

**Environment, Food and Rural Affairs Committee**  
**Oral evidence: Food Waste in England, HC 429, 15 November 2016**

**Supplementary Evidence, 31 January 2017**  
**Tristram Stuart, Founder, Feedback**

During the oral evidence given by Tristram Stuart, further supplementary evidence was offered to the Committee. That information is provided herein.

1. Feedback's policy stance on the Circular Economy Package (Q33)

Please see documents (PDF): EU Circular Economy Consultation – Feedback Submission; EC Circular Economy Consultation – Feedback Dedicated Position Paper (PDF)

2. Policies / legislation on food waste that Feedback would like the national Government to adopt (Q36)

Feedback's written evidence to Efra dated 12 September 2016 (<http://feedbackglobal.org/2016/09/3308/>) included the following suggestions:

National targets

**a) Binding national food waste reduction targets for Northern Ireland, Wales, Scotland and England to halve food waste across the supply chain (including pre retail food waste) by 2030, in line with the United Nations Sustainable Development (UNSDG) Goal 12.3.**

The UNSDG 12.3 states "by 2030, halve per capita global food waste at the retail and consumer levels and reduce food losses along production and supply chains, including post-harvest losses". In line with this, Scotland has already adopted a Food Waste Reduction Target, pledging to cut food waste by 33 per cent by 2025

<http://www.gov.scot/makingthingslast>.

The national targets should be reflected in individual company targets, with clear roadmaps showing how they will make their contribution.

Industry reporting

**b) National legislation requiring food businesses over a particular size to collect, independently audit and publicly report data on food waste, including supply chains.**

Supermarkets currently gather data and report it to the British Retail Consortium voluntarily under the Courtauld Commitment. The data is not audited, and when published is anonymised and aggregated. Making this data publicly available would increase competition between businesses generating positive results for consumers, retailers and suppliers.

The World Resources Institute have developed a standard to quantify and report food loss and waste ("*Food Loss and Waste Accounting and Reporting Standard*") <http://www.wri.org/publication/flwstandard>. It is unclear whether this acknowledges the different business models of the major food retailers whilst allowing for consistent

reporting. Tesco have developed an approach and Feedback believes that all retailers should be as a minimum measuring and reporting to the same standard.

Feedback recommends that the approach adopted should cover the full supply chain of own-branded products, and not be limited to owned distribution centre operations and back-of-store waste. Feedback recently published an article on the ideal of a 'zero-waste supermarket' (<http://feedbackglobal.org/2016/10/wheres-uks-first-zero-waste-supermarket/>).

#### Groceries Code Adjudicator

##### **c) Strengthen the remit of the Grocery Code Adjudicator (GCA)**

The GCA is currently limited to regulating the relationship between retailers and their direct (first-tier) suppliers, meaning that indirect suppliers are not protected from unfair trading practices (UTPs) that can cause overproduction and food waste. It is often the middlemen who are responsible for unfair trading practices (UTPs), transferring waste and financial risk down the supply chain, on the retailers' behalf. Feedback recommend that the GCA have their remit extended in order to protect indirect suppliers in the same way that direct suppliers are protected.

#### Food waste hierarchy

##### **d) Adoption of the food waste hierarchy in the legislative framework. In particular, removal of subsidies that incentivise sending edible food to Anaerobic Digestion (AD).**

National legislation should support the food waste hierarchy, with a legal requirement to maximise reduction and redistribution before energy capture or disposal. To ensure food waste prevention efforts take priority over AD, Feedback advocate that Renewables Obligation Certificates (ROCs) are only available for the AD of non-edible food waste that is otherwise destined for landfill, and not any food waste that could be directed further up the hierarchy (as is the case with the Renewable Heat Initiative).

This should be considered in the widest context, incentivising waste reduction ahead of increasing food production (e.g. through higher yielding crops) to meet future challenges.

#### Revision of EU ban on food waste as animal feed

##### **e) Revision of the ban on feeding catering waste to non-ruminant livestock**

Feedback advocates the use of regulated, centralized, sophisticated catering waste treatment systems to ensure food waste can safely be used in feed for non-ruminants (pigs and chickens). EU legislation is currently blocking such systems from being created that could simultaneously reduce food waste, create jobs, and significantly improve the environmental impact of meat production.

EU currently bans catering waste from being fed to animals, while this happens successfully in Japan, South Korea and many parts of the US. Feedback are currently gathering support from scientists to show that when waste is properly heat treated there are no health risks in feeding it to pigs, and there are hugely significant environmental benefits.

