



Food Waste Legislation and Action in Austria

Zero Waste Austria



Table of Content

Current Situation Food Waste in Austria	5
Commons reasons for food waste	5
Food waste in numbers	6
Households	7
Agriculture	7
Food producers (other than agriculture)	8
Retailers	8
Gastronomy	9
Laws and regulations	10
General Information	10
Supranational level / European Union (EU)	10
EU Waste Management	10
Summaries EU Waste Management Laws	11
DIRECTIVE 2008/98/EC	11
National level	12
Waste Management Law (WML) 2002 (Abfallwirtschaftsgesetz (AWG) 2002)	12
Regulation on waste disposal sites (Deponieverordnung 2008)	12
Subnational level / Provinces	12
National Waste Management Laws	12
Sustainable Development Goal 12	12
Overview	13
Information sources on the SDGs	16
SDGs in Austria	17
Policy action	18
General information on food waste prevention	18
Supranational level / EU	19
EU Waste Prevention	19
Food waste prevention	19

Directive (EU) 2018/851	19
COMMISSION DELEGATED DECISION (EU)	19
National level / Provincial level	20
Summary Federal Waste Management Plan 2017	20
Political dimension	21
Action against food waste in Austria	22
Government campaigns and initiatives	22
Stakeholder demands	25
Education and awareness building	26
Media and blogs	26
Food sharing initiatives	27
Action points ZWA	29
Measurement	29
General information	29
Current Data sources	29
Methodology	30
Abbreviations	31



The Current Legislative Situation Regarding Food Waste Measurement, Reduction and Related Action in Austria





Imprint

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1. Current Food Waste Situation in Austria

The following section provides general information and figures on food waste in Austria.

1.1 Commons reasons for food waste

The discarding of foodstuffs seems to be driven by a number of reasons:¹

- Legislation: usually providing for the safety of the consumer, e.g. best-before date (BBD), discarding of packages with damaged wrapping, restrictions on donating food, etc.
- Purchasing behaviour, including incentivisation through advertisements
- Deterioration of produce during transportation
- Quality criteria (size, colour, etc.) of wholesalers/supermarkets
- Economic decisions of wholesalers/supermarkets (optimisation of packaging and storage, visual appeal, e.g. shiny apples, straight bananas and cucumbers, etc.)
- Strategic overproduction/overstocking to satisfy ad-hoc demands (producers/supermarkets)
- Discarding of seasonal produce (chocolate Easter eggs, Christmas cookies, etc.)

Source: BMNT (2018), available from

https://www.bmlrt.gv.at/dam/jcr:253a83f4-67c2-407d-a88a-72dc560b9e51/BMNT_Broschuere_Wir_rennen_Lebensmittel_PK_Sept%202018.pdf [accessed 19 May 2020]

¹ University of Economics Vienna, Food Waste, available at https://www.wu.ac.at/fileadmin/wu/d/i/nachhaltigkeit/06_Third_Mission/WAYS_2_SUSTAIN/Themenhefte/Nahrungsmittel-Abf%C3%A4lle.pdf [accessed 23 April 2020]

1.2 Food waste in numbers



- Private households: 157,000t/year in discarded as residual waste (BOKU, 2012 as cited in BMLRT “Food is precious” (see 6.1)
- Out-of-home consumption: total of 175,000t/year
 - divides further into 61,000t/year canteen kitchens,
 - 45,000t/year gastronomy,
 - 50,000t/year hotel industry,
 - 19,000t/year other hospitality businesses e.g. Kaffeehaus, etc. (projection by United Against Waste, 01/2016) (ibid)
- Foodstuff production industry: 121,800t/year of avoidable food waste (Ecological Institute, 2017) (ibid)
- Retailers: 74,000t/year (on demand of ECR Working Group Waste Management, 2014) (ibid)

1.3 Households

According to a study by the University of Natural Resources and Life Sciences (BOKU) from 2012, as cited in the BMLRT brochure “Food is precious” (see 6.1), private households in Austria discard 157,000t of food as residual waste.

Households themselves are not subject to any regulatory norms but are dependent on information from the producer and supermarket about when products go out of date. As mentioned in Directive (EU) 2018/851, more information on the BBD (best-before date) is needed to avoid early discarding of food. When eating out, consumers should be encouraged to use doggy bags, while price vs. output relation should be balanced by restaurants (responsible for discarding a great amount of food).

The following information and actions are needed to help improve the current situation:

- Information about inappropriate storage
- Information about inefficient household management (excess purchases)
- Clarification and consumer reliance on BBD

1.4 Agriculture

Agricultural production is subject to a number of legal requirements, norms and malpractices. Farms can be stratified along different fault lines, resulting in different legal requirements, norms, practices and, as a consequence, different amounts and types of waste.

- Conventional vs. organic farming
- Size of production site
- Type of marketing (direct, selling to retailers, and wholesalers)

Generic problems, applicable to many types of farming, are:

- unpredictable harvest
- strict quality checking (trade) and price suppression
- other ways of marketing (such as hindering further reuse and social markets)

1.5 Food producers (other than agriculture)

According to the Institute of Ecology (2017)², the Austrian food industry is made up of 3500 food producing companies, 250 of which are large-size enterprises with more than 50 employees, with a total of 70,000 employees, and produces 121,800t (+/-6)/year of avoidable waste.



