



Llywodraeth Cymru
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Separate Collection of Waste Materials for Recycling – A Code of Practice for Wales

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DRAFT

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Separate Collection of Waste Materials for Recycling – A Code of Practice for Wales

The code of practice provides practical guidance on how to meet the separation requirements in Wales for recyclable waste materials from non-domestic premises.

The separation requirements are contained in the Waste (England and Wales) Regulations 2011 (as amended¹).

Laid before the Senedd pursuant to section 45AB(4)(b) of the Environmental Protection Act 1990.

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¹ Amendments include those made by The Waste (England and Wales) (Amendment) Regulations 2012, The Waste (Circular Economy) Amendment Regulations (2020) and The Waste (England and Wales) (Amendment) Wales Regulations 2023

1. Summary overview

The code of practice (“the code”) sets out practical guidance on how to comply with the legal requirements placed on:

- i) the occupiers of non-domestic premises (including businesses, the public sector and charities) to present specified recyclable waste materials for collection in separate recyclable waste streams;
- ii) those collecting, or arranging for the collection of, waste to collect, or arrange for collection of, the separate recyclable waste streams separately; and
- iii) those who collect, receive, keep, treat or transport waste to not mix the separately collected recyclable waste streams with any other recyclable waste stream or with other types of waste or other substances or articles.

Specified recyclable waste materials, including sub-fractions, need to be separated for collection, collected separately, and kept separate after collection, and must be done in the following six separate recyclable waste streams, as a minimum, from 1 October 2023:

- i) food produced by premises producing more than 5kg of food waste a week;
- ii) paper and card;
- iii) glass;
- iv) metal, plastic, and cartons and other fibre-plastic composite packaging of a similar composition;
- v) unsold small waste electrical and electronic equipment (sWEEE); and
- vi) unsold textiles.

These duties are collectively referred to as the ‘separation requirements’.

In addition, there are complementary bans on the disposal of food waste to sewer from non-domestic premises, and bans on specified separate recyclable waste streams going to incineration plants and landfills.

Failure to comply with the separation requirements is an offence with no upper limit on the courts’ power to fine. A civil sanction may be issued for failure to comply with the separation requirements, in place of prosecution.

The code is admissible as evidence in any legal proceedings and must be taken into account by a court in determining any question to which it appears to the court to be relevant.

The regulator for the separation requirements is Natural Resources Wales.

2. Introduction

The code sets out practical guidance on how to comply with the separation requirements laid down in the Waste (England and Wales) Regulations 2011 (as

amended²), hereafter referred to as “the Regulations”. The code is issued under section 45AB of the Environment Protection Act 1990 (“EPA”) in relation to the separate collection of waste under section 45AA of the EPA.

Reference is also made to the wider legislative picture and the corresponding complementary legal requirements for those producing and managing controlled waste, for example the ban on the disposal of food waste to sewer, incineration and landfill bans, the duty of care and the waste hierarchy. This is to aid understanding of wider legal obligations.

The Regulations implement a number of actions to increase the quality and quantity of recycling which are included in the Welsh Government’s Circular Economy Strategy for Wales, ‘*Beyond Recycling, A strategy to make the circular economy in Wales a reality*’³ and reflect wider legal duties applied to the Welsh Government set out in other parts of the Regulations. In particular, the separation requirements relate to the Welsh Government’s duty set out in the Regulations, as regards waste management plans, to take measures to promote high quality recycling including the setting up of separate collections of waste.

The separation requirements in the Regulations require a greater focus on the wastes that are being produced, enabling opportunities for waste prevention. They also ensure high levels of high quality recycling and a reduction in the amount of waste sent to incineration and landfill. Overall, this will help maximise a contribution towards each of the well-being goals (including economic, environmental and social outcomes) under the Well-being of Future Generations (Wales) Act 2015. In particular, this will make an important contribution to reducing carbon emissions, addressing the global decline in biodiversity, achieving the efficient use of resources, helping Welsh manufacturers become more resilient in securing raw materials, and reducing Wales’ global environmental footprint. The Welsh Government’s Beyond Recycling strategy sets out the importance of the circular economy and keeping resources in use as long as possible.

The code is admissible as evidence in any legal proceedings and must be taken into account by a court in determining any question to which it appears to the court to be relevant.

The regulator for the separation requirements is the Natural Resources Body for Wales – hereafter referred to as Natural Resources Wales.

The glossary in section 10 provides an explanation of the technical terms used throughout the code.

3. The waste hierarchy

The Regulations include a requirement for any establishment or undertaking which imports, produces, collects, transports, recovers or disposes of waste, or which as a

² Amendments include those made by The Waste (England and Wales) (Amendment) Regulations 2012, The Waste (Circular Economy) Amendment Regulations (2020) and The Waste (England and Wales) (Amendment) Wales Regulations 2023

³ <https://gov.wales/beyond-recyclingment>.

dealer or broker has control of waste, to take all such measures as are reasonable in the circumstances to apply the following waste hierarchy as a priority order when waste is transferred to another person:

- (a) prevention;
- (b) preparing for re-use;
- (c) recycling;
- (d) other recovery (for example incineration with energy recovery);
- (e) disposal.

The Welsh Government has published statutory guidance on applying the waste hierarchy that any establishment or undertaking must have regard to when importing, producing, collecting, transporting, recovering or disposing of waste, or when as a dealer or broker has control of waste.⁴

4. High quality recycling

The supply of high quality secondary materials derived from the recycling of waste can provide a valuable, resilient, and cost effective supply of raw materials to Welsh industries, and is more likely to result in closed loop recycling⁵ that generally has better environmental outcomes than open loop recycling⁶.

Where waste materials are collected in mixed or 'co-mingled (also referred to as 'dry mixed recycling' (DMR)) streams, they can often cross contaminate each other, reducing the quality of the recyclate and the resulting, recycled end product. Examples include the contents of food and drinks containers soiling waste paper and cardboard, and glass fragments from bottles and jars being trapped in waste paper and cardboard, damaging the equipment used to recycle the relevant materials. These would be examples of low quality recycling. Sometimes the contamination can be so severe that the load has to be rejected and sent for incineration or landfill.

The generation of poor quality recyclate has lower value end recycling solutions that only delays the disposal of the material or can lead to adverse environmental and social impacts in Wales, other parts of the UK or abroad. Beyond Recycling also includes an objective to stop the export of problematic waste from Wales; high quality recycling is a way of achieving this. Separate collection enables the collection of high quality recycling.

The co-collection of recyclable waste plastic, metal, and cartons and other fibre-plastic composite packaging of a similar composition in a single stream can facilitate high quality recycling because of the ability to separate out the waste materials from each other to a sufficiently high degree.

⁴ <https://gov.wales/sites/default/files/publications/2019-12/guidance-on-applying-the-waste-hierarchy.pdf>

⁵See the Glossary.

⁶ See the Glossary.

The waste supply chain, from producer through to the design and operation of waste management systems, needs to work together to maximise the provision of high quality waste material capable of meeting the standards required by those that reprocess materials in high quality, closed loop, applications. There are some quality standards for the acceptability of waste materials for recycling, and, where they exist, these need to be met for the waste material to meet the bar of high quality.

