



## Towards Smarter Regulation of International Catering Waste (Category 1) in Aviation

European Union (EU) animal health rules undermine the ability of the aviation sector to make a positive contribution to the circular economy through cabin waste prevention, reuse and recycling initiatives.

While waste generated on flights operating within the EU can be efficiently processed, recycled and reused, the same is not true for waste from international flights, originating outside the EU.

Back in 2002, the EU introduced the Animal By-Products legislation ([No. 1774/2002](#)) which classified international catering waste (ICW) as a biohazardous waste (Category 1). The current EU legislation ([Regulation \(EU\) 1069/2009](#)) requires that ICW is subject to strict control and treatment by incineration or disposal by deep burial in an authorized landfill. Given the sectors robust food hygiene controls, that ensure airline meals are safe for human consumption, this biohazardous classification seems disproportionate. Food safety is a critical concern for airlines with meals being prepared in accordance with the Hazard Analysis and Critical Control Point (HACCP) food safety protocols, developed by National Aeronautics and Space Administration (NASA) as part of the outer space exploration program. It is understood that biowaste from households, restaurants and workplace canteens was deemed low risk (Category 3) due to the application of the same food safety regulations and HACCP procedures.

In response to an EU parliamentary question in October 2022, the EU Commissioner for Health and Food Safety confirmed that the "Commission has not undertaken a quantitative risk assessment concerning health risk that international catering waste represents to animal health (Category 1)" ([E-003319/2022](#); 23 November 2022). Although the sector fully supports the aim of the regulation in minimising the spread of animal diseases the Commission has been unable to demonstrate the scientific basis for this classification.

The sector estimates that 400,000-450,000 tonnes of ICW Category 1 is generated each year, which could be reduced by up to 40% if uncontaminated waste could be reused or recycled, according to an [IATA report](#).

In order to determine the potential risks to animal health posed by ICW, IATA commissioned a [study](#) from a food safety and animal health consultancy and the key findings include:

- **Animal disease outbreak:** There is no evidence that ICW from airlines has caused an animal disease outbreak, even prior to the implementation of prescriptive legislation nor in countries with no legislation.
- **Risk assessment:** There is no evidence that quantitative risk assessments of animal disease outbreaks from ICW were undertaken prior to the implementation.
- **Regulatory impact assessment:** There is no evidence that regulatory impact assessments including airline industry consultations were undertaken prior to the implementation of ICW legislation. It is unclear if regulators are aware of the environmental, social and economic impacts of this legislation, including international implications.

<sup>1</sup>This range considers the [IATA waste rate](#) of 1.43 kg per passenger times approximately 300 million passengers on board in 2019 (according to [eurostat](#)).

- **Milk and milk products:** Milk and milk products served in-flight that have been subjected to heat treatment do not represent a risk to animal or human health, and there appears to be no scientific justification for them being classified as Category 1.
- **Illegal import of meat:** The report indicates that the concealed smuggling of meat products in passenger baggage represents a more significant risk to the introduction of animal disease than that posed by catering waste from international flights.

This legislation prevents airlines from making a positive contribution to the EU's ambitions for a circular economy. For example, Directive (EU) 2019/904 encourages the replacement of single use plastics (SUPs) with sustainable alternative materials but the ICW Category 1 classification means that these products cannot be recycled and bio-based alternatives cannot be biotreated. Surprisingly, research<sup>2</sup> indicates that biotreatment is a biosecure and safe means of carcass disposal during animal disease outbreaks with a US enforcement agency report concluding that "thermal inactivation and biological decay eliminates foot and mouth disease virus before composting is complete".

In line with the EU's own better regulation principles, it would seem only appropriate to assess whether this 20-year-old Regulation is still fit for purpose and takes the EU's targets for moving towards a fully circular economy properly into consideration.

## OUR JOINT RECOMMENDATION

In the above context, the undersigned therefore:

1. Request that the European Commission **reclassifies ICW as a Category 3 waste**, given the robust food safety protocols that ensure airlines meals are safe for human consumption.
2. If this immediate reclassification is not possible it is strongly advised that the European Commission undertakes a **quantitative risk assessment of ICW** and its threat to animal health.
3. The quantitative risk assessment results should be used as the basis for the **revision of the ICW provisions of Regulation (EU) 1069/2009**, so the aviation sector can make a positive contribution to the EU's circular economy and meet its own ambitions and passenger expectations on sustainability, whilst maintaining appropriate animal health controls.
4. While the risk assessment is carried out and Regulation (EU) 1069/2009 is under regulatory review, it is critical that, in the interim, **EU Member States have access to harmonized guidance on the reuse and recycling of waste for international flights**. The sector stands ready to contribute towards the drafting of this guidance.

The adoption of smarter International Catering Waste (ICW) regulations will result in less cabin waste, more material recovery, financial benefits and improved customer satisfaction whilst supporting policymakers in maintaining high animal health status and contributing to the EU's ambitious circular economy goals. We urge the Commission to work with the sector to adopt mutually beneficial and risk-based smarter regulation of ICW.

<sup>2</sup><https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7126724/>

<sup>3</sup><https://www.nal.usda.gov/research-tools/food-safety-research-projects/evaluating-biosecurity-large-scale-composting-animal>

<sup>4</sup>[https://www.aphis.usda.gov/animal\\_health/carcass/docs/fmd-livestock-carcass-draft.pdf](https://www.aphis.usda.gov/animal_health/carcass/docs/fmd-livestock-carcass-draft.pdf)