The top three food waste categories are bakery products (51,600 t/year), dairy products (16,000t/year) and beverages (13,000t/year).

1.6 Retailers

Lebersorger and Schneider (2014)³ conducted a one-year study on food loss rates in 612 retailer outlets in Austria. The results show that food loss rates are not uniform across retail outlets but depend, amongst other things, on factors such as outlet size, purchases per year and number of retail sales, with 33% of the loss not explained by one single reason. More than 25% of discarded food items were seemingly discarded because the BBD was reached. The retail industry has great potential to reduce food loss rates, including increasing rates of food donated to charitable causes.

² Institute of Ecology (2017), Waste prevention in the Austrian food industry, available from http://www.ecology.at/files/pr886_6.pdf [accessed 19 May 2020]

³ Lebersorger, S. and Schneider, F. (2014), Food loss rates at the food retail, influencing factors and reasons as a basis for waste prevention measures, Waste Management 34(2014), pp 1911 - 1919

1.7 Gastronomy

The report by Pladerer and Hietler (2015) on food waste in the Viennese restaurant industry on behalf of the Viennese Environmental department MA 22 (available from <https://www.wien.gv.at/kontakte/ma22/studien/pdf/lebensmittelabfaelle-gastronomie.pdf> [accessed 23 April 2020]) provides a good overview of the legal norms for the restaurant industry in Austria, analyses current food waste patterns, and gives recommendations for the individual sectors. As of 2015, when the report came out, 60% of purchased food in restaurants and common kitchens was discarded.

The report highlights the fact that some types of biogenic waste are unavoidable, such as eggshells, bones or peels. They are a result of food preparation in restaurants (and households). Avoidable waste, however, is the focus of a number of legislations.

Legal norms directly relevant for the restaurant industry are:

- The *Waste Management Law (WML) 2002 (Abfallwirtschaftsgesetz (AWG) 2002)* mentioned in 2.3
- *DIRECTIVE 2008/98/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 19 November 2008 on waste and repealing certain Directives (Europäische Abfallrahmenrichtlinie)*⁴

A comprehensive legislative framework that repeals and consolidates certain directives. Amongst others, Directive 2006/12⁵ (on waste), which is directly relevant to waste reduction management and prevention, has been revised to clarify “key concepts such as the definitions of waste, recovery and disposal, to strengthen the measures that must be taken in regard to waste prevention, to introduce an approach that takes into account the whole life-cycle of products and materials and not only the waste phase, and to focus on reducing the environmental impacts of waste generation and waste management, thereby strengthening the economic value of waste. Furthermore, the recovery of waste and the use of recovered materials should be encouraged in order to conserve natural resources.” (Recital (8), p. L312/4). The directive covers waste and waste prevention at a general level for all sectors, such as households, restaurants and industrial sectors.

⁴ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32008L0098&from=DE> [accessed 18 May 2020]

⁵ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32006L0012> [accessed 18 May 2020]

- *National Directive BGBl Nr. 1992/68 (as currently in force) on the separate collection of biogenic (= organic or biological) waste⁶*

In essence, the directive mandates the separate collection of hazardous and non-hazardous biogenic waste suitable for aerobic and anaerobic waste treatment.

Examples include avoidable and unavoidable food waste.

2. Laws and regulations

2.1 General Information

Austrian waste management, as a broad topic that encompasses food waste, is subject to supranational, national and provincial laws. The laws are concerned with all levels of the waste pyramid: prevention, reuse, recycling, disposal, and final storage.

2.2 Supranational level/European Union (EU)

On a supranational/EU level, Austria, as a member of the EU, is at the highest level of the legal hierarchy governed by EU Regulations (Reg) and Directives (Dir), which can be found in "EUR-LEX", the official database for EU law.

<https://eur-lex.europa.eu/homepage.html> [accessed 22 April 2020]

Regulations are directly applicable on a national level, whereas Directives must be transposed into national law within a regulatory defined timeframe and have certain room for interpretation, in accordance with applicable national law.

⁶ <https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10010685> [accessed 18 May 2020]

EU Waste Management

<https://ec.europa.eu/environment/waste/legislation/index.htm> [accessed 22 April 2020]

EU law is divided into five main categories:



- A. Framework European Union legislation on waste
- B. European Union legislation on waste management operations
- C. European Union legislation on specific waste streams
- D. Reporting and questionnaire legislation
- E. Useful links to other in/directly related legislation

Summaries EU Waste Management Laws

https://eur-lex.europa.eu/search.html?qid=1587453878913&text=eu%20waste%20management&scope=EU_SUMMARY&type=quick&lang=en [accessed 22 April 2020] (summaries are for information purpose only, for details please consult the respective law)

DIRECTIVE 2008/98/EC

DIRECTIVE 2008/98/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 19 November 2008 on waste and repealing certain Directives

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32008L0098&from=EN> [accessed 22 April 2020]

Legislation on food waste forms part of the EU waste prevention strategy (for further information please refer to Task “Government initiatives”).