The code should be read in conjunction with the Waste Hierarchy Guidance (see section 3) which provides further details for a range of common recyclable materials and the evidence base. Together they describe the priority outcomes for recycling in Wales, what is meant by high quality recycling with respect to a range of common recyclable waste streams, and provide practical guidance on how it can be delivered.

5. What are the separation requirements?

Occupiers of non-domestic premises, including businesses, the public sector and charities, have a duty, when they present waste for collection, to ensure that each type of specified recyclable waste material is presented for collection in separate recyclable waste streams, separately from other types of waste or other substances or articles. This is referred to hereafter to as the 'occupier's separation requirements'.

Those collecting, or arranging for collection of one or more of the specified recyclable waste materials have a duty to collect, or arrange for collection of, the separate recyclable waste streams separately (i.e. not to mix a stream with any other waste stream) and from other types of waste or other substances or articles. This is referred to hereafter to as the 'collector's separation requirements'.

Those who collect, receive, keep, treat or transport waste must not mix the separately collected recyclable waste streams with any other recyclable waste stream or with other types of waste or other substances or articles. This is referred to hereafter to as the 'waste handler's separation requirements'.

The nine specified recyclable waste materials that need to be separated for collection, collected separately, and kept separate after collection, in six separate recyclable waste streams, as a minimum, are as follows:

- i) food waste produced by premises producing more than 5kg of food waste a week;
- ii) paper and card;
- iii) glass;
- iv) metal, plastic, and cartons and other fibre-plastic composite packaging of a similar composition (referred to hereafter collectively as 'cartons');
- v) unsold small electrical and electronic equipment (WEEE); and
- vi) unsold textiles.

The materials defined above are used in a wide range of product and packaging types ('sub-fractions' – see glossary), not all of which are the same in terms of their

nature and composition. It is recognised that some sub-fractions of the waste materials are not readily recyclable at the present time. For example, some types of plastic waste (e.g. flexible plastic film) and types of glass (e.g. Pyrex) are currently not practicable to recycle universally (especially when mixed with other sub-fractions of the same waste material). In fact, including these difficult to recycle waste sub-fractions in the separate recyclable waste streams may, at worst, prevent the whole waste stream from being recycled due to the contamination effects, or at least, result in low quality open loop recycling. Therefore, it is not expected that occupiers segregate these from residual waste, although they are encouraged to do so where local recycling outlets exist.

Annexes 1-6 of the code and Schedule 1A to the Regulations lay out the minimum sub-fractions of each waste material that must be separated for recycling in the specified waste stream container. In most cases they are the typical sub-fractions commonly found in household waste, and which are universally collected from households across Wales.

The above obligations, collectively, are the “separation requirements”.

The only exemptions from the separation requirements are:

- i) any waste items that contain persistent organic pollutants (POPs) – the POPs in the waste have to be destroyed if they are above the prescribed concentration limits⁷;
- ii) any waste items that are hazardous or clinical waste where recycling is not a suitable treatment activity;
- iii) international catering waste – this is designated as a Category 1 Animal By-Product and therefore requires specialist management;
- iv) any other legal requirements for any of the specified waste materials to be destroyed to protect confidentiality, personal data, security or any other reasons covered by legislation.

Failure to comply with the separation requirements is an offence with no upper limit on the courts’ power to fine. A civil sanction may be issued for failure to comply with the separation requirements, in place of prosecution.

The code is admissible as evidence in any legal proceedings and must be taken into account by a court in determining any question to which it appears to the court to be relevant.

⁷ <https://www.gov.uk/guidance/dispose-of-waste-containing-persistent-organic-pollutants-pops#:~:text=in%20the%20waste-,Reusing%20waste%20containing%20POPs,and%20waste%20controls%20will%20apply.>

6. Am I obligated?

Non-domestic premises

The separation requirements apply to waste from non-domestic premises, including those occupied by public bodies and charities. Non-domestic premises covers any premises except a domestic property or a caravan that someone lives in as a home.

Premises regarded as non-domestic premises for the purpose of the Regulations include, but are not limited to:

- i) agricultural premises – including for horticulture, fruit growing, seed growing, dairy farming, livestock breeding and keeping, grazing land, meadow land, osier land (growing willow), market gardens and nursery grounds;
- ii) bars and public houses;
- iii) bed and breakfasts, hotels;
- iv) bus stations, railway stations, seaports, airports, heliports;
- v) campsites and caravan parks;
- vi) caravans: i) used in the course of a business for the provision of self-catering accommodation, or (ii) which is not allowed to be used for human habitation throughout the year by virtue of a licence or planning permission;
- vii) care and nursing homes;
- viii) construction sites (excluding repair or extension work on existing domestic properties);
- ix) educational establishments such as universities, colleges and schools;
- x) entertainment and sports venues, including leisure centres
- xi) factories;
- xii) garages for vehicle servicing and repair;
- xiii) garden centres;
- xiv) heritage buildings;
- xv) holiday accommodation, e.g. self-catering holiday lets, holiday parks/resorts;
- xvi) hospitals;
- xvii) libraries and museums;
- xviii) licensed premises within the meaning of the Licensing Act 2003
- xix) offices;
- xx) pharmacies, GP surgeries, dental surgeries and other primary care facilities;
- xxi) places of worship;
- xxii) prisons;
- xxiii) residential homes;
- xxiv) restaurants and cafes;

- xxv) service stations and petrol stations;
- xxvi) shops and shopping centres;
- xxvii) showgrounds;
- xxviii) venues for outdoor markets;
- xxix) venues for temporary events such as festivals;
- xxx) warehouses; and
- xxxi) workshops.

The list of non-domestic premises referred to above is not intended to be exhaustive. When considering whether a premises falls within the scope of the Regulations the following factors may be of assistance:

- are business rates payable in respect of the premises? The paying of business rates would usually be indicative of the premises being non-domestic;
- is the current use of the premises, for planning purposes, a use other than use classes C3 (Dwellinghouses) and C4 (Houses in multiple occupation)? The use of the premises pursuant to an express planning permission specifying a use other than use classes C3 or C4 would usually be indicative of the premises being non-domestic;
- is council tax payable in respect of the premises? This would usually be indicative of the premises being domestic and therefore outside the scope of the Regulations.

Residential flats, even where the waste collection is managed by a management company (including student accommodation), are excluded from the separation requirements.

For mixed use premises, the separation requirements apply only to the wastes produced by the non-domestic component. Where flat complexes have communal integrated facilities such as gyms, laundries, and co-work spaces etc, the separation requirements apply only to the non-domestic components. Where an individual runs a business, or carries out some form of business activity (e.g. making items to sell online, or a childminder) from their home, this would not be considered as non-domestic premises and would not be caught by the separation requirements for non-domestic premises, provided that the primary use of the premises is as a domestic dwelling.

"Premises" is intended to be a broad term, not restricted to buildings; it is defined in the Regulations as 'any place'. Therefore, it can include land, parks and open spaces where waste is produced, for example waste placed in outside litter bins by visitors.

