



Waste Enforcement Regional Lead Authorities

Information Note: Commercial Premises Regulatory Requirements for Segregated Food Waste Management

The *Waste Management (Food Waste) Regulations 2009*, as amended, are designed to promote the segregation and recovery of food waste arising in the commercial sector. The Regulations obligate ALL commercial premises to segregate their food waste to ensure it is collected separately, and that it is not mixed with other types of waste. These requirements are also reinforced in the relevant Waste Bye Laws of local authorities. These obligations apply to your premises, and non-compliance can result in enforcement actions, including fixed payment notices and prosecutions.

The *Waste Enforcement Regional Lead Authorities* (WERLAs) enforce the waste collectors to ensure they provide a 3-bin segregated kerbside waste collection system to all their commercial customers. The WERLAs coordinate and assist local authorities in carrying out their waste enforcement function under the *Waste Management Act, 1996, as amended*. The local authorities are responsible for enforcing the commercial businesses' obligations to source segregate their waste, and to ensure that food waste is kept separate from other waste streams and appropriately managed.

Local authority waste enforcement officers are conducting inspections of commercial premises to ensure the above requirements are met. These inspections are primarily targeted at commercial premises suspected of not availing of a segregated food waste collection service. If your premises is found to not meet the requirements of segregating food waste, you may be subject to enforcement action. If you do not already have a separate food waste collection service in place, you are required to engage with your waste collection provider to arrange for a food waste bin to be delivered and a corresponding segregated food waste collection service.

Your Legal Requirements

Under the *Waste Management (Food Waste) Regulations 2009, S.I. 508 of 2009*, as amended by *S.I. 294 of 2024*, all commercial premises where food is prepared, consumed, or supplied are considered "producers" of food waste and are legally required to segregate food waste and ensure it is either:

- Collected by an authorised waste collector for treatment,
- Treated on-site through an authorised process, or
- Sent directly to an authorised facility (with documentary evidence available for inspection).

These regulations apply to not only food retailers and food production businesses, but also offices, warehouses, logistics centres, and other institutional or commercial facilities, regardless of whether a kitchen or canteen is present.

Please ensure your premises have a dedicated food waste bin and collection service, unless you have an approved alternative treatment process in place as outlined above.

Segregation requirements

Commercial waste must be segregated into three fractions:

1. Residual Waste (general waste bin)
2. Mixed Dry Recyclables (recycling bin)
3. Organic Waste (food waste bin)

Your waste collector is legally obligated to provide a food waste bin to all commercial customers. Refusing a food waste bin is not permitted unless you can demonstrate compliance through an authorised alternative process.

Benefits to Your Business

- Diverting food waste from your residual waste bin can **lower disposal costs**, as waste collectors are required to incentivise recycling.
- Positive environmental impact and enhancing your business' green credentials.
- Correct segregation practices ensure compliance, therefore, reduces the risk of regulatory enforcement.
- Segregating food waste helps businesses (particularly food retailers) to clearly identify where and what food is being discarded, understand the associated costs, and make informed improvements to reduce unnecessary waste.

Enforcement

Local authorities regularly inspect commercial premises, and to assess compliance. Authorised waste collectors are obligated to report customers who fail to segregate waste to the relevant authority.

Failure to comply may result in:

- **Formal enforcement notices**
- **Fixed payment notices/ Prosecution**

Please ensure your premises comply with these requirements. If you have any questions about compliance or exemptions, contact your local authority or your waste collector.

Additional Information

The following are useful links and websites with information to assist commercial premises in meeting your requirements:

- <https://mywaste.ie/resources-and-campaigns/food-waste-recycling/>
- <https://mywaste.ie/dispose-waste/in-your-workplace/a-summary-guide-to-the-food-waste-regulation/>
- [Home - Savour Food](#)
- <https://www.werla.ie/>
- Consult your local authority's website.

Frequently Asked Questions

1. Q: I don't have room for a food waste bin?

A: Contact your Waste Collector. They can help find a solution, such as reducing the size or number of your residual bins.

2. Q: Can I take my own food waste to an authorised waste facility?

A: Yes, however you must notify your waste collector of this arrangement and maintain records as proof of authorised disposal.

3. Q: What is an approved alternative treatment process?

A: Regulation 7(3) of Waste Management (Food Waste) Regulations 2009, S.I. 508 of 2009, as amended by S.I. 294 of 2024 details the only options for managing food waste arising on a producer's premises.

4. Q: Can I set up a composting unit on-site?

A: Yes, but you must apply to your local authority for a Certificate of Registration under the Waste Management Act.

5. Q: Can I use an alternative waste collector to collect my food waste?

A: Yes, you may use an alternative waste collector to collect your food waste. (Note you may be asked to sign a declaration stating that you will source segregate and present food waste for collection in compliance with Food Waste Regulations).

6. Q: I operate a canteen or food outlet in a commercial building but don't control waste collection. Who is responsible?

A: Both the food outlet operator and the building occupier share responsibility under the Food Waste Regulations. If offences occur, both parties may be liable.

7. Q: Who is responsible for complying with these regulations?

A: Both the operator of the business (e.g., canteen or restaurant) and the occupier of the premises are subject to the legislation and may be liable for offences.

8. Q: My premises does not have a canteen. Do I still need a food waste bin?

A: Yes. If food is prepared, consumed, or supplied on the premises, you are still required to have a food waste bin.

9. Q: Are these regulations only for food outlets?

A: No. They apply to all commercial sectors, including offices, warehouses, and logistics centres.

10. Q: What if I generate only a small amount of food waste (e.g., tea bags, banana peels)?

A: Even small-scale food waste generation requires a food waste bin.

11. Q: Can I be penalised for putting food waste in the residual bin?

A: Yes, your waste collector can impose a penalty. Note: Some waste collectors use AI camera technology to detect contamination i.e. such as food waste placed in the residual (black) bin.

The local authority may separately initiate enforcement actions under the Regulations or under local waste bye-laws, including fixed payment notices and prosecutions.

12. Q: Are there any exemptions?

A: Yes, there are specific and limited exemptions detailed in Regulation 3(2) of Waste Management (Food Waste) Regulations 2009, S.I. 508 of 2009, as amended by S.I. 294 of 2024.