



Department
for Environment
Food & Rural Affairs

T:
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www.gov.uk/defra

(To: all stakeholders on cc list overleaf)

Your ref:
Our ref:
Date: 7 March 2014

Dear Stakeholder

EU ANIMAL BY-PRODUCT LEGISLATION: DISPOSAL OF SMALL QUANTITIES

When Defra consulted in 2010 on the implementation in England of EU Regulation 1069/2009 and Commission Regulation 142/2011 on animal by-product (ABP) legislation your organisation commented on the proposal to permit **disposal to landfill etc. of small quantities of category 3 material**. This derogation is currently permitted in England until 31st December 2014 by regulation 29 of the Animal By-Products (Enforcement) (England) Regulations 2013 (SI 2013/2952) with similar legislation applying in the rest of the UK.

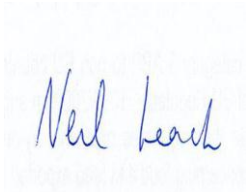
To date, this derogation has been a transitional measure and has been extended once already by amendment to regulation 142/2011. However, the Commission has now tabled a proposal to make the derogation permanent and I enclose their draft (document 7115R1-EN CIS-doc) for your information (recitals (4)-(6) and Article (1) refer). You will see that although the provision is being made permanent there is some ambiguity in the way the proposal has been worded concerning whether the provision will be linked to the distance away from disposal facilities. We will seek to clarify this with the Commission when we meet at a working group in Brussels to discuss the proposal on 25 March.

Defra's starting point is to be supportive of the proposal, subject to clarification of the wording, and consider that it would be disproportionate to revert to making retailers comply with the full ABP regime controls where they only have small quantities of former foodstuffs requiring disposal. However, it would be useful to have your views and feedback on the operation of the derogation to date.



Please can you let me have any comments on this proposal by 18 March if possible although later comments would still be useful.

Yours sincerely

A handwritten signature in blue ink that reads "Neil Leach". The signature is written in a cursive style and is positioned above a light blue rectangular background.

Neil Leach
Animal By-Products and TSEs Team

CC list:

Association for Organics Recycling (AfOR)
Association of Convenience Stores (ACS)
Agricultural and Horticultural Development Board (AHDB)
Association of Independent Meat Suppliers (AIMS)
British and Irish Association of Zoos and Aquariums (BIAZA)
British Meat Producers Association (BMPA)
British Retail Consortium (BRC)
Community Composting Network (CCN)
Chartered Institute of Wastes Management (CIWM)
Foodchain and Biomass Renewables Association (FABRA)
National Farmers Union (NFU)
Pet Food Manufacturers' Association (PFMA)
National Sheep Association (NSA)
SEAFISH
UK Renderers Association (UKRA)