Occupiers of non-domestic premises

All occupiers of non-domestic premises must comply with the occupier's separation requirements.

In most circumstances the occupier for the purposes of the Regulations will be the person who presents waste for collection from the premises (whether by a waste collection authority or by any other person).

The following are examples of who would most likely be considered the occupier for the purposes of the occupier's separation requirements:

| Scenario | Occupier |
|---|----------------------------------|
| Business, retail or hospitality parks with multiple units and communal waste collection | Occupier of each individual unit |
| Events such as festivals, concerts and shows | Event organiser |
| Construction sites | Primary contractor |
| Non-residential caravan parks and campsites | Site owner/operator |
| Hotels | Owner/operator |
| Self-catering holiday accommodation | Owner/operator |
| Bus, coach, train stations | Owner/operator |
| Contract caterers operating out of third party premises (e.g. school) | Owner/operator |

For a site with multiple business occupancy (e.g. a business, retail or hospitality park or complex) where there is a single contract for waste collection managed by the owner or a facilities management agency, we would expect the tenancy agreement to include a requirement for the tenants to comply with the separation requirements. It will be individual occupier who will have the legal obligation to comply with the occupier's separation requirements.

The occupier may, for example, own the premises, or lease or rent it, or temporarily occupy it with the permission of the land owner. This would include sports events – e.g. running, cycling or swimming events.

There is a two-year derogation for the occupiers of hospitals; they need to comply with the separation requirements from 1 October 2025. 'Hospitals' in this context are premises where there are in-patients that stay overnight on wards, and those with operating theatres – either run by the Health Board or a private company or charity.

The occupiers of domestic property or residential caravans disposing of household waste from that property or caravan are exempted from the occupier's separation requirements. However, a local authority may require such occupiers to place household waste for collection in specified receptacles, pursuant to other powers in the EPA.

Waste collectors

The collector's separation requirements apply to:

- i) a waste collection authority in Wales that arranges for the collection of controlled waste in its area under section 45 EPA; and
- ii) a person acting in the course of a business who collects controlled waste from non-domestic premises in Wales.

A person is acting in the course of a business if the person is:

- (i) carrying on any business or undertaking, whether for profit or not; or
- (ii) exercising any functions of a public nature.

This includes (but is not limited to) Local Authorities, private waste collection companies and charities collecting waste from non-domestic premises.

An establishment or undertaking collecting waste from a domestic premises is subject to the separate collection requirements laid out in regulations 13 and 14 of the Regulations. It must have regard to the separate statutory guidance issued under regulation 15 in so far as it applies to the separate collection of waste from domestic premises⁸.

Waste handlers

The waste handler's separation requirements' apply to a waste collection authority and to a person acting in the course of a business who receives, keeps, treats or transports controlled waste in Wales.

A person is acting in the course of a business if the person is:

- (i) carrying on any business or undertaking, whether for profit or not, or
- (ii) exercising any functions of a public nature.

This includes (but is not limited to) Local Authorities, private waste collection companies, and charities collecting waste from non-domestic premises.

An establishment or undertaking collecting waste from a domestic premises is also subject to the separate collection requirements laid out in regulation 14 of the Regulations. It must have regard to the separate statutory guidance issued under regulation 15 in so far as it applies to the separate collection of waste from domestic premises.

⁸ <https://gov.wales/sites/default/files/publications/2019-05/the-separate-collection-of-waste-paper-plastic-metal-and-glass.pdf>

7. Other complementary legal requirements

Bans to landfill and incineration

The following waste materials separately collected for the purpose of preparing for re-use or recycling were banned from landfill⁹ and incineration¹⁰ from July 2020:

- (i) paper;
- (ii) glass;
- (iii) metal;
- (iv) plastic.

From 1 October 2023, the following additional waste materials separately collected for the purpose of preparing for re-use or recycling are banned from landfill and incineration, in addition to those identified above:

- (i) cardboard;
- (ii) cartons and other fibre-plastic composite packaging of a similar composition;
- (iii) food;
- (iv) all small WEEE.

From 1 October 2023, all textile waste separately collected for the purpose of preparing for re-use or recycling is banned from landfill, in addition to the separately collected materials identified above.

This means that any separated textile waste that cannot be reused or recycled should go to incineration with energy recovery, and not landfill.

Although the obligation contained in the separation requirements only applies to unsold small WEEE and unsold textiles, where any form of small WEEE has been voluntarily separated out for the purposes of collection for preparing for reuse or recycling, the incineration of those items is prohibited, and the landfill of separated small WEEE and textiles is prohibited.

From 1 October 2023 all waste wood is banned from landfill, not just wood that has been separated out for collection.

Duty of care

The separation requirements complement the waste duty of care requirements. The duty of care legislation makes provision for the safe management of waste to protect human health and the environment. The EPA creates a duty of care in respect of anyone producing or dealing with controlled waste, including to keep it safe, make sure it is dealt with responsibly and only given to businesses authorised to take it.

⁹ Paragraph 5A, Schedule 10, The Environmental Permitting (England and Wales) Regulations 2016

¹⁰ Paragraph 1, Part 4, Schedule 9, The Environmental Permitting (England and Wales) Regulations 2016

There is a duty of care code of practice that applies to anyone who produces, carries, keeps, disposes of, treats, imports or has control of certain waste in England or Wales. The duty of care code of practice is issued under section 34(7) of the EPA. It can be accessed here: <https://www.gov.uk/government/publications/waste-duty-of-care-code-of-practice>

Waste items that are hazardous

Waste is generally considered hazardous if it (or the material or substances it contains) are harmful to humans or the environment. Examples of hazardous waste include:

- asbestos;
- chemicals, such as brake fluid or print toner;
- batteries;
- solvents;
- pesticides;
- oils (except edible ones), such as car oil;
- equipment containing ozone depleting substances, like fridges;
- hazardous waste containers.

Some of the recyclable waste materials covered by the separation requirements may be hazardous wastes in their own right, or they may be contaminated with hazardous substances, meaning they have to be handled as hazardous wastes.

You have responsibilities under the duty of care and you must identify and classify your waste before you send it for recycling or disposal. This makes sure you or anyone handling your waste deals with it properly.

There are special rules for dealing with hazardous waste or disposing of waste with a high level of persistent organic pollutants (POPs), (known as 'POPs waste') – see below.

Hazardous waste is regulated under The Hazardous Waste (Wales) Regulations 2005 (as amended). The Regulations impose additional requirements in relation to waste which displays certain hazardous properties. Any of the waste materials covered by the Regulations can be hazardous if they contain levels of chemicals or other materials that cause the waste to have hazardous properties. There is guidance available on how to classify waste that may contain hazardous properties. <https://www.gov.uk/government/publications/waste-classification-technical-guidance>

Waste items containing persistent organic pollutants (POPs)

Waste material containing POPs cannot be recycled, the POPs must be destroyed. This means such waste must be sent to incineration, preferably with energy recovery. Guidance is available here: <https://www.gov.uk/guidance/dispose-of->

[waste-containing-persistent-organic-pollutants-pops](#) Some materials separated for recycling may contain other hazardous substances (including POPs as described above), meaning they should also be treated or destroyed rather than recycled.

