

REGULATORY POSITION STATEMENT FOR FRESH PRODUCE BY-PRODUCTS (ROOT CROPS, VEGETABLES, FRUIT) FROM FARMS AND FOOD PROCESSING FACILITIES, USED FOR ANIMAL FEED OR AS AN ENERGY CROP INPUT TO ANAEROBIC DIGESTION (AD)

Examples of Fresh Produce

- Root crops (e.g. potatoes, carrots, parsnips, turnips)
- Vegetables (e.g. brassica's, cabbage, lettuce, tomatoes, squashes)
- Fruit (e.g. strawberries, raspberries, cherries)

Examples of Fresh Produce By-Products Produced at a Farm

- Fresh produce graded out because it is damaged or misshapen
- Fresh produce without usual market, due to lack of demand or lack of quality

Examples of Fresh Produce By-Products Produced at a Food Processing Facility

- Fresh produce graded out post washing because, it is damaged or misshapen
- Fresh produce without usual market, due to lack of demand or lack of quality
- Cuttings and trimmings from fresh produce produced during processing
- By-product materials resulting from the manufacture of food or drink using fresh produce only

N.B. Food processing and waste water treatment sludges do not fall into the categories outlined above and must be managed as waste

Waste authorisation is not required for either transfer or use as animal feed

- Sent directly to a farm without any further processing, to be consumed by animals
- Sent directly to an animal feed haulier/merchant and subsequently a farm without any further processing, to be consumed by animals
- Sent to an animal feed producer to be processed into animal feed and subsequently consumed by animals

Waste authorisation is not required for either transfer or use as an energy crop input

- Sent directly to an AD facility without any further processing, to be used as a green energy input
- Sent directly to a haulier/merchant and subsequently an AD facility without any further processing, to be used as a green energy input

Regulatory Position Requirements

- There is always certainty of use for the fresh produce by-product as animal feed or a green energy input
- The fresh produce by-product is always suitable to be used directly or following processing as animal feed, or directly as a green energy input
- The fresh produce by-product is produced as an integral part of a production process
- The fresh produce by-product is only used as animal feed or a green energy input and the use is lawful i.e. the fresh produce by-product fulfils all relevant product, environmental and health protection requirements for the specific use and will not lead to overall adverse environmental or human health impacts.

N.B. Regulation (EC) No 1831/2003 requires feed business operators to notify the Department of Agriculture, Environment & Rural Affairs (DAERA) of any establishment that is under their control and active in any stage of production, processing, storage, transport or distribution of feed. This notification should be given with a view to applying for approval or registration. An application form is available on the DAERA website: <https://www.daera-ni.gov.uk/publications/forms-relating-approvalregistrationchange-business-details-feed-premises>

N.B. For those wishing to use the materials as animal feed, only farms, food processors and feed business operators registered with DAERA as outlined above, can avail of this Regulatory Position Statement.