

UEAPME¹ position paper on the review of the Waste Directive (2008/98/EC) dealing with food losses and food waste.

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The European association of crafts, small and medium sized enterprises (UEAPME) highlights three issues in the revision of the Waste Directive while supporting the general principle that the circular economy package should not create additional burdens.

Among the various industrial actors throughout the food chain, the European SMEs make up the majority of them and out of these SMEs, micro-enterprises are in the majority (i.e. employing less than 10 people). This specificity makes SMEs far more sensitive to regulatory burdens than any other actors in the food production chain. For this reason, it is extremely important for any public policy intending to reduce food waste to avoid creating additional regulatory and administrative burdens for small food businesses, as it could seriously undermine the goal of reducing food waste.

For this reason, the SME food operators consider it essential that the new circular economy package, and in particular the review of the Waste Directive (2008/98/EC) ensures the following:

1) Food waste reduction targets should remain flexible

UEAPME considers that it is critical to allow for flexibility in the approaches taken by the Member States to reduce food waste throughout the food chain. Indeed, in some Member States, food waste reduction measures are already very advanced, while in some others, it is only an emerging issue. Moreover, the nature and scale of the problem might differ from country to country and from sector to sector. For this reason, UEAPME considers that it is essential for the targets referred to in recital 12 of the revised Waste Directive to remain aspirational, and that Member States should not have the obligation to adhere to the set goals, but should rather be allowed the flexibility in their chosen means. Moreover, it is even more essential that any target promoted at EU level remain general (they should not be turned into sectorial targets), in order to allow each Member State to adjust its food waste policy to the real challenges experienced nationally for each part of the food production chain. For this reason, UEAPME fully supports the approach taken by the European Commission, which refers to the targets adopted by the UN General Assembly, while avoiding the obligation of results.

¹ UEAPME is the employers' organisation representing the interests of European crafts, trades and SMEs at EU level. UEAPME is a recognised European Social Partner. It is a non-profit seeking and non-partisan organisation. As the European SME umbrella organisation, UEAPME incorporates around 64 member organisations from 34 countries consisting of national cross-sectorial SME federations, European branch federations and other associate members, which support the SME family. UEAPME represents about 12 million enterprises, which employ around 55 million people across Europe. UEAPME subscribes to the European Commission's Register of Interest Representatives and to the related code of conduct as requested by the European Transparency Initiative. Our ID number is [55820581197-35](https://ec.europa.eu/transparency/procinfo/tgrview/?app=oe&id=55820581197-35).

2) Ecological and economic efforts go hand in hand

The proposed new article 9-3 of the Waste Directive 2008/98, proposed as part of the circular economy package, makes it mandatory for Member States to estimate food waste. It is important to ensure that this obligation is not simply transferred to individual businesses throughout the food production chain. Instead the producer of saleable food products should be able to turn the ecological obligation into an economic asset. The ecological aspects could then be integrated into the future business plan and become an economic incentive to the sector.

3) Consultation of stakeholders is carried out before adopting concrete measures

Reducing food waste is a complex issue, which needs to be tackled through different instruments by different actors. Any measure intended to reduce food waste needs to be tailored to the specific sector it targets. For this reason, it is essential for Member States to ensure proper stakeholder consultation before adopting specific measures to reduce the flow of waste, and in particular food waste. The new article 9 of the Waste Directive should therefore make reference to the consultation of stakeholders at national level when Member States adopt measures to prevent waste. This would avoid adding unnecessary burdens and red tape, which would be counterproductive and which could indirectly lead to the opposite effect.

Conclusions for SMEs

- Targets should remain aspirational: there should only be an obligation of means for Member States, as proposed by the European Commission.
- The evaluation of the food waste presents some difficulties; which is balanced by advantages won through ecological and economical efforts. Therefore, ecological and economical efforts should go hand in hand.
- The next article 9 of the Waste Directive should make a reference to stakeholder consultations for waste prevention measures to be adopted by Member States.