Food wastes that are animal by-products

The Animal By-Products (Enforcement) (Wales) Regulations 2014 (2014 Regulations), implementing Retained Regulations (EC) 1069/2009 and (EC) 142/2011, apply strict controls on the way animal-by products are managed. The 2014 Regulations serve to prevent harm to people and animals, in particular in relation to Transmissible Spongiform Encephalopathies (TSEs), dioxin contamination, and exotic diseases such as Classical Swine Fever and Foot and Mouth Disease (both of which do not exist in the UK and the last outbreaks in 2000 and 2001 respectively were linked to imported animal products making their way into the feed chain). The 2014 Regulations have a wide scope, covering all animal products including meat, fish, milk and eggs when they are not intended for human consumption, catering waste and other products of animal origin including hides, feathers, wool, bones, horns, and hoofs. The 2014 Regulations control the use of animal by-products for example as feed (including petfood), fertiliser or for technical products and lay down rules for their transformation through composting and biogas and their disposal via rendering and incineration. Catering waste including kitchen scraps (and this includes vegetarian kitchens) cannot be fed to livestock.

8. Your obligations as an occupier of a non-domestic premises

What wastes am I responsible for on the premises I am occupying?

You are responsible for all of the wastes on the premises you are occupying, including, but not limited to, wastes produced by your staff, visitors and contractors or vendors working on the premises.

How should I get my waste collected?

Waste produced in most non-domestic premises falls under the descriptions of 'commercial waste' and 'industrial waste' provided in Schedule 1 to the Controlled Waste Regulations 2012.¹¹ As such, it is not eligible for free collection or management by Local Authorities or their agents¹². You must therefore ensure it is collected and managed appropriately (in accordance with your duty of care obligations), and you will have to bear the necessary cost of doing so – in accordance with the 'polluter pays' principle.

You do not have to contract with a single waste collection entity to collect the full range of specified separate recyclable waste streams from your premises. Your waste contractor or broker may sub-contract the separate collection of some of these separate recyclable waste streams, or you may wish to have separate contracts with more than one waste collection entity. This is to enable you to get the most

¹¹ <https://www.legislation.gov.uk/ukxi/2012/811/contents/made>

¹² Exceptions to this are identified in Schedule 1 of the Controlled Waste Regulations 2012

financially beneficial arrangements for the collection of your recyclable waste streams.

Local Authorities are under a duty¹³, if requested by the occupier of premises in their area to collect any commercial waste from the premises, to arrange for the collection of the waste. A person at whose request waste other than household waste is collected shall be liable to pay a reasonable charge for the collection/disposal of the waste to the Local Authority which arranged for its collection; and it shall be the duty of that authority to recover the charge, unless in the case of a charge in respect of commercial waste the authority considers it inappropriate to do so¹⁴.

You can take your own waste directly to a waste management facility authorised to receive it as long as you comply with the duty of care requirements and are registered with the regulator as a waste carrier. Most Local Authorities either prohibit commercial or industrial waste being taken to their Household Waste Recycling Centres, or they may accept it and levy a charge, as they are entitled to do by law.

The separation requirements

You must comply with the occupier's separation requirements laid out in Regulation 13 and 14 whilst the waste is in your possession and when you present it for collection, or transfer it to an authorised person or transport it to an authorised facility.

You must from 1 October 2023, present the nine specified recyclable waste materials for separate collection in a minimum of six separate recyclable waste streams specified in section 5.

This means there must be, as a minimum, six separate containers if all of the six recyclable waste streams are produced on a premises. You may further separate them, into more streams within the streams above, if you wish to do so.

A separate container (bin, bag, box or other type of container) is required for each of the specified recyclable waste streams and the subsequent handling must be sufficient to maintain that separation through the management chain. 'Survival bags' for one of the specified streams or for sub-fractions cannot be placed in the container for a different specified recyclable waste stream. So, for example, a survival bag containing plastic should not be placed in the container holding the glass stream, or in the container containing the paper and card stream. Survival bags can be used for sub-fractions of each material stream, subject to agreement with the waste collector and all parts of the management chain. For example, a survival bag containing card could be placed in the container holding the paper and card stream. Your waste management contractor will be able to advise you.

Annexes 1-6 of the code and Schedule 1A to the Regulations set out types of sub-fractions of each recyclable waste material that must be separated for recycling in a separate recyclable waste stream container. Your waste management contractor will

¹³ Under section 45 (1)(b) EPA

¹⁴ Under section 45(4) EPA.

be able to advise on whether any additional waste sub-fractions can be practically segregated for recycling and collection, beyond those specified in Annexes 1-6 and Schedule 1A to the Regulations. If this is the case you are encouraged to also recycle these sub-fractions.

Under the Regulations, occupiers of premises are responsible and liable for the actions of their staff, i.e. any enforcement action by the regulator would be against the occupier not individual staff they employ. Compliance with the separation requirements should be facilitated by providing clear information to staff and the provision of clear signage in premises explaining to staff, visitors and customers on what should and should not be put into the separate recyclable waste stream containers, in accordance with the requirements identified in Annex 1-6 and Schedule 1A to the Regulations.

The waste management arrangements for your premises may be serviced by a facilities management company, who may also serve neighbouring premises. You should review these arrangements regularly to ensure that the waste services are sufficient to discharge your responsibilities.

Mixed non-recyclable residual waste collections may still be required but they must be complementary to a separate recycling service as part of an overall integrated waste management solution.

Food waste

Any premises producing more than 5kg of food waste in any week (as a consecutive seven-day period) must separate and present it for separate collection and recycling. This obligation not only applies to food businesses but to all occupiers of non-domestic premises. This includes when staff or visitors bring their food into a premises and consume it there, and more than 5kg a week is produced as food waste.

The occupiers of premises who determine that they are not caught by this obligation (on the basis they fall under the weight limit) should periodically review this especially when there are significant changes on their premises e.g. increase in staffing levels, an increase in the use of a premises, and/or an increase in numbers of visitors.

International catering waste is designated as a Category 1 Animal By-Product and therefore requires specialist management. As such, it does not fall within the scope of this duty.

For surplus food which is not to be sold to customers, if it is still safe for human consumption then opportunities for it to be redistributed to those in food poverty should be taken in accordance with the statutory waste hierarchy guidance¹⁵. Surplus food that is not safe for human consumption should be presented for separate collection as food waste, in accordance with the Regulations.

¹⁵ <https://gov.wales/sites/default/files/publications/2019-12/guidance-on-applying-the-waste-hierarchy.pdf>

For food waste in its packaging that cannot be redistributed, the packaging should be separated from the food waste, and each material put into its own specific recyclable waste stream container in accordance with the separation requirements.

Food waste can be mixed with other suitable biodegradable wastes (for example vegetation derived from grounds maintenance, or animal manure) as long as the food waste can be managed in a way which is compliant with the treatment requirements of the Animal By-Products Regulations (see section 7) and which promotes high quality recycling through meeting the PAS100 quality standard for composting and PAS110 quality standard for anaerobic digestion.

