

# Key messages from the ESNI community of European research projects on the implementation of RENURE

- Closer dialogue between policy makers and EU-projects on nutrient recycling
- Implementation of the criteria of the EC-JRC SAFEMANURE evaluation
- Harmonise the view on legal status of ammonium salts from off-gasses between DG ENV and DG-GROW+ DG SANTE. Ammonium salts from purification or emission control processes of off-gasses are emissions which are not ABP or manure under the ABP-regulation (EC)2009/1069 or the FPR (EU 2019/1009) and hence should not fall within definition of 'processed manure' under the Nitrate Directive.

In order to maximise impact towards stakeholders, research projects funded by EU Framework Programme and Interreg programmes have united in the free and Open Access platform of the European Sustainable Nutrient Initiative (ESNI<sup>1</sup>).

More than 20 projects involved nutrient recycling research meet annually in Brussels at the ESNI General Assembly, also interacting closely with relevant policy makers from various Directorate General (DGs) of the European Commission (RTD, GROW, ENVI, AGRI, SANTE). Additionally, throughout the year, multiple online and physical events are jointly organised amongst participating projects to treat and discuss about key topics and challenges related to sustainable nutrient management.

We respectfully urge the national authorities and their representatives in the Nitrates Committee to take this position into account in view of the upcoming vote scheduled for June. The ESNI community, representing a broad coalition of the European research & innovation sector, remains fully committed to supporting the Commission in shaping a resilient and sustainable agriculture. We welcome the opportunity for further dialogue and stand ready to contribute constructively to the next stages of this important process.

#### Call for dialogue between policy makers and ESNI community

In recent recommendations to the EC, the EU projects members of the ESNI community have reached out for a closer bidirectional dialogue with EC policy makers. In essence, EU project consortia are contracted by the EC to investigate relevant research questions in terms of environmental, socioeconomic and agronomic performance of processes and products related to the nutrient flows in modern European agro-food chain. Substantial amounts of in-depth scientific evidence have been amassed across the wider EU-27, towards the comparison of recycling-derived biobased fertilizers to replace synthetic chemical fertilizers from fossil and (generally imported) finite resources. Such investigations are performed at relevant operational scale and focus on : **Environmental effects** (nutrient cycles and losses, soil health, fresh water & marine health, carbon footprint, full LCA...), **Agronomic effects** (yield, crop quality, animal welfare,...), **Socio-economic effects** (food security, resource self-sufficiency, cost-benefit for farmers, effects on livestock size, transition to circularity...). We remain open to share all and any such investigation as well as amend or adjust research questions in ongoing projects.

<sup>&</sup>lt;sup>1</sup> https://www.biorefine.eu/esni-community/



The projects therefore remain open and motivated to have closer interaction with the EC officials related to pertinent topics such as RENURE. This remains an open hand to have a closer structural relationship between the various branches and DGs of the EC and the projects funded by the EC.

#### Call for implementation of RENURE criteria form EC-JRC evaluation

**Pertaining to the EC proposal related to RENURE**, the EU projects have individually and jointly (via ESNI) responded to numerous public consultations of the EC and has also drafted dedicated joint positions and memorandums.

The projects are unanimous in their view that RENURE type products such as defined by the EC-JRC in conclusion to the SAFEMANURE evaluation, can offer clear environmental, economic and agricultural benefits in terms of energy and fertilizer independence from Russia and Belarus, combined with a more sustainable and resilient European agriculture.

In frame of other suitable replacement products (e.g. mineral concentrates) for synthetic nitrogen fertilisers the projects propose to follow the EC-JRC SAFEMANURE evaluation and draft a framework for other RENURE type products to be scrutinized in this perspective.

#### Call to harmonise legal status of ammonium salts derived from emissions

In accordance with the Joint Policy Recommendation (*Attachment 1*), the projects specifically propose that the various EC DGs align their views on the status of off-gas derived ammonium salts. Communication by DG SANTE (*Attachment 2*) clearly stipulates their view that such ammonium salts derived from air scrubbing is not considered an animal byproduct (ABPR). This includes ammonium recovered from the stables, driers, evaporators, composting, stripping/scrubbing, etc. In precise terms, the communication by the EC is stated as follows "As regards your last question on nitrogen recovery from off-gases from manure treatment, manure storage, or livestock stables I confirm that off-gases from manure are not subject to Regulation (EU) No 1069/2009 (*Ed.: i.e. Animal Byproduct Regulation*), since emissions are not within the scope of that Regulation.", thereby excluding off-gas (and their further processing) from being an animal byproduct (hence also not manure).

Communication by DG GROW<sup>2</sup> clearly stipulates that it does not consider ammonium salts generated from a gas purification or emission control process designed to remove nutrients from off gasses as being animal by-products frame of the Fertilising Product Regulation (FPR). The European Commission

<sup>2</sup> **Official communication by** European Commission Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs, FAQ document V10 associated to the Fertilising Product Regulation (FPR) :

8.39 Are high purity materials out of off-gases generated by manure derived products within the scope of the Animal by-products Regulation? No. Off-gases from manure are not animal by-products or derived products within the scope of the Animal by-products Regulation, as defined in Article 2 of that Regulation. Therefore, the recovered high purity materials out of such off-gases are not within the scope of the said Regulation either and no end-point in the manufacturing chain has to be determined under the animal by-products rules for the use of such materials in EU fertilising products. https://ec.europa.eu/docsroom/documents/63434



can easily and clearly resolve the legislative ambiguity of the status of such ammonium salts by aligning the views of DG ENVI in frame of the Nitrates Directive with those of the other DGs in frame of



abovementioned legislations, where recovered emissions are not considered as processed manure (illustrated in the figure below). This would forego any need for legal revision of the Nitrates Directive itself and also exclude the need for uncertain derogations. At the same time it respects and maintains the strong actions and mandates of DG ENVI in its role to negotiate the conditions in terms of fertiliser management and application in the respective member states without constraint.





For communication or information reach out to the ESNI Working Group on Policy Advice coordinators:

- Prof. dr. Ir. E. Meers, University Ghent; Erik.Meers@ugent.be
- dr. ir. L. van Schöll, NMI, Laura.vanScholl@nmi-agro.nl

## • Attachment 1

Policy Recommendation issued by Joint European projects "On the need for an unambiguous definition by the European Commission regarding the waste/manure status of ammonium salts derived from off-gas cleaning associated to treatment of manure or manure-derived products".

### • Attachment 2

Communication by European Commission Directorate-General for Health and Food Safety (DG SANTE)

## • Attachment 3

Presentation ESNI 2023 with recommendations on policy measures to improve nutrient recovery in EU agriculture.