2.3 National level

On a national level, the following main laws govern waste management in Austria:

Waste Management Law (WML) 2002 (Abfallwirtschaftsgesetz (AWG) 2002)

<https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=20002086> [accessed 22 April 2020]

Based on precautionary and preventive principles, the WML establishes the qualitative criteria for waste management to reduce negative impact on humans, animals and the environment. It goes on to introduce the waste hierarchy, which besides ecological impact has to take economic aspects into account, and states exceptions to adherence to the hierarchy in case of holistically sounder treatment methods.

Regulation on waste disposal sites (Deponieverordnung 2008)

<https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=20005653> [accessed 22 April 2020]

The Deponieverordnung governs the operational and technological requirements for disposal sites and waste. At all times during the lifetime of a disposal site, negative impacts on surface and groundwater, soil, air, and the global environment, including greenhouse gas emissions, along with negative impact on human health, are to be avoided.

2.4 Subnational level / Provinces

National Waste Management Laws

<https://www.wko.at/service/umwelt-energie/landesabfallrecht.html> [accessed 22 April 2020]

Consolidated versions are available at <https://www.ris.bka.gv.at/Land/> [accessed 22 April 2020]

Content exemplified by Waste Management Law for Vienna (WMLV) (Wiener Abfallwirtschaftsgesetz)⁷ and the Waste Management Plan for Vienna (WMPV) (Wiener Abfallwirtschaftsplan)⁸.

The WMLV restates the goals of the WML 2002 (see 2.3) and establishes the legal basis for the municipal waste fee.

⁷ <https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=LrW&Gesetzesnummer=20000141> [accessed 18 May 2020]

⁸ <https://www.wien.gv.at/umwelt/ma48/beratung/umweltschutz/awk.html> [accessed 18 May 2020]

Drafting, implementation and monitoring of the WMPV is devolved to the municipal department MA48 (responsible for waste management, street cleaning and vehicle fleet). The plan essentially introduces measures at all levels of the waste management hierarchy (prevention, reuse, recycling, etc.)

3. Sustainable Development Goal 12

Goal: Ensure sustainable consumption and production patterns.

3.1 Overview

Summary:

- Goals are to be achieved globally by 2030
- Sustainable consumption and production patterns to meet present and future generations' needs well within our planetary boundaries (Steffen et al., 2015)⁹
- Main focus is on reduction of waste and efficient and environmentally friendly use of resources
- By 2030 create global awareness about the need for sustainable development over excessive use of resources

Target	Description	Indicator	Description
12.1	Implement the 10-year framework of programmes on sustainable consumption and production, all countries taking action, with developed countries taking the lead, taking into account the development and capabilities of developing countries	12.1.1	Number of countries with sustainable consumption and production (SCP) national action plans or SCP mainstreamed as a priority or a target into national policies
12.2	12.2	12.2.1	Material footprint, material footprint per capita, and material footprint per GDP

⁹ Steffen et al. (2015), Planetary boundaries: Guiding human development on a changing planet, Science 33, Vol 342, Issue 6223, DOI: 10.1126/science.1259855 February 2015,

	By 2030, achieve the sustainable management and efficient use of natural resources	12.2.2	Domestic material consumption, domestic material consumption per capita, and domestic material consumption per GDP
12.3	By 2030, halve per capita global food waste at retail and consumer levels and reduce food losses along production and supply chains, including post-harvest losses	12.3.1	Global food loss index
12.4	By 2020, achieve environmentally sound management of chemicals and all wastes throughout their life cycle, in accordance with agreed international frameworks, and significantly reduce their release to air, water and soil in order to minimize their adverse impacts on human health and the environment	12.4.1.	Number of parties to international multilateral environmental agreements on hazardous waste and other chemicals that meet their commitments and obligations in transmitting information as required by each relevant agreement
		12.4.2	Hazardous waste generated per capita and proportion of hazardous waste treated, by type of treatment
12.5	By 2030, substantially reduce waste generation through prevention, reduction, recycling and reuse	12.5.1.	National recycling rate, tons of material recycled
12.6	Encourage companies, especially large and transnational companies, to adopt sustainable practices and to integrate sustainability information into their reporting cycle	12.6.1	Number of companies publishing sustainability reports
12.7.	Promote public procurement practices that are sustainable, in	12.7.1.	Number of countries implementing sustainable public

	accordance with national policies and priorities		procurement policies and action plans
12.8.	By 2030, ensure that people everywhere have the relevant information and awareness for sustainable development and lifestyles in harmony with nature	12.8.1	Extent to which (i) global citizenship education and (ii) education for sustainable development (including climate change education) are mainstreamed in (a) national education policies; (b) curricula; (c) teacher education; and (d) student assessment
12.A	Support developing countries to strengthen their scientific and technological capacity to move towards more sustainable patterns of consumption and production	12.A.1	Amount of support to developing countries on research and development for sustainable consumption and production and environmentally sound technologies
12.B	Develop and implement tools to monitor sustainable development impacts for sustainable tourism that creates jobs and promotes local culture and products	12.B.1	Number of sustainable tourism strategies or policies and implemented action plans with agreed monitoring and evaluation tools
	Rationalize inefficient fossil-fuel subsidies that encourage wasteful consumption by removing market distortions, in accordance with national circumstances, including by restructuring taxation and phasing out those harmful subsidies, where they exist, to reflect their environmental impacts, taking fully into account the specific needs and conditions of developing countries and minimizing the possible adverse	12.C.1	Amount of fossil-fuel subsidies per unit of GDP (production and consumption) and as a proportion of total national expenditure on fossil fuels

	impacts on their development in a manner that protects poor and affected communities		
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Source: Sustainable Development Goal 12, Targets and Indicators (UN, 2019) available from <https://sustainabledevelopment.un.org/sdg12> [accessed 28 April 2020]