Food waste must not be mixed with other biodegradable wastes which would undermine these quality standards such as mixed municipal waste or sewage sludge.

You may be able to compost or anaerobically digest your own food waste on your premises provided you meet the requirements of the Environmental Permitting Regulations and any relevant exemptions, and the requirements of the Animal By-Products Regulations.

Other legal requirements for food waste

Section 34D of EPA provides that an occupier of non-domestic premises in Wales must not, from 1 October 2023:

- (i) discharge food waste produced on or brought onto the premises, or
- (ii) knowingly cause or knowingly permit food waste produced on or brought onto the premises to be discharged,

into a public sewer or a sewer or drain communicating with a public sewer.

The food waste that must not be disposed of into the sewer is controlled waste that:

- (i) has at any time been food (which for this purpose does not include drink) intended for human consumption, or
- (ii) is biodegradable waste arising from the processing or preparation of food or drink,

but does not include waste that is mixed with water or any other liquid as a result of the water or liquid having been used to clean any place or equipment used in processing or preparing food or drink.

This means that food waste disposers (i.e. macerators) or other forms of food waste treatment equipment (e.g. dewatering) cannot be used in non-domestic premises to discharge food waste or liquid derived from food waste to a drain or sewer.

The Local Authority Food Hygiene Service will be responsible for regulating the food waste to sewer ban.

Additional advice

You may want to ask your waste contractor to provide you with information on the final destination of the materials you segregate for recycling, and how it has been recycled, composted or prepared for reuse. If you are a public sector body in Wales this could help you calculate some of your Scope 3 carbon emissions in relation to meeting your net zero target for 2030. This information on the final destination of your waste will become available under the proposed mandatory electronic waste tracking system, once in place.

A summary of key steps you are advised to take:

As an occupier of a non-domestic premises, in addition to complying with the occupier's separation requirements and duty of care obligations, it is reasonable for you to do the following on your premises:

- Take steps to maintain the quality of the specified separated materials presented for separate collection, so as to facilitate high quality recycling.
- Use a waste contractor who will collect one or more of the separate recyclable waste streams as specified.
- Maintain a good dialogue with your waste contractor, so that you and any staff are aware of the sub-fractions that can be separated for recycling, and those which should be placed in the mixed residual waste container.
- Provide training to your staff so that they understand what is required to meet the separation requirements.
- Ensure good information and clear signage is provided to staff and visitors so that they understand the waste materials that should and should not be separated for recycling.

9. Your obligations as someone who collects, receives, keeps, treats or transports controlled waste in Wales

The separation requirements

As the link between waste producers and the reprocessing sector, you have a crucial role to ensure that recycling services are designed and operated to yield waste of sufficient quality to support the priority high quality recycling outcomes.

Those collecting, or arranging for collection of one or more of the specified recyclable waste materials and sub-fractions have a duty to comply with the 'collector's separation requirements'. This means they must collect, or arrange for collection of, the specified recyclable waste streams separately (i.e. separately from any other recyclable waste stream) from other types of waste or other substances or articles. This can either be within a separate self-contained compartment on a multi-compartment vehicle, or in separate vehicles.

Those who collect, receive, keep, treat or transport waste must comply with the 'handler's separation requirements'. This means they must not mix the specified separately collected recyclable waste streams with any other recyclable waste stream or with other types of waste or other substances or articles.

You must comply with the waste handler's separation requirements whilst the waste is in your possession and when you transfer your waste to somebody else.

You must, from 1 October 2023, collect the specified recyclable waste materials separately in the recyclable waste streams set out in section 5, but only the material sub-fractions specified in Annexes 1-6 and Schedule 1A to the Regulations need to be collected separately in the waste streams specified. You may collect them in more streams if you wish to do so if that has been agreed with the waste producer. You may further separate them, into more streams, if you wish to do so. It is the duty of waste collectors to collect, receive, keep, treat and/or transport the specified recyclable waste streams separately from other waste streams. The subsequent handling must be sufficient to maintain that separation through the management chain.

You do not need to separately collect food waste from premises that produce less than 5kg per week (for any consecutive seven-day period). In this instance it can be collected in the mixed residual container. You may still offer a food waste collection service to premises which fall under the de minimis threshold. However, uptake will be at the discretion of the occupier.

You do not have to collect the full range of separate recyclable waste streams. You may wish to sub-contract the separate collection of certain separate recyclable waste streams, or the occupier may wish to have separate contracts with more than one waste collection entity.

A well operated recycling system should ensure a high capture rate with very little, if any, of the specified recyclable materials left in the residual stream.

You can still provide residual waste collections if required by your customer but your customer should not put any of the materials identified in Annexes 1-6 and Schedule 1A to the Regulations into the residual waste stream. When collecting residual waste, it may be apparent that the occupier is not appropriately segregating the specified recyclable waste streams for recycling or only does so very poorly. Such practice is not compliant with the requirements set out in the Regulations and you should advise the occupier in writing of their separation requirement duty and suggest that they should seek further support if necessary. If prompt action is not

taken by the customer to rectify compliance problems, you should refuse to collect any waste containers that do not comply with the requirements.

Waste imported into Wales from another UK nation that meets the separation requirements in those nations does not have to be re-sorted at the point of its arrival into Wales; such waste (however separated) must not be mixed.

Prohibition on mixing separate streams after collection

You are prohibited from mixing separated recyclable waste streams together, or with other waste types. But you can mix paper and card together in the same container, and you can mix metal, plastic and cartons together in the same (but different) container.

It is of course permissible to mix different sources of the same separated materials or streams. You can also mix food waste with garden waste, however where this is the case the Animal By-Product Regulations will apply and such waste will need to be handled in a way that complies with the Animal By-Product Regulations, and which promotes high quality recycling through meeting the PAS100 quality standard for composting and PAS110 quality standard for anaerobic digestion.

Additional advice

It is recommended that you provide the occupier with information on the final destination of the materials you collect for recycling, and how it has been recycled. This could particularly help public sector bodies calculate some of their Scope 3 carbon emissions in relation to their net zero by 2030 target.

You are advised to consider any adverse impacts of the compaction in your vehicles of any of the separately presented dry recyclables as it can have an effect on the quality of recycling. Compaction may have the following effects:

- reduction in particle size, resulting in more fine material that may be difficult to capture for recycling – this can be particularly problematic for the recycling of glass;
- items being compacted together to form multi-sub-fraction material items that are difficult to separate.

A summary of key steps you are advised to take:

In addition to complying with the waste handler's separation requirements, it is reasonable to provide the following to your customer:

- A collection service tailored to meet the needs of your customer, with reliable and regular collections.

- Information on the types of materials and sub-fractions making up each recyclable waste stream that can be accepted for recycling in each container.
- Information on how to use the service effectively (e.g. clean and dry materials) and recommended steps to take to avoid contamination by non-target and non-recyclable wastes.
- Clear labelling of collection receptacles to identify what material should be included and what should be excluded.
- A system of spot checks to assess collected material for non-target and non-recyclable materials and feedback identified problems to the occupier with appropriate advice.
- Advice to customers that if they are not complying with the separation requirements, and prompt action is not taken by the customer to rectify compliance problems, you will refuse to collect any waste containers that do not comply with the requirements.
- Information on how each recyclable waste stream will be managed, and how it will be recycled.

