

Draft ESPP comments on JRC FPR CMC10 Processed Manure proposals 27/9/23

V1 29/9/23

Draft JRC proposals online <https://circabc.europa.eu/ui/group/36ec94c7-575b-44dc-a6e9-4ace02907f2f/library/49bba9a9-241c-4d1a-9baf-90d9cf83e4bc/details>

ESPP thanks the European Commission for the rapid production of these proposed criteria for “Processed Manure” which take into account comments input by stakeholders, in particular concerning post-processing. We have the following comments:

1) Annex I - for clarity of reading of proposed criteria:

ESPP suggests to split point 1.7 into two

- **move to first point of list** (it is the key starting point criterion): must have been **treated to reach an end point according to 1069/2009** at the latest 36 months before ...
- leave as last point the first part of 1.7 (storage out of rain and sunlight – to our understanding this aims to reduce ammonia emissions or runoff as discussed in §6.6)

2) Limiting ammonia emissions and odour

ESPP supports the objectives indicated in §6.6 of limiting storage spills” and “nutrient and odour pollution”. In particular, ammonia losses to air

However, we suggest that this should be addressed directly, not via the proposed indirect criterion of “*storage in a way that protects it against precipitation and direct sunlight*”. For example, a covered bubble-aerated tank would respect this proposed criteria ... whilst maximising ammonia loss to air.

We note that transport is not currently mentioned.

We suggest to write:

“Processed manure must be stored and transported with precautions to limit pollution to air (in particular ammonia emissions), losses to water (leaching), odours and accidental spillages, in particular by protection against precipitation, direct sunlight.”

3) Emissions and odour limitation – when is this applicable ?

It is ESPP’s understanding that the current wording of Annex I criteria point 1.7 ensures storage specifications (protection against precipitation and direct sunlight), intended to reduce risk of nutrient losses and odour ONLY during the time between the (ABPR) “processing” of the manure and its inclusion into a CE-mark fertiliser (signature of certificate of conformity).

This poses the question of nutrient losses (to air, to water), odour, spillage:

- a. Before the EBPR processing (from stable to ABPR manure processing plant)
- b. After FPR certification (storage of the certified CE-mark fertiliser, use of the fertiliser)

For (a) can the FPR specify storage/transport BEFORE the ABPR processing ?

For (b)

- should the FPR CMC10 specify that the processed manure should be incorporated into the fertilising product in such a way as to minimise ammonia losses (e.g. coating, pH adjustment ...)?
- should the FPR CMC10 specify that the packaging of the fertilising product containing processed manure should be airtight and water resistant ?

- add into Annex III of the FPR (Labelling) requirement to specify that use (of a product containing processed manure) should limit risk of ammonia emissions ?

4) Herbicide residues

The current proposed criteria authorise “dilution” of herbicide-polluted manure. ESPP suggests to specify that to be eligible for CMC10, processed manure must have herbicide concentrations < 50 µg/kg (rather than specifying that if, after combination with other materials, the final CE-mark product must meet this limit then labelling and other precautions should apply).

5) Clarification regarding use already today of composted, digested, pyrolysed or combusted (ash) manures

It is indicated page 8 §4 that composted and digested manures are “*already covered*” in the FPR.

This is likely to be read as meaning that manure which has undergone composting or anaerobic digestion according to both the criteria in the ABP Regulations (annexes of 142/2011) and the criteria in CMCs 3 or 5 of the EU Fertilising Products Regulation (FPR) are already authorised under the FPR. Is this correct ?

It is ESPP’s understanding that this also applies to combustion ashes and pyrolysis materials / biochars subject to the criteria of CMCs 13 and 14. Is this correct ?

In order to avoid misleading stakeholders, we suggest to either make this explicitly clear in §4 of this report, or to specify that users should refer to the FAQ for clarification (and to include before publication of this report a relevant answer in the FAQ)

6) Minor wording points

In §7.2, we suggest to refer to “fodder and feed” rather than “feed”. The risk of herbicide contamination concerns grass and straw (generally referred to as “fodder”) more than it concerns processed animal feedstuffs (what is generally understood by “feed”).

Page 8, §4 correct “compositing” to “composting”

In Annex I point 1.6, we suggest this should refer to “points 1.3 to 1.5” not “1.3 to 1.6”.