 2002 laying down the Sixth Community Environment Action Programme

Article 8.2. These objectives shall be pursued taking into consideration the Integrated Product Policy approach and the Community's strategy for waste management (1) by means of the following priority actions:

... (iv) Developing or revising the legislation on wastes, including, *inter alia*, ...sewage sludge (2), biodegradable wastes,

2) 2439th Council meeting - Luxembourg, 25 June 2002 – Soil Protection Council conclusions

pt 12. STRESSES that ongoing environmental legislation initiatives on compost, mining waste and sewage sludge, as well as air quality, will make an important contribution to soil protection and REQUESTS the Commission to present the appropriate proposals as soon as possible;

3) DECISION No 1600/2002/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 22 July 2002 laying down the Sixth Community Environment Action Programme

Article 8 - Objectives and priority areas for action on the sustainable use and management of natural resources and wastes

8.2. These objectives shall be pursued taking into consideration the Integrated Product Policy approach and the Community's strategy for waste management (1) by means of the following priority actions:

(iv) Developing or revising the legislation on wastes, including, *inter alia*, construction and demolition waste, sewage sludge (2), biodegradable wastes, packaging (3), batteries (4) and waste shipments (5)

4) 10 October 2003 EP Report on the Commission communication 'Towards a Thematic Strategy for Soil Protection'
Rapporteur: Cristina Gutiérrez Cortines

pt 17. Urges the Commission to revise the Sewage Sludge Directive (1986/278/EEC of 12 June 1986) and draw up a directive on compost; stresses the need to intensify research in this field so as to boost its potential for the recovery of soil lacking in organic matter and bring together waste management and soil protection and enrichment;

5) May 2004 European Parliament resolution on the communication from the Commission: Towards a thematic strategy on the prevention and recycling of waste

whereas Article 8(2), point (iv) of the (6EAP) programme provides for the development or revision of the legislation on wastes, including, *inter alia*, construction and demolition waste, sewage sludge and biodegradable wastes

27. Welcomes the fact that the Commission recently submitted legislative proposals on mining waste and for the revision of the batteries directive as well as the Commission's plan to submit proposals during 2004 on biodegradable waste and to amend the sewage sludge directive, which are important elements of the strategy;

6) 2593rd Council Meeting Environment Luxembourg, 28 June 2004

II. Role of the Strategy on Preventing and Recycling Waste

Pt 8. re-affirms the Council conclusions of 25 June 2002 requesting the Commission to bring forward as soon as possible the Thematic Strategy on Soils and legislative proposals on compost and sewage sludge, together with standards as appropriate;

7) The ABP Regulation EC 1774/2002, at article 6(2)g - concerning technical requirements for Catering Waste - reads:

" *Category 3 catering waste shall be transformed in a biogas plant or composted in accordance with rules laid down under the procedure referred to in Article 33(2) of the Regulation or, pending the adoption of such rules, in accordance with national law. (...) In this regard, the Commission has given a commitment that by the end of the year 2004 a Directive on biowaste, including catering waste, will be prepared with the aim of establishing rules on safe use, recovery, recycling and disposal of this waste and of controlling potential contamination. This means that, pending the adoption of EU rules (i.e. the Directive on the biological treatment of biodegradable waste), composting and anaerobic digestion of biodegradable waste containing catering waste is subject to national rules.*"