10. Glossary

Animal By-Products (ABPs) – have a wide scope, covering all animal products including meat, fish, milk and eggs when they are not intended for human consumption, catering waste and other products of animal origin including hides, feathers, wool, bones, horns, and hoofs. Category 3 ABPs can be carcasses or body parts passed fit for humans to eat, at a slaughterhouse. See: <https://www.gov.uk/guidance/animal-by-product-categories-site-approval-hygiene-and-disposal#abp-categories-explained>

Beyond Recycling- This is the Welsh Government's plan to make the circular economy in Wales a reality where we keep resources in use and avoid waste. It was published in March 2021. <https://gov.wales/beyond-recycling>

Cartons - Food and drink cartons used as packaging for drinks such as milk, milk alternatives, fruit juice and a range of food products such as soup, chopped tomatoes and pulses. Food and drink cartons are made typically of wood fibre (the

majority component) in the form of paperboard, polyethylene and aluminium, in varying proportions.

Civil sanctions – Civil sanctions are used by a regulator instead of taking a criminal prosecution of businesses, individuals, or organisations (in suitable cases) so as to reduce the associated administrative costs and reputational damage, where a civil sanction can achieve enforcement objectives equally as effectively. The civil sanctions are fixed monetary penalties, variable monetary penalties, compliance notices, restoration notices and stop notices, and enforcement undertakings

Closed loop recycling – Closed loop recycling is where a waste material: i) is recycled into a new product of similar functionality, or ii) replaces the virgin use of the same material in a different new product, or iii) replaces a higher embedded carbon raw material, and where the new product can itself be used, discarded and captured, to be recycled again, continuously cycling the material resource through the supply chain.

Examples of high quality, closed loop recycling include:

- i) the use of recycled glass cullet in re-melt applications to create new glass products rather than for use as aggregate in construction;
- ii) the use of recycled plastic to produce, new food and drinks containers rather than, the production of mixed plastic polymer construction products that cannot practically be recycled at end of life;
- iii) the use of recycled paper for the production of new paper products rather than other uses such as animal bedding.

Commercial waste – waste from premises used wholly or mainly for the purposes of a trade or business or the purposes of sport, recreation, or entertainment, excluding (a) household waste and (b) industrial waste.

Container – A container holds or stores the waste within a physical barrier that prevents it from escaping away from where the container is located. It also usually allows the waste to be transported without spillage. Waste containers are normally made out of plastic or metal. Plastic containers include open boxes (with or without a lid), wheeled bins with a lid, pedal bins, baskets and plastic bags (often inside rigid bins). Metal containers include traditional dustbins, pedal bins, wheeled bins and skips.

Controlled Waste - The term 'controlled waste' is defined at section 75(4) of the Environmental Protection Act 1990 as "household, industrial and commercial waste or any such waste".

Electrical and electronic equipment (EEE) - equipment which is dependent on electric currents or electromagnetic fields in order to work properly and equipment for the generation, transfer and measurement of such currents and fields and designed for use with a voltage rating not exceeding 1,000 volts for alternating current and 1,500 volts for direct current.

Establishment or Undertaking –includes any organisation, sole trader, business, company, partnership authority, society, trust, club or charity.

Food waste – waste that:

(a) has at any time been food (which for this purpose does not include drink) intended for human consumption, or

(b) is biodegradable waste arising from the processing or preparation of food or drink,

but does not include waste that is mixed with water or any other liquid as a result of the water or liquid having been used to clean any place or equipment used in processing or preparing food or drink¹⁶.

The separation requirements exclude international catering waste.

High quality recycling – High quality recycling requires that throughout the recycling collection and processing chain, the distinct characteristics of the material (for example the polymer, or the glass, or the paper fibre or the metal) are preserved or recovered so as to maximise their potential to be re-used in the circular economy in a way that also maximises carbon emission savings.

Industrial waste –waste from any of the following premises:

(a) any factory (within the meaning of the Factories Act 1961);

(b) any premises used for the purposes of, or in connection with, the provision to the public of transport services by land, water or air;

(c) any premises used for the purposes of, or in connection with, the supply to the public of gas, water or electricity or the provision of sewerage services;

(d) any premises used for the purposes of, or in connection with, the provision to the public of postal or telecommunications services;

(e) any mine or quarry or any premises used for agriculture within the meaning of the Agriculture Act 1947; or

(f) waste from construction or demolition works, including preparatory works

It also includes, but is not limited to:

i) waste from premises used for the breeding, boarding or stabling of animals; and

ii) waste from a workshop or similar premises which is not a factory only because:

(a) those working there are not employees; or

(b) the work carried on there is not carried on by way of trade or for purposes of gain.

For further detail see Section 75 of the Environmental Protection Act 1990 and The Controlled Waste (England and Wales) Regulations 2012¹⁷.

International catering waste (ICW)- food waste from international transport vehicles including:

- cruise ships
- airlines
- private or commercial yachts and boats
- armed forces ships and submarines
- ferries

¹⁶ Section 34D(5) Environmental Protection Act 1990.

¹⁷ <https://www.legislation.gov.uk/uksi/2012/811/contents/made>

Food and drink from such vehicles is not considered ICW until it is no longer intended for human consumption or has been mixed with food waste. For example, a carton of milk from an international transport vehicle is considered ICW only when thrown away.

ICW is a high-risk category 1 animal by-product (ABP).

All food waste from planes, vehicles or ships travelling internationally is classed as ICW. Food waste from planes, vehicles or ships is classified domestic catering waste when:

- operating within the UK, Channel Islands and Isle of Man
- travelling from Northern Ireland to Great Britain

<https://www.gov.uk/guidance/handling-and-disposing-of-international-catering-waste>

Net Zero target – for the public sector in Wales: In October 2021 the Welsh Government set out its second carbon budget, Net Zero Wales, which confirmed the ambition of achieving a collective carbon neutral public sector by 2030. The term ‘net zero’ means achieving a balance between the carbon emitted into the atmosphere, and the carbon removed from it. This balance – or net zero – will happen when the amount of carbon we add to the atmosphere is no more than the amount removed.

Open-loop recycling: Open-loop recycling is where either a waste material i) replaces the virgin use of a different material in a different new product or ii) replaces the use of a lower embedded carbon material and/or where the new product cannot itself be recycled after use, thus losing the material from the supply chain. Open-loop recycling is often associated with a degradation of the material being recycled. Open-loop recycling is also referred to as downcycling.

Persistent Organic Pollutants (POPs) - Persistent Organic Pollutants (POPs) are chemicals with toxic properties that remain in the environment for a very long time, accumulate in food chains and can harm human health and the environment. If released, these pollutants can move across boundaries far from their source – through air, water and migratory species - and they even accumulate in regions where they have never been used or produced. Some are becoming known as ‘forever chemicals’.