3.2 Information sources on the SDGs

- Earth Overshoot Day: annual determination when resources use exceeds available resources. Available from <https://www.overshootday.org/> [accessed 28 April 2020]
- Alumniportal Deutschland: information on SDGs, articles and interviews on sustainable production and consumption
Available from <https://www.alumniportal-deutschland.org/global-goals/sdg-12-konsum/>
- City of Ludwigsburg: information on SDGs, available from <https://2030.meinlb.de/sdg-12-nachhaltiger-konsum-und-produktion/>
- Südwind: overview SDGs, available from https://www.suedwind.at/fileadmin/user_upload/suedwind/X_Downloadliste/SDG_Plakate.pdf
- Südwind: SDGs explained available from https://www.suedwind.at/fileadmin/user_upload/suedwind/Bilder/Downloads-files_Downloads-Teaser/SDGs-Broschue.pdf
- United Nations Vienna: SDG12: animated video for young learners on sustainable development goals. Available from <https://www.youtube.com/watch?v=ariXVRHai28>
- Federal Chancellery Republic of Austria: information on SDGs, implementation and progress. Available from <https://www.bundestkanzleramt.gv.at/themen/nachhaltige-entwicklung-agenda-2030.html> [accessed 28 April 2020]

3.3 SDGs in Austria

Austria has committed to the SDGs at the UN summit in 2015. On 12 January 2016 all Austrian ministries were ordered by ministerial decree of the federal government to implement the principles of the SDGs by 2030. SDGs are non-binding goals and targets, and progress is tracked through voluntary annual national reviews.

Implementation of the SDGs in Austria available from www.bundeskanzleramt.gv.at/themen/nachhaltige-entwicklung-agenda-2030/implementierung.html [accessed 28 April 2020]

- Homepage of the Federal Chancellery of the Republic of Austria (Bundeskanzleramt) provides information on goals, implementation, monitoring and reporting
- In the summer of 2015, all federal ministries were tasked with evaluating whether and for which of the 17 goals and 169 targets strategies, programmes and measures were already in place
- In January 2016, all federal ministries were tasked with devising strategies and programmes that incorporate the SDG goals and targets, they were to make use of cross-sectoral expert knowledge of the governing apparatus, science, social partners, civil society and the economic sector
- Each ministry is responsible for implementation of the respective SDGs relating to their area of responsibility¹⁰
- A working group under the joint leadership of the Chancellery and the Foreign Ministry is responsible for regular reporting and coordination of priorities for the following reporting period
- At national level, Statistics Austria is tasked with determining national indicators to measure SGD implementation¹¹
- The BMLRT, as an entity concerned with foodstuffs, has devised SDGs Action Plan 19+¹². The action plan includes a number of instruments to forward and track SDG implementation:
 - o Systematic tracking of implementation measure and attribution to one or more SDGs
 - o Implementation of evaluation tools such as the “SDG fitness check” and “ex-ante SDG impact study”

¹⁰ Overview responsibilities of the Austrian ministries available at https://www.bundeskanzleramt.gv.at/dam/jcr:253e6174-2bbf-4f38-b23a-08764d01a71e/Agenda2030_BF.pdf [accessed May 2020]

¹¹ National implementation of SDGs by Statistics Austria available at http://www.statistik.at/web_de/statistiken/internationales/agenda2030_sustainable_development_goals/un-agenda2030_monitoring/index.html [accessed 19 May 2020]

¹² SDG Action Plan 19+, BMLRT available from https://www.bmlrt.gv.at/umwelt/nachhaltigkeit/sdg_aktionsplan_2019.html [accessed 19 May 2020]

4. Policy action

4.1 General information on food waste prevention

The best source for information on food waste prevention is the paper by Schneider and Lebersorger (2016), written as contribution to FUSION:

“FUSIONS (Food Use for Social Innovation by Optimising Waste Prevention Strategies) is a project about working towards a more resource efficient Europe by significantly reducing food waste. The project runs for 4 years, from August 2012 to July 2016. It is funded by the European Commission Framework Programme 7.

FUSIONS has 21 project partners from 13 countries, bringing together universities, knowledge institutes, consumer organisations and businesses. In addition, a number of organisations from a variety of sectors have pledged their support to FUSIONS.

The project will establish a European Multi-Stakeholder Platform to generate a shared vision and strategy to prevent food loss and waste across the whole supply chain through social innovation. Already more than 200 leading European organisations have pledged their support.

The project will contribute towards:

- the harmonisation of food waste monitoring;
- improved understanding of the extent to which social innovation can reduce food waste;
- and the development of guidelines for a common Food Waste policy for EU-27.

Through delivery of the key objectives, FUSIONS will support:

- the delivery of the Roadmap towards a Resource Efficient Europe;
- the European Commission’s target of a 50% reduction of food waste;
- and a 20% reduction in the food chain’s resource inputs by 2020.”

