

# Commercial food waste

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The Environment Protection Authority Victoria (EPA) has released this draft position to clarify what constitutes commercial food waste in the Environment Protection (Industrial Waste Resource) Regulations 2009 ('the Regulations').

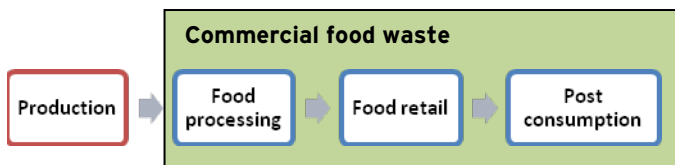
## EPA Position

### What does commercial food waste include?

EPA's position is that 'commercial food waste', as stated in Schedule 1 of the Regulations, refers to only the solid component of commercial food waste.

The liquid components of commercial food waste are category A prescribed industrial wastes (PIW), consistent with Clause 1(f) in Schedule 2 of the Regulations.

EPA considers that solid commercial food waste is waste that is biodegradable and generated at the food processing, food retail and post consumption stages.



**Production:** Primary production, pre-harvesting and pre-processing, including, animal mortalities (not for consumption) and manures.

**Food processing:** Production of food (post-harvesting), including food that doesn't meet specifications, including solid milk residue and scallops shells.

**Food retail:** Generated prior to the sale of food at a retail outlet, including out of date and damaged food.

**Post consumption:** Leftover food waste generated from households and restaurants.

Wastes produced in the production stage should be assessed to determine whether they are free of liquids<sup>1</sup> and then should be categorised as per Schedule 2 of the Regulations to determine if they are PIW or non-PIW.

## Purpose of EPA Position

An EPA Position sets out how we will act in a given situation or our interpretation of the law.

It provides EPA's application of the law or policy - it is not itself a law. It offers certainty and consistency in how we will act in particular circumstances.

The intended audiences are EPA duty-holders, the community and other stakeholders. We develop EPA positions with stakeholder and community input and make them public like any other form of EPA guidance.

## Background

This EPA Position is consistent with the explanation of commercial food waste provided in the Response to comments: Environment Protection (Industrial Waste Resource) Regulations 2009 and Regulatory Impact Statement<sup>2</sup>. It stated:

*"The definition of 'category A waste' in Schedule 2 of the Regulations has been updated to clarify that liquid wastes, other than trade waste and industrial waste water managed in accordance with specifications acceptable to the Authority, are category A.*

*Clause 1(f), in respect of Category A waste, provides that liquid waste other than-*

- *trade waste or*
- *industrial waste water managed in accordance with specifications acceptable to the Authority<sup>3</sup>*

*is PIW."*

## Environmental risks

Liquid wastes are high risk wastes because they can spread quickly, including into surface water and groundwater. Liquid wastes can cause a range of environmental impacts, for example, nutrient pollution of groundwater and waterways can kill or harm aquatic life through algal blooms and deoxygenated waterways. The impacts on water quality will vary depending on the type of waste. For example liquid fruit waste can be highly acidic which can cause fish and other animals to suffocate.

<sup>1</sup> As defined by method 9095B Paint Filter Liquids Test (US EPA, 2004)([www.epa.gov/osw/hazard/testmethods/sw846/pdfs/9095b.pdf](http://www.epa.gov/osw/hazard/testmethods/sw846/pdfs/9095b.pdf))

<sup>2</sup> <http://www.epa.vic.gov.au/~media/Publications/IWRG201.pdf>

<sup>3</sup> Publication IWRG632: Industrial water reuse

## EPA's Regulatory Approach

Solid commercial food waste is categorised as industrial waste and is not regulated as PIW, reflecting the low environmental risk due to the solid nature of the material. However, it continues to be regulated by EPA when processed at licensed composting or organics recycling facilities, as these sites present a higher risk due to the scale of the operation. The management of commercial food waste must also be managed in a way that complies with the *Environment Protection Act 1970* and EPA's State Environment Protection Policies.

