



Environmental Protection Act 1990

1990 CHAPTER 43

PART II

WASTE ON LAND

^{F1}Wales: disposal of food waste

Textual Amendments

F1 S. 34D and cross-heading inserted (6.4.2024) by [Environment \(Wales\) Act 2016 \(anaw 3\), ss. 66\(1\), 88\(3\)\(b\); S.I. 2023/1096, art. 3](#)

34D Prohibition on disposal of food waste to sewer

- (1) An occupier of premises in Wales must not—
 - (a) discharge food waste produced on or brought onto the premises, or
 - (b) 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.
- (2) Subsection (1) does not apply to an occupier of premises within paragraph (a) or (b) of section 75(5) (domestic property and caravans).
- (3) A person commits an offence if, without reasonable excuse, the person contravenes subsection (1).
- (4) A person who commits an offence under subsection (3) is liable on summary conviction, or on conviction on indictment, to a fine.
- (5) In subsection (1)—

“food waste” means controlled waste that—

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

Changes to legislation: Environmental Protection Act 1990, Cross Heading: Wales: disposal of food waste is up to date with all changes known to be in force on or before 03 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(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 drink;

“drain”, “public sewer” and “sewer” have the meanings given in section 219(1) of the Water Industry Act 1991.

(6) The Welsh Ministers may by regulations—

- (a) provide for subsection (1) to apply only in circumstances specified in the regulations;
- (b) make provision (which may include provision amending this section) for subsection (1) to apply subject to exceptions in addition to those in subsection (2);
- (c) amend the definition of “food waste” in subsection (5).

(7) Regulations under subsection (6)(a) or (b) may make different provision for different purposes, different cases (including different persons, premises or types of food waste) and different areas.]

Changes to legislation:

Environmental Protection Act 1990, Cross Heading: Wales: disposal of food waste is up to date with all changes known to be in force on or before 03 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 30(4A) inserted by [2021 c. 30 s. 57\(2\)](#)
- s. 33ZB(10A) inserted by [2021 c. 30 s. 69\(3\)\(b\)](#)
- s. 34ZB(8A) inserted by [2021 c. 30 s. 69\(5\)\(b\)](#)
- s. 45A-45AZG substituted for s. 45A by [2021 c. 30 s. 57\(4\)](#)
- s. 46(2)(a)(b) substituted for words by [2021 c. 30 s. 57\(5\)](#)
- s. 106A inserted by [2023 c. 6 s. 41\(2\)](#)
- s. 161(2AA)(2AB) inserted by [2016 anaw 3 s. 69\(4\)](#)