Source: Fusion, 2016 (available from <http://www.eu-fusions.org/index.php/about-fusions>, accessed 23 April 2020)

4.2 Supranational level/EU

Up until 2018, food preventive measures and recommendations on re-using human food waste was not mandated but governed by best practice.

EU Waste Prevention

<https://ec.europa.eu/environment/waste/prevention/index.htm> [accessed 22 April 2020]

The European Commission (EC) (DG Environment) provides guidance on waste management programmes and waste prevention by means of a guidance handbook¹³. Food waste prevention is covered separately by the EC (as follows).

Food waste prevention

https://ec.europa.eu/food/safety/food_waste_en [accessed 22 April 2020]

The central goal is to protect human and animal health, while bearing in mind the food waste prevention opportunities and ensuring the sustainability of the food systems.

Data and information were derived from the FUSION project (see 4.1)

Upon conclusion of the FUSION project, recommendations and insights led to the food waste legislation which entered into force in 2018.

Directive (EU) 2018/851

Directive (EU) 2018/851 of the European Parliament and of the Council of 30 May 2018 amending Directive 2008/98/EC on waste (Text with EEA relevance)

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32018L0851> [accessed 22 April 2020]

Article 9(5) to Article 9(9) are concerned with monitoring and assessment of the implementation of national food waste prevention measures on the basis of a methodology to be determined by the EU Commission through a delegated act.

COMMISSION DELEGATED DECISION (EU)

COMMISSION DELEGATED DECISION (EU) .../... of 3.5.2019 supplementing Directive 2008/98/EC of the European Parliament and of the Council as regards a common methodology and minimum quality requirements for the uniform measurement of levels of food waste

<https://ec.europa.eu/transparency/regdoc/rep/3/2019/EN/C-2019-3211-F1-EN-MAIN-PART-1.PDF> [accessed 22 April 2020]

¹³ EC (DG Environment) (2012), Guidance handbook on Waste Prevention, available from <https://ec.europa.eu/environment/waste/prevention/pdf/Waste%20prevention%20guidelines.pdf> [accessed 19 May 2020]

By 31st December 2023, based on the data gathered as mentioned above, the Commission shall decide on the feasibility of a Union-wide food waste reduction target in accordance with SDG 12 (reduction of food waste by 50% by 2030).

Directive (EU) 2018/851 must be transposed into national law by 05/07/2020. As of today, only Upper Austria and Burgenland have carried out the transposition.

<https://eur-lex.europa.eu/legal-content/en/NIM/?uri=CELEX:32018L0851> [accessed 22 April 2020]

No information is currently available on how the new legislation will be reflected in the provincial waste management plans (as discussed below).

4.3 National level/Provincial level

The government of Austria provides a general overview of waste-related topics (only available in German) at

https://www.oesterreich.gv.at/themen/bauen_wohnen_und_umwelt/abfall.html [accessed 22 April 2020].

The FWL 2002¹⁴ is executed and enforced by the Federal Ministry for Agriculture, Regions and Tourism (Bundesministerium für Klimaschutz, Umwelt, Energie, Mobilität, Innovation und Technologie) jointly with the governors of the nine Austrian provincial states. Main points of contact are the administrative offices of the ministry and the governors.

<https://www.bmlrt.gv.at/english/environment/Wastemanagement/Principles-of-waste-management.html> [accessed 22 April 2020]

The principles of waste management (prevention, reuse, recycling, disposal, final storage) and related measures are laid down in the Federal Waste Plan, which must be renewed at least every six years (for current version see the following links).

<https://www.bmlrt.gv.at/umwelt/abfall-ressourcen/bundes-abfallwirtschaftsplan/BAWP2017-Final.html> [accessed 22 April 2020]
as updated by the status report 2019 (Statusbericht 2019).

Summary Federal Waste Management Plan 2017

There is no national plan specifically addressing food waste in Austria, however food waste is addressed in the Federal Waste Management Plan 2017. Promoted by the Federal Ministry of Agriculture, Forestry, Environment and Water Management in 2017, the Federal Waste Management Plan 2017 summarizes the situation of waste management in Austria including the amounts of different waste streams and their treatment paths, the number and condition of treatment facilities and perspectives for the future, required in order to implement the objectives and principles of the Waste Management Law of 2002.

¹⁴ <https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=20002086> [accessed 22 April 2020]

The plan aims to deliver a reduction of 20% of food waste in residual waste generated from households and companies within 2016. The target is specific for residual waste as this is the only municipal waste stream fully monitored and therefore characterized by a reliable data set. A qualitative target was set for all the other waste streams to emphasize that, beside the lack of data, also all other food waste along the food supply chain should be reduced.

INFO für alle Gesetze > ab. S. 41 (Source: Interreg Central Europe - STREFOWA (2016), REPORT ON STATUS QUO OF FOOD WASTE PREVENTION AND MANAGEMENT, available from http://www.reducefoodwaste.eu/uploads/5/8/6/4/58648241/d.t1.1.1_sq-report_final_9.pdf)

Chapter 1.2. Federal Waste Management Plans is reporting on the provincial waste management plans and most recent (as available) waste statistics.