Solid commercial food wastes that is either hazardous in nature (eg. infectious), has undergone any treatment or chemical addition or has been contaminated with PIW must be assessed as per EPA's guideline *Solid industrial waste hazard categorisation and management* (IWRG631). If categorised as A, B or C PIW the waste must be directed

to an appropriately licensed facility using a permitted vehicle and waste transport certificates. One of the following two waste codes would apply for the transportation:

- K100: Animal effluent and residues. Examples: abattoir wastes, poultry wastes, fish and shellfish wastes.
- K200: Food and beverage processing wastes, including animal and vegetable oils and derivatives.

Liquid commercial food waste is category A PIW. It cannot be accepted at a disposal facility without prior treatment to reduce or control the hazard. It must be directed to a facility licenced to accept PIW, which can include appropriately licensed liquid treatment facilities, composting or organics processing facilities.

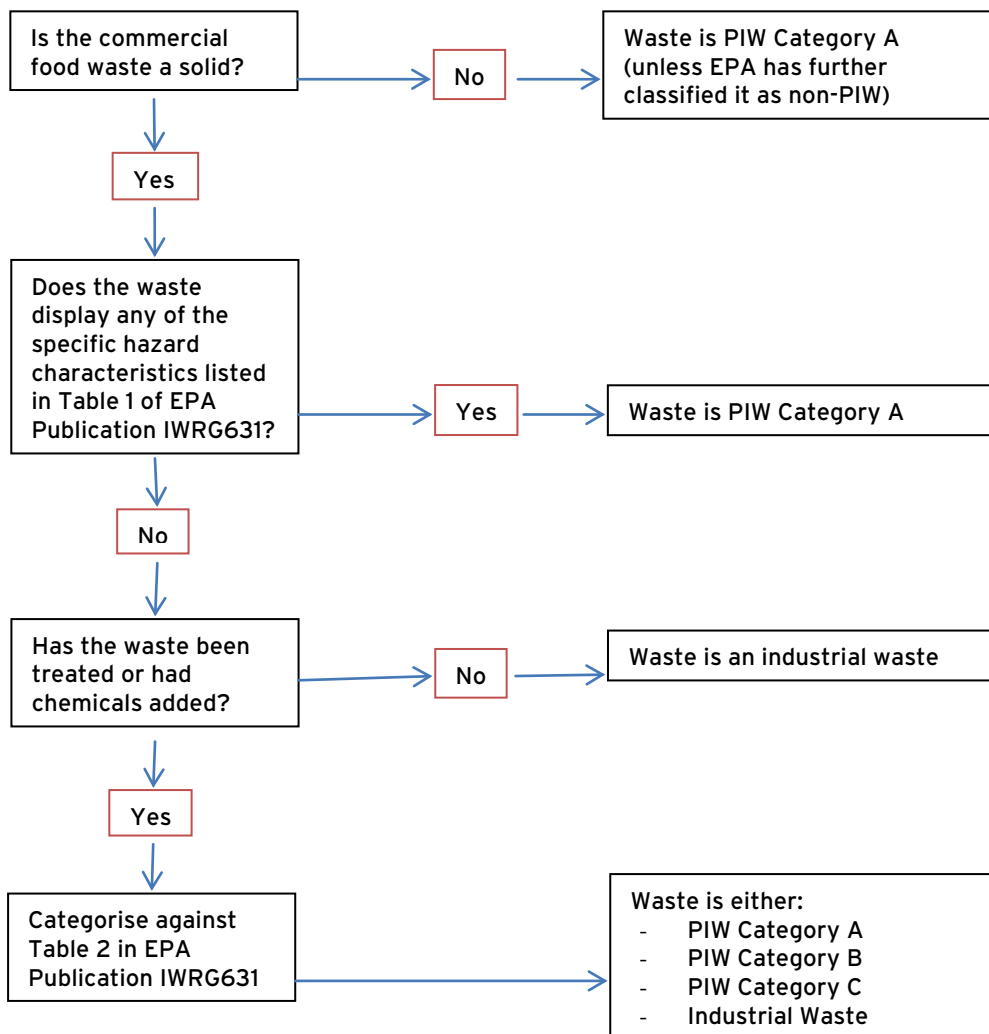


Figure 1: Commercial food waste hazard categorisation