With limited exceptions, POPs are generally no longer used in new products, but they can still be found in waste. If such waste (such as WEEE, textiles,) is recycled, POPs may re-enter the economy when the resulting materials are used in new products. This poses a threat to health, especially if associated to consumer products.

Polluter pays – The polluter pays principle means the waste producer and the waste holder should manage the waste in a way that guarantees a high level of protection of the environment and human health. In accordance with the polluter-pays principle, the costs of waste management shall be borne by the original waste producer or by the current or previous waste holders. The polluter-pays principle extends to the costs of waste management being borne partly or wholly by the producer of the product from which the waste came and the distributors of such product potentially sharing these costs.

Scope 3 carbon emissions – The global Green House Gas (GHG) Protocol Corporate Standard classifies a company's GHG emissions into three 'scopes'. Scope 1 emissions are direct emissions from owned or controlled sources. Scope 2 emissions are indirect emissions from the generation of purchased energy. Scope 3 emissions are all indirect emissions (not included in scope 2) that occur in the value chain of the reporting company, including both upstream and downstream emissions.

Separation - This means maintaining the segregation of one or more types of waste from other types of waste or from other substances or articles.

Small waste electrical and electronic equipment (WEEE) – See 'EEE' and Annex 6 for a list of EEE items that are classified as small WEEE.

Sub-fraction – see 'Waste sub-fraction'

Survival bag or sack – This is a sealed, durable bag or sack used to separate different material streams to enable them to be deposited with other waste materials in the same bin, and when co-collected and transported with other waste material streams in a collection vehicle to a sorting centre. The survival bags are then removed during a sorting process, allowing the materials contained in them to be easily separated out. They are usually made from strong polythene or polypropylene.

Unsold products – An unsold product is an unused consumer product either in a factory or in a retail premises, wholesaler, warehouse or any other premises. The product will either not have been sold or have been returned by a consumer.

Waste - any substance or object which the holder discards or intends or is required to discard.

Waste material (see also 'waste sub-fraction') A waste material is defined broadly by the type of technical material it is composed of – for example glass, metal, plastic, paper and food waste. In some instances a waste material can be a type of product – for example an item of electrical or electronic equipment or a textile. Each of these materials has sub-fractions.

Waste stream (see also 'waste material' and 'waste sub-fraction') – A category, or categories, of waste materials that are considered suitable for collection in a single container. So there can be one or more waste materials in a waste stream container.

Waste sub-fraction (see also 'waste material' and 'waste stream') – A waste sub-fraction refers to the different types of a single specified waste material that possess different characteristics or composition that influence their ability to be recycled. For example waste 'plastic' consists of a large variety of sub-fractions with varying degrees of recyclability related to different polymer types and the different physical form of the plastic item. Plastic sub-fractions can be defined, for example, by either polymer type, or by whether they are packaging or non-packaging or whether they are 'rigid' or flexible, or by a combination of two or all three of these descriptors. The Annexes list the sub-fractions of each waste material.

Waste Tracking – There is a joint four UK nation Waste Tracking project that aims to develop an electronic waste tracking system from cradle to grave. The intention is to mandate its use on most waste producers and carriers.

Annex 1 – The paper and card sub-fractions that should be separated into a single container

For all non-domestic premises, the sub-fractions that should be placed into a separate container for paper and card, and those that should not be placed in it (unless the waste collector specifically allows it to be included) are as follows:

| Paper & Cardboard | |
|---|--|
| What should be placed in the container | What should <u>NOT</u> be placed in the container (unless the waste collector specifically allows it to be included) |
| Paper (clean printed/unprinted) Paperback books Newspapers Magazines Catalogues Envelopes Telephone directories Cardboard packaging Egg boxes | Shredded paper (this can be recycled separately) Food/oil/grease/paint or otherwise contaminated paper or cardboard Hardback books (donate for reuse if suitable) Wallpaper Gift wrapping paper Tissues Paper towels Kitchen roll Scratch cards Till receipts <u>Cartons and similar</u> The following should all be placed in the plastics, metals, and cartons container. <ul style="list-style-type: none"> • Plastic or metal laminated cardboard food and drink cartons • Rigid paper containers (e.g. “Pringles” tubes) • Laminated paper cups |

If the waste collector can collect separately and recycle any of the items identified in the second column, then these will be allowed to be included in either an additional separate container, or in the paper and cardboard container. The waste producer must obtain and keep written evidence from the waste collector that these items can be included in the recycling container, ensuring that high quality recycling is achieved. Any sub-fractions that cannot be recycled should be put in the residual rubbish container.

Any waste paper and cardboard that contains hazardous substances may not be suitable for recycling and must be appropriately managed.

Annex 2 – The plastic, metal and carton sub-fractions that should be separated into a single container

For all non-domestic premises, the sub-fractions that should be placed into the separate container for metal/plastic/cartons and those that should not be placed in it (unless the waste collector specifically allows it to be included) are as follows:

| Plastic, Metal and Cartons (including other fibre-plastic composite packaging of a similar composition) | |
|---|--|
| What should be placed in the container | What should NOT be placed in the container (unless the waste collector specifically allows it to be included) |
| <p><u>Rigid plastic packaging – only the fractions listed below</u> Clean plastic bottles and lids (?) (e.g. milk, drink, sauce, detergent, shampoo, chemicals, oils etc) Clean rigid plastic food containers (e.g. butter/margarine tubs, yoghurt pots, fruit trays & non-black food and meat trays) Disposable plastic cups (made only of plastic) Plastic lids from drinks cups</p> <p><u>Metal packaging – only the fractions listed below</u> Clean food and drinks tin cans (steel & aluminium) Metal aerosol cans (steel & aluminium, empty, no paint or harmful chemicals) Clean aluminium foil (no food or chemical contamination) Clean aluminium food trays, Metal jar lids Metal bottle tops Empty aluminium tubes (e.g. tomato puree tubes)</p> <p><u>Cartons and other fibre-plastic composite packaging of a similar composition;</u> Cartons made out predominantly of fibre but including a metalised layer (commonly used for soft drinks and milk) and a plastic neck and cap. Rigid paper containers (e.g. Pringles' tubes) Paper cups with a plastic inner liner (not made out of biodegradable/compostable plastic)</p> | <p><u>Plastic (a number of these items can be recycled separately)</u> Black plastic food and meat trays Plastic bags (including carrier bags, bread bags & frozen food bags, compost bags, fertiliser bags, feed bags) Bulk bags for the delivery of sand, gravel, seed, feed etc. Plastic film (including cling film, food tray film & pallet wrap, shrink wrap, silage wrap, crop cover) Sweet and biscuit wrappers Crisp packets / paper backed foil Pouches Sachets Bubble wrap Polystyrene Rigid non packaging hard plastics (including toys, coat hangers, plant pots) Compostable, biodegradable or oxy-degradable plastic packaging Plastic coffee pods</p> <p><u>Metal (a number of these items can be recycled separately)</u> Paint cans (plastic or metal including aerosol spray paint cans) Gas canisters (these should not be put in the general waste either as they will cause an explosion risk. They must be managed by an appropriately authorised contractor). Metal scrap of any kind Metal coffee pods</p> <p><u>Other fibre-plastic composite packaging of a similar composition to cartons</u> Paper cups with a compostable, biodegradable inner waterproof layer</p> |

If the waste collector can collect separately and recycle any of the items identified in the second column, then these will be allowed to be included in either an additional

separate container, or in the plastic, metal and cartons container. The waste producer must obtain and keep written evidence from the waste collector that these items can be included in the recycling container, ensuring that high quality recycling is achieved. Any sub-fractions that cannot be recycled should be put in the residual rubbish container.