E.g. Waste Management Plan for Vienna 2019-2024 (planning period 2013-2018) (Wiener Abfallwirtschaftsplan und Wiener Abfallvermeidungsprogramm 2019-2024 (Planungsperiode 2013-2018))

The waste management plans will have to be revised in line with *Directive (EU) 2018/851* and the relevant subsections on food waste.

5. Political dimension

Question 1

From your understanding of your country's current government (or opposition parties with a possibility of coming to power in future elections), what do you think is the likelihood of your country adopting regulations to reduce food waste, following campaign pressure?

Answer 1

Taking into account legislation that has been put in place or that is in the process of being put in place, with regards to food waste management, accounting and reduction targets, we deem it likely that at government/Ministry level campaigns like the farm-to-fork strategy will be pushed forward.

It is unclear, though, which mix of push and pull factors will lead to the desired outcome. On the one hand, a behaviour change has to take place at the consumer level, and on the other hand, economic incentives will have to be put in place to effect a change at the producer/POS level.

Question 2

Which policies do you think might realistically be adopted? Think about both how open they are to regulation generally, and how ambitious they have been to date on food waste.

Answer 2

In 2019, the Austrian Green Party, with a focus on environmental topics and human rights, was voted into government. The new government (Turquoise [Christian democratic]/Green) is putting a focus on circular economy, durable products, reuse of packaging, etc. (see 6.1, Government Programme Kurz/Kogler). In terms of food waste, the government programme includes an action point on food sharing, as exemplified by the French system. Key points include:

- Improving data gathering and transparency along the whole value chain
- Evaluation of existing legislation and removal of barriers for food sharing
- Ban on discarding of food still fit for consumption
- Establishing a national coordination unit

6. Action against food waste in Austria

6.1 Government campaigns and initiatives

- Action programme BMLRT and social partners

In spring 2013 the Federal Ministry of Agriculture, Forestry, Environment and Water Management (BMLRT) initiated an action programme together with the social partners (Austrian Chamber of Commerce, Austrian Chamber of Labour, Austrian Federation of trade unions and Austrian Chamber of Agriculture) as result of a stakeholder process. The aim of the stakeholder consultations was to exchange experiences, develop solutions throughout the food supply chain and connect relevant participants. The resulting action programme is organized in four main topics (Schneider and Lebersorger, 2016):

1. Awareness and information campaign for households and company staff members;
2. Increase in food redistribution activities (from companies to social organisations) as well as establishment of food sharing (between private households);
3. Optimization of processes along the food supply chain (ordering system, transport, returned goods, product availability, demand-oriented assortment)
4. Funding of research activities

The consultation process further resulted in several partnerships among companies, authorities, schools, NGOs who committed themselves to cooperate with the initiative “Food is precious”. The options for cooperation are manifold and include (Schneider and Lebersorger, 2016):

- usage of the “Food is precious” initiative logo for internal and external communication to highlight quality and solidarity of the different activities;
- integration of food prevention projects and activities from all partners within the initiative website and communication;
- opportunity to develop joint communication activities;
- support for school projects (e.g. teaching materials, awards, project ideas);
- support for the adaption of processes and systems along the food supply chain towards food waste prevention including production, logistics, distribution;
- participation in stakeholder consultations. This action programme potentially has implications on food waste reduction as well as on food waste management along all sectors of the food supply chain as well as a number of subsectors.

Source: Interreg Central Europe – STREFOWA (2016), available from

http://www.reducefoodwaste.eu/uploads/5/8/6/4/58648241/d.t1.1.1_sq-report_final_9.pdf

- Federal Ministry of Agriculture, Regions and Tourism (BMLRT) Campaign „Food is precious“/„Lebensmittel sind kostbar“ (available in German only)

available from https://www.bmlrt.gv.at/land/lebensmittel/kostbare_lebensmittel/Bericht-Lebensmittelpakt.html

- o Voluntary agreement between BMLRT and stakeholders and partners in the food industry to reduce avoidable and unavoidable food waste in Austria, in line with SDG 12
- o The agreement was signed on 31st May 2017 and will expire on 31st December 2030
- o Participating partners commit to implement mandatory measures (three out of four), of which food sharing is one, and voluntary measures (five out of 10+ additional agreed with BMLRT)
- o Participating partners commit to regular reporting to the BMLRT (food loss accounting, implemented measures, figures on food sharing, etc.)
- o Participation of commercial food corporations
- o Participants (as of 2018) include Hofer, REWE, LIDL, MPreis, SPAR, etc.
- BMLRT publications on foodstuffs

<https://www.bmlrt.gv.at/service/publikationen/lebensmittel.html>

- o List of brochures on food waste, cooking with leftovers, etc.

