

**REGULATORY POSITION STATEMENT FOR BAKERY, BREWING AND DAIRY BY-PRODUCTS FROM FOOD AND DRINK PROCESSING FACILITIES, USED FOR ANIMAL FEED OR AS AN ENERGY INPUT TO ANAEROBIC DIGESTION (AD)**

**N.B.** This RPS does not apply to food (e.g. unsold, out of date) from a supermarket  
 This RPS does not apply to any product containing meat.

**Examples**

<b>Bakery Goods (Meat-Free)</b>	<b>Dairy Outputs</b>	<b>Brewing Materials</b>
Breads	Milk	Brewers Grains
Biscuits	Yogurt	Pot Ale Syrup
Pastries	Cheese	
Cakes	Cream	

**Produced at a Food/Drink Processing Facility**

For example, brewers, distillers, dairies and food manufacturers

- Bakery, brewing and dairy materials not suitable for the human market therefore, rejected as part of the production process. N.B. Rejected unsafe food must not enter the feed chain e.g. products rejected due to an unsatisfactory micro-analysis result
- Bakery, brewing and dairy materials without usual market, due to lack of demand or lack of quality
- Bakery, brewing and dairy by-product materials produced during the manufacture of food or drink only

**N.B.** Food or drink processing sludges 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, if the by-product is**

- 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

**N.B.** Rejected unsafe food must not enter the feed chain e.g. products rejected due to an unsatisfactory micro-analysis result

**Waste authorisation is not required for either transfer or use as an energy crop input, if the by-product is**

- 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 bakery, brewing and dairy by-products as animal feed or a green energy input
- The bakery, brewing or dairy by-product is always suitable to be used directly or following processing as animal feed, or directly as a green energy input
- The bakery, brewing or dairy by-product is produced as an integral part of a production process
- The bakery, brewing or dairy by-product is only used as animal feed or a green energy input and the use is lawful i.e. the bakery, brewing or dairy 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.**