Waste plastic, metal or carton containers that contain hazardous substances may not be suitable for recycling and must be appropriately managed.

Annex 3 – The glass sub-fractions that should be separated into a single container

For all non-domestic premises, the sub-fractions that should be placed into the separate container for glass and those that should not be placed in it (unless the waste collector specifically allows it to be included) are as follows:

| Glass | |
|---|--|
| <i>What should be placed in the container</i> | <i>What should NOT be placed in the container (unless the waste collector specifically allows it to be included)</i> |
| Clean glass jars (all colours) Clean glass bottles (all colours) | Metal jar lids (place in the metals/plastic/carton container) Metal bottle tops (place in the metals/plastic/carton container) Sheet glass (windowpane type, picture frame glass, car windscreen glass) Mirrors Light bulbs Crockery (including ceramics and china) Drinking glasses Glass and ceramic cookware |

If the waste collector can collect separately and recycle any of the items identified (in the second column, then these will be allowed to be included in either an additional separate container, or in the glass container). The waste producer must obtain and keep written evidence from the waste collector that these items can be included in the recycling container, ensuring that high quality recycling is achieved. Any sub-fractions that cannot be recycled should be put in the residual rubbish container.

Mechanical crushing of mixed glass at source prior to collection results in a significant proportion of fine particles which are too small to be colour sorted. The loss of material which could be used in the remelt industry may exceed 30% by weight. As such, crushing mixed colour glass prior to collection should be avoided where possible.

Any waste glass that contains hazardous substances may not be suitable for recycling and must be appropriately managed.

Annex 4 – The food waste sub-fractions that should be separated into a single container

For all non-domestic premises, the sub-fractions that should be placed into the separate container for food and those that should do be placed in it (unless the waste collector specifically allows it to be included) are as follows:

| Food | |
|--|---|
| <i>What should be placed in the container</i> | <i>What should NOT be placed in the container (unless the waste collector specifically allows it to be included)</i> |
| All waste items that have at any time been food (which for this purpose does not include drink) intended for human or animal consumption Biodegradable waste arising from the processing or preparation of food or drink. | Any packaging (if recyclable, place in a separate specified container) Items (including packaging) that are biodegradable, compostable, or oxy-degradable. Large bones Kitchen paper Oils |

If the waste collector can collect separately and recycle any of the items identified as in the second column, then these will be allowed to be included in either an additional separate container, or in the food container. The waste producer must obtain and keep written evidence from the waste collector that these items can be included in the recycling container, ensuring that high quality recycling is achieved. Any sub-fractions that cannot be recycled should be put in the residual rubbish container.

Annex 5 – The unsold textile sub-fractions that should be separated into a single container

For all non-domestic premises, the sub-fractions that should be placed into the separate container for unsold textiles and those that should not be placed in it (unless the waste collector specifically allows it to be included) are as follows:

| Unsold textiles | |
|--|--|
| What should be placed in the container | What should NOT be placed in the container (unless the waste collector specifically allows it to be included) |
| Clothing Mattresses Soft furnishings (eg. curtains, bedsheets and blankets, duvets, pillows, towels etc) Carpets and carpet tiles Rugs Underlay Leisure textiles (tents, tarpaulins etc) | Anything else not included in the left-hand column. |

If the waste collector can collect separately and reuse or recycle any of the items identified in the second column, then these will be allowed to be included in either an additional separate container, or in the unsold textiles container. The waste producer is advised to obtain and keep written evidence from the waste collector that these items can be included in the recycling container, ensuring that high quality recycling is achieved. Any sub-fractions that cannot be recycled should be put in the residual rubbish container.

Waste items containing persistent organic pollutants (POPs) cannot be recycled and must be destroyed.

Any waste textiles that contain hazardous substances may not be suitable for recycling and must be appropriately managed.

Annex 6 – The unsold small WEEE sub-fractions that should be separated into a single container

For all non-domestic premises, the sub-fractions that should be placed into the separate container for unsold small WEEE and those that should not be placed in it (unless the waste collector specifically allows it to be included) are as follows:

| Unsold small WEEE | |
|---|--|
| What should be placed in the container | What should NOT need to be placed in the container (unless the waste collector specifically allows it to be included) |
| <p>The following list of waste electrical and electronic equipment which is dependent on electric currents or electromagnetic fields in order to work properly and equipment for the generation, transfer and measurement of such currents and fields and designed for use with a voltage rating not exceeding 1,000 volts for alternating current and 1,500 volts for direct current:</p> <p>1) SMALL EQUIPMENT (NO EXTERNAL DIMENSION MORE THAN 50CM) INCLUDING, BUT NOT LIMITED TO:</p> <p>Household appliances Consumer equipment Luminaires (lightbulbs) Equipment reproducing sound or images, musical equipment Electrical and electronic tools Toys, leisure, and sports equipment Medical devices; Monitoring and control instruments Automatic dispensers Equipment for generation of electric currents.</p> <p>2) SMALL IT AND TELECOMMUNICATION EQUIPMENT (NO EXTERNAL DIMENSION MORE THAN 50CM)</p> <p>3) SMALL EQUIPMENT Vacuum cleaners Carpet sweepers</p> | <p>Anything not included in the left hand column.</p> |

Appliances for sewing
Luminaires
Microwaves
Ventilation equipment
Irons
Toasters
Electric knives
Electric kettles
Clocks and watches
Electric shavers
Scales
Appliances for hair and body care
Calculators
Radio sets
Video Cameras
Video Recorders
Hi-fi equipment
Musical instruments
Equipment for reproducing sound or images
Electrical and electronic toys
Sports equipment
Computers for biking, diving, running, rowing, etc.
Smoke detectors
Heating regulators
Thermostats
Small electrical and electronic tools
Small medical devices
Small monitoring and control instruments
Small appliances which automatically deliver products
Small equipment with integrated photovoltaic panels

4) SMALL IT AND TELECOMMUNICATION EQUIPMENT (NO EXTERNAL DIMENSION MORE THAN 50CM)
Mobile phones
GPS
Pocket calculators
Routers
Personal computers
Printers
Telephones

If the waste collector can collect separately and recycle any of the items identified as in the second column, then these will be allowed to be included in either an additional separate container, or in the unsold small WEEE container. The waste producer must obtain and keep written evidence from the waste collector that these items can be included in the recycling container, ensuring that high quality recycling is achieved. Any sub-fractions that cannot be recycled should be put in the residual rubbish container.

Waste items containing persistent organic pollutants (POPs) cannot be recycled and must be destroyed.

Any unsold small WEEE that contains hazardous substances may not be suitable for recycling and must be appropriately managed.