- Government of Vienna data on waste and waste reduction

<https://www.wien.gv.at/umweltschutz/abfall/lebensmittel/fakten.html>

- o General overview numbers, facts and data on food waste
- o Global and national figures
- o Links to dissertation on monetary quantification of food waste, movie "Taste the waste" and BMLRT campaign "Food is precious"

- Government Programme Kurz/Kogler (excerpt available on ARA webpage)

https://www.ara.at/fileadmin/user_upload/Downloads/rechtliche_Grundlagen/Auszug_Regierungsprogramm_2020.pdf

- o Fostering of circular economy
- o Repairing instead of discarding
- o Durable products
- o Legislative framework for food sharing
- o Reduce plastic and ban on microplastic
- o Develop framework for preferential VAT for repair services
- o Develop legal framework for reusable packaging

- Austrian Institute of Ecology

Provision of food waste to charities (Status report as of 2013)

<https://www.wien.gv.at/kontakte/ma22/studien/pdf/lebensmittelweitergabe.pdf>

- o Status report on food sharing (food industry => charitable organisations) as of 2013
- o The food industry (producers, wholesalers, retailers, etc.) provide 2,252t/year to charitable organizations, of which 2,126t/year (94.4%) are distributed to hardship cases, either free of charge or sold at social markets for a nominal charge
- o The study found that demand for some products groups exceeds supply and vice versa, the latter of which leads to relocation of the food waste away from the food industry to charitable organisations
- o Operational capacities, technical infrastructure (e.g. cooling capacities) and difficulties in balancing supply and demand result in avoidable waste

6.2 Stakeholder demands

- Foodsharing.at (contains five key demands of foodsharing.de on German government, and more recent documents [links partly outdated])

<https://foodsharing.at/?page=content&sub=forderungen>

- Demand for national food waste strategy by German federal government
- Demand for comprehensive food waste documentation and accounting
- Change cost-benefit relation of food waste
- Clear regulatory framework for food savers
- Inform consumers about BBD date and date of decay

- Action points WWF

http://www.wwf.at/de/view/files/download/showDownload/?tool=12&feld=download&sprach_connect=3069

- Support the initiative of the EU farming minister to enhance the list of products without BBD. At the moment, the requirement to mark products with a BBD not only applies to fresh produce for immediate consumption such as fruit, vegetable and bakery products, but also salt, sugar and hard liquor. Superposable products such as noodles, flour, rice and coffee are being considered for the enhanced list. The legislative change should be supported by a media campaign directed at consumers to create awareness about the difference between the BBD and the decay date.
- Retailers and producers shall monitor the BBD of their stock and evaluate the potential to pass food on to charities
- Gather insightful, detailed data on agriculture production streams and waste streams, including production livestock, to facilitate deriving measures for reduction of waste along the chain of production.
- Detailed analysis and action points to remove legal barriers and high quality criteria (aesthetics) that cause discarding of many food items by the producer. Producers of fruit and vegetables are particularly affected by this problem.
- Updating the Austrian Action Plan and drafting a national waste prevention strategy for the whole value chain. The strategy shall be implemented and monitored by each ministerial office for their respective topics.

6.3 Education and awareness building

- Zero Waste Europe
<https://zerowasteurope.eu/waste/>
- University for Natural Resources and Life Sciences, Vienna (BOKU)
Food waste information sources
<https://boku.ac.at/en/wau/abf/schwerpunktthemen/lebensmittel-im-abfall>
- World Wildlife Fund (WWF)
Infographic on food waste in Austria (in German)
https://www.wwf.at/de/view/files/download/showDownload/?tool=12&feld=download&sprach_connect=3478
- Pilot projects for schools and consumers
<http://www.reducefoodwaste.eu/pilotaktionen-zur-bewusstseinsbildung.html>
- Sensoric lab (Initiative “Wiener Tafel”):
https://www.wienertafel.at/fileadmin/WienerTafel_SensorikLabor_Seiten1_2.pdf
- Global Food Loss and Waste Accounting and Reporting Standards (FLW Standard)
FLW Standard drafted and published by multi-stakeholder expert group
<https://flwprotocol.org/about-flw-protocol/>
- Zerowastecities.eu
Strategy and campaigns for recycling strategies (separation of types of waste) for municipalities, examples given below
<https://zerowastecities.eu/bestpractice/the-story-of-pontevendra/>
<https://zerowastecities.eu/bestpractice/the-story-of-salacea/>

6.4 Media and blogs

- Blog Vanillaholica (Private Blog)
<https://www.vanillaholica.com/lebensmittelverschwendung-oesterreich-nachhaltigkeit-fakten-daten-zahlen/>
- Fienergy (Private Blog)
<https://www.fienergy.net/lebensmittelverschwendung-der-stand-der-dinge-in-oesterreich/>
- Mein Bezirk
Regional online publication (various articles on food waste, food saving tips, etc.)
<https://www.meinbezirk.at/tag/lebensmittelverschwendung>
- Kurier.at
Article on food waste (1/3 of waste in Austria) and demands for food waste legislation on ban of food waste in supermarkets
<https://kurier.at/chronik/oesterreich/lebensmittel-gehoeren-nicht-in-den-muell/188.825.108>

