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from : General Secretariat

to : Delegations

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Subject : Green Paper on the management of bio-waste in the European Union  
– Council conclusions

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Delegations will find attached the conclusions adopted by the Council (Environment) on 25 June 2009.

  

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**Green Paper on the management of bio-waste in the European Union**  
**- Council conclusions -**

The Council of the European Union,

1. WELCOMES the publication of the Green Paper on the management of bio-waste in the European Union, which launches an extensive discussion on options for the management of this kind of waste; IS AWARE that the issue of biodegradable waste is partially addressed, among others, by Directive 1999/31/EC on the landfill of waste <sup>1</sup>, which sets the reduction targets for landfilling of biodegradable municipal waste, and by Directive 2008/98/EC on waste <sup>2</sup>, which invites the Member States, among others, to introduce measures supporting separate collection and appropriate treatment of bio-waste and the Commission to carry out an assessment on the management of bio-waste with a view to submitting a proposal if appropriate.
2. NOTES that up to 139 million tonnes of bio-waste are estimated to arise in the European Union every year; EXPRESSES ITS CONCERN that biodegradable waste becomes an important source of greenhouse gas emissions and other pollution when deposited in landfills without proper stabilisation and AGREES with the Commission that the main negative impacts of landfilling will be reduced by adhering to the EU Landfill Directive but not eliminated and that compliance with the targets for reduction of biodegradable waste on landfills in the EU Landfill Directive is essential.

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<sup>1</sup> Directive 1999/31/EC of the Council on the landfill of waste, O.J. L 182, 16.7.1999, p. 1.

<sup>2</sup> Directive 2008/98/EC of the European Parliament and of the Council on waste and repealing certain Directives O.J. L 312, 22.11.2008, p. 3.

3. NOTES that the application of unsuitable agricultural techniques often leads to a gradual reduction of the amount of organic material in the soil, resulting in a reduction of its water-retention ability and soil fertility; that lower amounts of organic matter contribute to wind and water erosion of the soil and to a faster silting-up of water reservoirs and river-beds, reducing their retention capacity, which, in turn, contributes to an increasing risk of floods; it therefore RECOMMENDS, in this context, the use of compost and digestate derived from treatment of biodegradable waste, contributing to a return of organic matter and nutrients to the soil.
4. STATES that improving the management of bio-waste will contribute, on the one hand, to a sustainable management of resources and to improved protection of soil and, on the other, to the fight against climate change and to the reaching of targets for landfill diversion, recycling and renewable energy.
5. RECALLS that the strategy of the European Union related to the management of waste should lead to promotion of the European Union as a "recycling society"; STRESSES that the hierarchy of waste management should be applied unless life-cycle thinking justifies another treatment<sup>3</sup>; POINTS OUT that composts and digestates of lower quality should be avoided as far as possible. Where lower quality composts and digestates are produced which are not suitable for use on agricultural land and the use of which does not involve risks for health or the environment, including soil, ground- and surface- water according to the assessment of Member States, they may be further materially recovered for specific purposes or used on other than agricultural land where a lower content of organic matter and nutrients is often an important issue and which is not used for cultivation of crops entering the food chain.

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<sup>3</sup> See Article 4 of Directive 2008/98/EC on waste.

6. DRAWS ATTENTION to the fact that the definition of bio-waste in Directive 2008/98/EC on waste does not include all biodegradable waste that can be treated by composting or in biogas stations; RECOMMENDS considering other biodegradable wastes suitable for treatment in composting or anaerobic digestion plants as part of the scope of possible future EU legislative proposals as appropriate in order to harmonise concepts and terminology in relation to biodegradable waste; CONSIDERS that the need for EU legislation especially in relation to recycling of biodegradable waste by composting and energy recovery in biogas stations with subsequent recycling of the digestate should be considered by the Commission as part of their impact assessment. The Commission should also examine, as part of the assessment, the role of bio-waste as potential source of renewable energy where life-cycle analysis justifies its conversion into bio-fuels or its treatment in highly efficient incineration plants.
7. INVITES the Commission to consider the potential economic and social consequences, such as increased employment, which could derive from developing a common market in a commodity throughout Europe and any consequences on human health, including occupational health, and on the environment.
8. ENCOURAGES the Commission to continue the impact assessment with a view to preparing, if appropriate, a EU legislative proposal on biodegradable waste by 2010. In particular, the Council INVITES the Commission to consider the need to stipulate, if appropriate and while respecting the subsidiarity principle and taking into account local conditions:
  - (i) measures for the prevention of such waste;
  - (ii) measures for introducing separate collection of biodegradable waste where necessary to guarantee a high quality for subsequent recycling;
  - (iii) a quality assurance system, based on the principle of integrated chain management and traceability throughout the process up to the final receptor, without entailing disproportionate costs or administrative burdens;

- (iv) the establishment of requirements on the labelling and on quality criteria for compost and digestate as well as on quality criteria for recycled biodegradable waste that is intended for use on land to facilitate the management of this material and assist in stimulating the market by increasing consumer confidence.
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