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## **FEAD Feedback on the Commission Directive amending the Council Directive on the use of certain fertilising materials from livestock manure**

**FEAD**, the European Federation for Waste Management and Environmental Services, representing the private waste and resource management industry across Europe **welcomes** the Commission's latest Directive to amend the Council Directive 91/676/EEC on specific fertilizing materials from livestock manure. However, **FEAD believes that it is essential to clarify the status of RENURE (REcovered Nitrogen manURE) products**, especially if it needs to be subjected to the Regulation (EC) No 1069/2009, so called animal by-products Regulation and the relation in regards to the EU fertilizing products Regulation (EU) 2019/1009.

The European Commission published a draft act that aims at providing conditions according to which certain fertilizing materials from livestock manure that have undergone processing can be used. This is extremely important on one hand to create a multi-layered system and on the other hand to differentiate between livestock manure and derived fertilizing materials from processed manure, such as struvite, ammonium salt (scrubbing salt), mineral concentrates.

FEAD believes that, in a legislative framework that aims at achieving the environmental objectives of the Green Deal and circularity, conditions based on a balanced fertilization, such as the nutrient requirement demand of the crops, soil and climate conditions, nitrogen mineralization, potential of the soil and organic compounds in fertilizers should be applicable for all fertilizing materials, as well as for livestock manure and processed manure materials.

**We support that such recovered nutrients from livestock manure can replace 'chemical fertilisers' in accordance with the objectives of Directive 91/676/EEC or rather act like mineral fertilisers, when they fulfill specified material criteria.**

**We welcome the use of certain RENURE fertilizers over the limit of 170 kg N/ha/year** for livestock manure applied to land, taking into account their specifications and impact on environment.

Furthermore, we **much appreciate the conditions listed in letter c) of Annex III, point 2 of the Directive 91/676/EEC**, but, at the same time, **we advocate that RENURE products must comply with the Regulation (EC) No 1069/2009 governing animal by-products in order to be used as fertilisers under Regulation 2019/1009. Those processed livestock manure which already comply with the Regulation 2019/1009 should be exempted from the fulfilment of those conditions. In these regards, a clarification is needed.**

Reaching an end point in the chain is mandatory for derived products covered by the above-mentioned Regulation and no end point has been defined for these RENURE products. It would be, therefore, useful to clarify in the draft act if RENURE products can be assimilated to "processed manure" as defined in Article 3 of the Delegated Regulation 2023/1605 regarding the determination of end points in the manufacturing chain of certain organic fertilisers.

### **Additional comments**

A general comment on the upcoming revision of the EU-Nitrates Directive could be to take into account the many positive aspects of compost from biowaste with regard to our environment and

climate, because compost increases the content of nutrient and organic matter in the soil, improving the physical characteristics of soils. As slow and long-lasting effects we have the formation of humus, improved carbon sequestration, the avoidance of soil salinization and the lower concentration of pure nutrients. Finally, another very important aspect is the reduction of the potential for soil erosion<sup>1</sup>.

The JRC published in 2020 a report called “Technical proposals for the safe use of processed manure above the threshold established for Nitrate Vulnerable Zones by the Nitrates Directive (91/676/EEC)<sup>2</sup>”. Nevertheless, in the scope of the analysis, relevant issues such as the co-digestion from manure (biowaste) have not been taken into account. We believe that further assessments and legal regulations for other organic materials from biowaste and organic materials in fertilizing products are essential for a revision of the EU Nitrates Directive in future.

*FEAD is the European Waste Management Association, representing the private waste and resource management industry across Europe, including 19 national waste management federations and 3,000 waste management companies. Private waste management companies operate in 60% of municipal waste markets in Europe and in 75% of industrial and commercial waste. This means more than 320,000 local jobs, fueling €5 billion of investments into the economy every year.*

#### **FEAD Secretariat**

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<sup>1</sup> United States Environmental Protection Agency, *Composting At Home, Benefits of Using Your Finished Compost*, <https://www.epa.gov/recycle/composting-home#benefits>.

<sup>2</sup> <https://publications.jrc.ec.europa.eu/repository/handle/JRC121636>