6.5 Food sharing initiatives

- SOMA
 - <http://www.somaundpartner.at/>
 - Umbrella organisation of social markets in Austria (Sozialmärkte)
 - Food industry provides food waste products to SOMA, which sells it for a nominal charge to people in need
 - SOMA does not buy food, it only “resells” industry food donations
- Foodsharing.de and its sub-sites e.g. foodsharing.at
 - International food saving and food sharing initiative, founded in Germany, but expanded to Austria, Switzerland and several other European countries
 - Approach: Food sharing and information campaigns
 - The platform allows sharing and receiving food surplus from households and cooperation partners of the food industry through publicly available storage rooms
- Issmich (“Eat me”) Catering and delivery
 - <https://www.issmich.at/>
 - Catering and office delivery
 - Uses “food waste” from cooperation partners which does not conform to aesthetic quality criteria
 - Organic, mostly regional products
 - Not clear whether food is donated or bought
- Initiative United Against Waste (UAW) for restaurants and common kitchens
 - <https://united-against-waste.at/die-initiative/>
 - Cross-sectoral initiative of food industry, federal and provincial governments, NGOs, universities to achieve the SDG 12 in restaurant sector
 - Online food waste calculator, information campaigns, educational materials, information hub and knowledge sharing
- Too Good To Go
 - <https://toogoodtogo.de/de/about-us>
 - Location: Germany
 - Bakeries, restaurants, retailers and hotels sell leftover produce (surprise baggies, meals, fruit, vegetable, entire meals, etc.) via app
- Association of Austrian Food Banks (Verband der österreichischen Tafeln [VÖT])
 - <https://dietafeln.at/>



VÖT is the umbrella organization of the regional organisations which take part in the three food sharing initiatives. Apart from Styria, every Austrian province has created a food bank. The three initiatives are:

- o Suppe mit Sinn (Soup with purpose)
 - Target group: gastronomy, consumers
 - Takes place annually between 1st December and 31st December
 - Participating restaurants donate EUR 1 of a specific soup (labelled as Suppe mit Sinn) to the VÖT
- o Tafelbox (Food bank box)
 - Target group: restaurant industry, consumers
 - To reduced food waste at restaurants, doggy bags made from biodegradable plastic are made available to customers to take leftovers home
 - € 0.20 of each box go to VÖT
- o Österreichischer Tafelsammeltag (Austrian Food Bank Collection Day)
 - Target group: Retailers, consumers
 - Volunteers collect food from participating retailers
- Unverschwendet
<https://www.unverschwendet.at/>
 - o Location: Austria (currently delivery only within Austria)
 - o Preserves in glass jars and bottles produced from overproduction of fruit and vegetables in greater region of Vienna
 - o Marketed via online shop to consumers and companies (event catering, give-aways)
- Brotpiloten
<https://brotpiloten.at/>
 - o Collection of surplus of bakery produce and reselling (delivery service is planned)
 - o Currently two cooperation partners and two points of sale (market stalls in Vienna)
- Hut&Stiel
<https://hutundstiel.abhofladen.at/>
 - o Focusing on direct marketing of mushrooms and preserves from mushrooms

7. Action points ZWA

- Foster community knowledge through participation in joint projects, associations and information campaigns
- Lobby for change of law to allow for redistribution of food leftovers (food waste) by restaurants and wholesalers/retailers
- Government programmes include a reduction target of 20% but without schedule.
- At ministerial level responsibilities are distributed across a number of ministries (BMLRT and Health)
- Identify existing community pages and applications for food sharing, establish links and foster knowledge creation in community

8. Measurement

8.1 General information

As of now, food waste measurement is based on a number of official sources at national, provincial and municipal levels. Unfortunately, there is not a single set of standards on quantifying and categorising waste, and the frequency and standards for data gathering vary between sources (Lebersorger and Schneider, 2011).¹⁵

8.2 Current Data sources

Data sources, as reported in Chapter 1.1. of the updated Federal Waste Management Plan 2020¹⁶

- EDM (Electronic Data Management System) of the Federal Ministry of the Republic of Austria for Agriculture, Regions and Tourism (BMLRT) ZAReg (Central Register for Waste Plants and Waste Balance);
- Offices of the provincial governments and other public agencies;
- Special interest groups and various waste management service entities (e.g. Waste Management associations, collection and recycling systems, the Austrian Association for recycling of industrial waste (BRV), the Association of the Austrian Waste Disposal

¹⁵ Lebersorger, S. and Schneider, F. (2011), Discussion on the methodology for determining food waste in household waste composition studies, Waste Management 31 (2011), pp 1924–1933

¹⁶ BAWP Statusbericht 2020, available from <https://www.bmlrt.gv.at/umwelt/abfall-ressourcen/bundes-abfallwirtschaftsplan/BAWP2017-Final.html> [accessed 23 April 2020]



Corporations (VÖEB), Agrarmarkt Austria (AMA), the Austrian Chamber of Commerce (WKO), and the Austria Water and Waste Management Association (ÖWAV);

- waste management studies;
- plant operators;
- the Environmental Agency Austria.

8.3 Methodology

Currently there is no standardised methodology in place, but recent legal action at EU level will trigger an adaptation of national evaluation and monitoring systems.

The work of the FUSION (Food Use for Social Innovation by Optimising Waste Prevention Strategies) project group¹⁷ paved the way for *Directive (EU) 2018/851*, which is mandating the gathering of data on food waste in accordance with a standardised methodology. From the timeline of the drafting of the Delegated Act (middle of 2019), it is unlikely that the final version has been published yet. The transposition into national law following thereafter will not yet have been affected.

¹⁷ <https://www.eu-fusions.org/index.php/about-fusions> [accessed 27 April 2020]



Abbreviations

BBD	Best-before date
SDG	Sustainable Development Goal
ZWA	Zero Waste Austria