



2016

11 July

# Position Paper

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## EDA position on the classification of dairy sites in the context of the BREF FDM

*In the context of Food Drink and Milk BREF review, European Dairy Association (EDA) would like to clarify the key issue of the categories of activities operated in dairy installations. This issue had already been mentioned during the Kick-off meeting of Technical Working Group for the review of the BAT reference document for the Food, Drink and Milk Industries (FDM\_KoM\_Report\_102014, page 10).*

### 1. Summary of facts

In view of the Annex 1 of Directive 2010\_75\_UE, Dairy installations can be classified in the two following categories:

6.4. (b) (iii) *Treatment and processing, other than exclusively packaging, of the following raw materials, whether previously processed or unprocessed, intended for the production of food or feed from animal and vegetable raw materials, both in combined and separate products, with a finished product production capacity in tonnes per day greater than: 75 if A is equal to 10 or more; or 300- (22,5 × A)] in any other case, where 'A' is the portion of animal material (in percent of weight) of the finished product production capacity.*

6.4. (c) *Treatment and processing of milk only, the quantity of milk received being greater than 200 tonnes per day (average value on an annual basis).*

In view of the data analysis presented in the file "Filled-in list of installations 23-11-2015" (in attachment),

- A majority of the dairy installations are included in the 6.4.c. category and only around one quarter in the 6.4.b category
- The installations included in 6.4.b. are processing not only milk products but also Soy drinks (installation number 214), Bakery (number 17) or Fruit juices (number 314). This is the reason why these plants are classified in this category.
- In France, 75% of the dairy installations within the 6.4.b category produce only dairy products.

### 2. Possible explanation

In France, the wording "milk only" in the definition of category 6.4 (c) is understood by the national authority in such a way that every dairy plant using cream (like butter plant), concentrated whey (like infant formula plant), yeast, rennet, salt or sugar can be automatically excluded. The term "only" is not specified in the BREF FDM 2006.

In other countries, a dairy plant belongs to the 6.4.c. category as the final products are dairy products, whatever are the raw materials processed.

These diverse approaches are confusing, and the classification for dairy plants needs to be streamlined at this point of the elaboration of the draft future BREF FDM.

### 3. Harmonised approach / Clarification

The European dairy sector needs indeed a harmonised approach with regards to classification – this would be a necessary baseline for allowing naming and comparing different techniques and referencing BATs on European level.

We would like to clarify the definition that dairy installation in the EU producing milk, milk products or/and milk components should be classified in 6.4.c.