*Please also see the paper "Pig Idea Emission Reductions for CCC Jan 2017".*

## Date labelling

### **f) Review government guidelines on date labelling for food, and consider legislation against Best Before labels.**

Consumers are confused about the difference between Best Before date labels, which are an indication of product quality, and Use By date labels, which are concerned with food safety. As a result, consumers are throwing away perfectly edible food.

There are also examples of Use By date labels being used incorrectly by manufacturers: they are being set before the true Use By date to also reflect product quality because there are no rules on how the Use By date should be calculated; and, they are used on products that do not require them such as dairy and raw meat. Clear guidelines are required about which foods should carry what dates to address confusion and unnecessary food waste.

Directive 2000/13/EC (<http://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX:32000L0013>) prohibits the use of information that would mislead the purchaser. Article 2 (1) (a) states that “labelling must not be such as could mislead the purchaser to a material degree, particularly as to the characteristics of the foodstuff and, in particular, as to ... durability”.

A review of the use of date labels, which Feedback discussed with the Food Standards Authority in late 2016, is needed to reduce confusion and subsequent food waste.

### 3. Case studies of farmers who have lost their tenancy to farmers with AD (Q56)

- a) In January 2015, James Hay, a farmer at Hall Farm Woodrising, provided Tristram with details of his neighbouring farmer (“Richard”) who had lost his tenancy to an AD contractor to grow maize. James wrote to the Tenant Farmers Association (TFA) and his local MP (extract below). Please note that he has requested anonymity because he is also a tenant on the estate.

*Two years ago a long standing tenant of forty years on the estate was informed by an agent of Strutt and Parker that they would “not be able to afford the rent other farmers in the area would pay” and their tenancy would not be extended. Due to the unsustainable level of rent being asked the tenant agreed to end his tenancy. The tenant, for his own reasons decided not to seek advice as in his own words “is a farmer not a campaigner.” After being so rudely ejected from his tenancy the farmer was made to pull down any buildings his family had built but not applied for tenants improvement for as well as receiving no compensation for a lifetime of work on the tracks, ditches and farmland. The stress of this event took his toll. The tenant had a heart attack directly after this event and is now undergoing a triple heart bypass in a hospital near here.*

*The behaviour of the land agent towards this man has been deplorable, rude and lacking any respect towards a hard working farming family. The farce continued, a tender was put out on the estate land with very large bids being placed on the new tenancy opportunity. Most interestingly, according to a disgruntled employee, it has emerged that before the old tenant was asked to leave a local agri-business owner had approached the land agency with an offer of paying ten pounds more an acre than any bid on the farm. His business was in desperate need of land to feed a new anaerobic digestion unit on a nearby farm. The disgruntled employee also brought to my attention that their family were also members of*

*TFA and they had been repeatedly asked by her employers to log on to her parents TFA account and keep abreast of any publications the TFA produced. The tenancy has recently been granted to the AD business and the change in farming is immediate. Large lorries on the roads running local residences into ditches. Sides of small lanes being torn to shreds by quad-tracks. People being sworn at on roads by speeding tractor drivers. In all it is a really unpleasant state of affairs that I feel the TFA should be made aware of.*

*In the latest lead article of the TFA News 'A Dose of reality' it states that individuals "getting their fingers burnt" will be a wakeup call. However if land agents are allowed to operate in this way without consequence the possibility that an "over-exuberant agri-business may get it's fingers burnt in the future," is of little comfort to a tenant farmer on a hospital bed without a farm.*

- b) In November 2016, following the oral evidence to EFRA, Tristram received the following information from Angela Johnson, Chairperson WAAD:

*A co-operative of Farmers, that control one of the UKs largest grain stores in our beautiful village of Wimblington, have applied to have an Anaerobic Digester erected within a residential area of our village. Residents are not against 'Green Energy' but AD's were not created to be fed by 'purposely grown feed stock' they were to be installed in farms or near WASTE landfill sites. The subsidies created by the EU and our government have swayed the interest towards ADs purely for financial gain not for the correct application of using up WASTE.*

*Having had two planning applications refused by our local planning committee and one appeal dismissed by the Secretary of State we sadly lost on the second appeal. Now local residents are raising funds to cover the cost of taking the second decision to the High Court.*

Angela wrote again in January 2017:

*I have just been reading an article in today's Daily Mail regarding ADs using purposely grown crops as WASTE (<http://www.dailymail.co.uk/news/article-4078820/The-great-green-guzzler-Monster-digesters-meant-guzzle-waste-churn-eco-friendly-energy-fed-CROPS-produce-pitiful-levels-power-cost-216m-subsidies-HARM-environment.html>)\*. This article is almost a mirror of our small village and its circumstances.*

*So far we have lodged our grounds to the High Courts trying to get the Secretary of States decision dismissed, to date we have raised over £15,000 to cover costs of both consultant reports, our lawyer and a Barrister. It is so obvious that this proposed AD is all about financial gain not about 'Green Energy' and it will be using 45,000 tonnes of crops.*

\*ADBA published an open letter to the Mail on Sunday on 5th January 2017, in response to the article referenced by Angela (<http://adbioresources.org/news/adba-responds-to-mail-on-sunday-article>). Charlotte Morton, CEO, states that "Energy crops are grown for AD by farmers [and these]... represent less than 0.5% of the UK's agricultural land". This figure of 0.5% is quoted in ABDA's AD Market Report, July 2016 ([Chart 24](#)). This is calculated using Defra statistics ("Area of Crops Grown for Bioenergy in England and the UK" 10 December 2015 <http://bit.ly/1rVCPJe>) for the **area of maize being grown for AD (33,698 hectares** in June 2015) and the total UK arable land area (6.1 million hectares).

## Further statistics on AD

- ABDA projects this will increase to approximately **64,000 hectares by 2017**. Assuming an average UK farm size of 84 hectares ([http://ec.europa.eu/eurostat/statistics-explained/index.php/Agricultural\\_census\\_in\\_the\\_United\\_Kingdom](http://ec.europa.eu/eurostat/statistics-explained/index.php/Agricultural_census_in_the_United_Kingdom)), this is equivalent to approximately 760 farms.
- ABDA reports 327 existing AD plants, with planning applications for a further 391 (73% agricultural) approved and a further 27 (75% agricultural) submitted. It states that “currently many of those plants [with planning permission] are **intending to use crops**”.
- Defra statistics for reported tonnages of crops purposely grown for AD feedstock increased by 50% between 2012 and 2013 to 300,000 tonnes. This equates to **15% of all AD feedstock**. Maize grown for use in anaerobic digestion accounted for **19% of the total maize area in England in 2015**.
- A March 2015 report by the Green Investment Bank (<http://www.greeninvestmentbank.com/media/44758/gib-anaerobic-digestion-report-march-2015-final.pdf>) highlighted that a rapid expansion in treatment capacity had not been matched by an increase in the collection of source segregated food. It states that there has been a shift towards the development of smaller agricultural plants: “developers have turned their attention to farm AD opportunities where the feedstock risks are perceived as more manageable with the potential for longer duration feedstock contracts alongside the increased homogeneity in fuel composition. These advantages coupled with the potential for the local landowner (farmer) to act as a long term owner of the AD facility and off-taker of the digestate and heat have provided additional **incentives for investors to focus attention on the agricultural waste subsector of the AD market**.” This investment focus perversely incentivises crops to be grown specifically for AD feedstock.
- WRAP findings show how surplus food suitable for redistribution for both human and animal consumption, is currently being drawn down the waste hierarchy into Anaerobic Digestion. Of the 190,000 tonnes of food surplus that may be suitable for redistribution, but is currently going to waste, on average around 40% goes to anaerobic digestion and other recycling options, and 40% is used in energy recovery. We expect similar proportions are applicable to the 200,000 tonnes of food surplus suitable for, but not currently used in animal feed. (p.2-3 of WRAP report on waste in the supply chain <http://www.wrap.org.uk/content/quantification-food-surplus-waste-and-related-materials-supply-chain>)
- Sending food waste to animal feed scores better on 12 out of 14 environmental (e.g. eutrophication and eco-toxicity) and health indicators (e.g. carcinogens) - than anaerobic digestion (biogas) or composting (Salemdeep et al. (2016) <http://www.sciencedirect.com/science/article/pii/S0959652616305042>). The calculations in the study were based on the current UK energy mix – for the energy needed to render the food waste safe – so if renewable energy was used feed could potentially beat biogas and compost on all indicators.
- We understand that whilst AD operators have to comply with the government sustainability criteria to collect the RHI, we understand that there is no restriction on the use of food crops. AD operators can therefore collect double ROCS for the electrical energy they generate, vastly more significant income than the RHI.