European Sustainable Phosphorus Platform

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To **Stella Kyriakides**
European Commissioner for Health and Food Safety
European Commission
1049 Bruxelles
Belgium

20th October 2020

Dear Commissioner,

The Circular Economy is a pillar of the **Green Deal**, and nutrient stewardship and the new **Circular Economy Action Plan** includes development of an **Integrated Nutrient Management Action Plan** to ensure more sustainable application of nutrients and stimulate markets for recovered nutrients. Nutrient management is a key objective of the **Farm-to-Fork** strategy.

DG SANTE has an important role to facilitate the nutrient circular economy, ensure safety, and also to reduce demand for nutrients.

The Covid pandemic, for which you are at the forefront, shows the need for Europe to be less dependent on imports for nutrient supply, whereas the EU's food system is currently heavily dependent on phosphorus imports both for fertilisers and for animal feeds (**phosphate rock is on the EU Critical Raw Materials list**).

We therefore request to exchange with your Directorate concerning the following questions, identified by our members as significant obstacles to developing nutrient recycling, improving nutrient management and reducing phosphorus import dependency - where action from DG SANTE could help find solutions.

We hope that it will be possible to fix a (virtual) meeting to discuss these points with your services, with the objective of proposing routes for moving forward, whilst ensuring full respect of the ABP regulations and guaranteeing public health safety. Our aim is also to understand if there are aspects where industry or stakeholders should develop or bring further information to facilitate identification of possible actions or solutions.

We look forward to hearing from you and remain at your disposition for any further information.

Yours sincerely

Ludwig Hermann, President

European Sustainable Phosphorus Platform

Possible points for dialogue on nutrient recycling under DG SANTE competence :

Animal Feed Regulation:

Regulation 767/2009, Art. 6.1, seems to exclude all materials from sewage, manure or industrial wastewater, irrespective of treatment. This could be interpreted to exclude the use of phosphorus (or potassium, or nitrogen …) chemically recovered from incineration ash or incineration offgas cleaning, even if such nutrients materials are sanitarily safe and have low contaminant levels. Clarification is also needed concerning use of algae grown using waste streams (e.g. algae grown using nutrients in wastewater or CO2 from cement production), or substances extracted from plants and algae which are 'waste' (e.g. from seaweed deposited by tides on beaches).

Insect frass

Insect production is developing as a route to valorise agri-food by-products. The resulting frass (mixture of insect manure, spent foodstuff) has significant potential value as a fertiliser. Clarification of status and sanitation requirements is needed.

Category 1 Animal By-Product ash

Category 1 ABPs must be incinerated under conditions which are defined by the ABP Regulations to ensure safety and complete elimination of possible pathogens. The resulting ash is a quality phosphorus and potassium fertiliser, and indeed is authorised and marketed as such in the UK. However, Cat1 ash is currently excluded from the EU Fertilising Products Regulation proposed "STRUBIAS" annexes. We have already exchanged with DG SANTE concerning this question, which concerns both wording of the Animal By Products regulations and possible questions about safety. We would suggest to define what evidence of safety is considered necessary, in order to engage the necessary research and testing.

EU Fertilising Products Regulation CMC10

There is industry concern at the slow progress towards integrating animal by-products into the EU Fertilising Products Regulation, including adapting end-points already defined in the Animal By-Products Regulation and identifying possible other animal by-product flows which can enable safe nutrient recycling from ABPs, where valorisation higher in the waste hierarchy is not possible (reuse in food or animal feed).

Phosphorus content labelling in food products

Phosphorus content of processed food products can vary widely and this is important for kidney disease patients (EFSA Opinion, 4th June 2019) - that is maybe around 30 million persons in Europe (7% of the population, from Ketteler 2017 in https://www.springer.com/us/book/9781493965649). We suggest that discussions should be engaged with the food industry on phosphorus content information for food products (not necessarily in product shelf labels but e.g. via bar codes and online information).

Nutrient footprint and public education towards low nutrient impact diets

Conform to the waste hierarchy, the priority action for nutrient stewardship should be reduction of consumption, for which dietary change is a key driver. This offers potential synergies with healthier diets, reduced meat consumption and reduced greenhouse gas emissions. See for example Springmann et al. 2020 https://doi.org/10.1136/bmj.m2322 which suggests that, for Europe, sustainable diets would result in lower phosphorus consumption in agriculture.