



Common statement of FEAD, ECN and EBA on specific requirements for the inclusion of organic fertilisers and soil improvers¹ in the EU Fertilisers Regulation

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FEAD (European Federation of Waste Management and Environmental Services), ECN (European Compost Network) and EBA (European Biogas Association) represent European producers of organic fertilisers, soil improvers and growing media (e.g. compost, digestate, manure) derived from animal and vegetable matter.

We welcome that, in view of the upcoming revision of the EU Fertilisers Regulation², the European Commission intends to include organic fertilisers, soil improvers and growing media in the scope of this regulation, which currently only covers inorganic fertilisers extracted from minerals or produced industrially, as well as liming fertilisers.

In addition to the comments submitted by each of our associations on the proposal presented at the Fertilisers Working Group meeting on 2 June 2014, we would like to express our opinion on some specific requirements proposed by DG Enterprise at the EBA workshop on digestate on 15 October 2014.

We would like to draw the Commission's attention to the following **concerns shared by FEAD, ECN and EBA members**:

- The EU should aim for suitable requirements for organic fertilisers and soil improvers, which **focus on environmental protection but at the same time do not create an unnecessary administrative burden on operators**, possibly banning products from the market. Organic fertilisers and soil improvers contribute to resource efficiency by reducing the need for primary raw materials, e.g. through phosphorus recovery, whereas the use of digestate and compost as growing media reduces peat consumption. Hence, the use of organic fertilisers, soil improvers and growing media contributes to the achievement of the European Resource Efficiency and Bio-Economy Strategies. In addition, improving the recycling of bio-waste and other organic resources will substantially reduce greenhouse gas emissions.
- There is no reason to adopt stricter heavy metals limit values for organic fertilisers than for inorganic fertilisers. We are convinced that the **heavy metals limits should be the same for all categories** of fertilisers, liming materials, soil improvers and growing media.
- We are of the opinion that the **essential safety and quality requirements** for all categories of fertilisers **should generally be based on dry matter**. This does not preclude operators from declaring parameters on the product as received by the end-user.

¹ This statement is a direct response to the last proposal presented by the European Commission at the EBA workshop on digestate on 15 October 2014. Further elements may need to be considered should the Commission issue an updated proposal.

² Regulation (EC) No 2003/2003 of the European Parliament and of the Council of 13 October 2003 relating to fertilisers

- We do not see any reason to distinguish between liquid and solid organic fertilisers.
- For organic fertilisers, soil improvers and growing media derived from animal by-products, the Animal By-Products Regulation³ should apply for requirements regarding **pathogens**. For organic fertilisers, soil improvers and growing media not derived from animal by-products, it should be sufficient to measure either salmonella or e-coli, instead of measuring both parameters for each product. If the feedstock consists exclusively of energy crops and/or agricultural by-products, there should be no mandatory measurement of animal pathogens.
- The majority of our members favour a minimum of **15 % organic matter** content for organic fertilisers and soil improvers, based on dry matter, to ensure comparability between products.
- There is no need to define a limit value for stones.
- In terms of impurities, we advocate a single limit of **0.5 % on dry matter weight for glass, metal and plastics above 2 mm**, to be determined by dry sieving. The values proposed in the latest Commission presentation (polystyrene and films above 5 mm: < 0.5 %; other plastics above 5 mm: < 0.8 %; glass and metal above 2 mm: < 0.5 %) are definitely too high.
- With regard to the **nutrient content**, we are of the opinion that any minimum values set should refer to the N total, P₂O₅ total or K₂O total content, and not to the C/N ratio, the organic carbon content or the organic nitrogen content.

In addition, FEAD, ECN and EBA are of the opinion that the Commission proposals focus too much on product requirements, and do not sufficiently take into account that **operators have to fulfil further requirements** (requirements on input materials, minimum process requirements, supervision of the production process and product quality by independent quality assurance, including sampling and testing). We ask the Commission to provide further clarification on how these requirements will be covered in the Fertilisers Regulation.

Last but not least, we would like to repeat that for those input materials not included in the scope of the EU Fertilisers Regulation, regulation at national level (e.g. **national end-of-waste measures or quality protocols**) should remain possible. In addition, we would like the Commission to clarify if materials which do not fulfil all EU requirements (e.g. compost from source-separated bio-waste with one pollutant exceeding the EU limit) could still be applied on land at national level, in order to make sure that these materials, which are usually still valuable enough to be used on land as organic fertiliser or soil improver, are not lost.



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³ Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002

About us

FEAD represents the European private waste management industry. Its members are national waste management associations covering 18 Member States, Norway and Serbia. FEAD represents about 3,000 companies with activities in all forms of waste management. These companies employ over 320,000 people operating around 2,400 recycling and sorting centres, 1,100 composting sites, 260 waste-to-energy plants and 900 controlled landfills.

ECN is the leading European membership organisation promoting sustainable recycling practices in composting, anaerobic digestion and other biological treatment processes of organic resources. The European Compost Network serves as central resource and network for the organic waste recycling sector in Europe, as well as the emerging bio-based economy.

EBA is the leading European association in the field of biogas. Committed to the active promotion of the deployment of sustainable biogas production and use throughout Europe, EBA has created a perfect network of established national organisations, scientific institutes and companies. In 2014, the association counted around 70 members from all over Europe and had established co-operation with biogas associations from outside Europe.