

JRC draft report on by-products

ECN feedback on the 'Technical proposals for by-products as component materials for EU Fertilising Products'

The European Compost Network ECN welcomes the work of the Joint Research Centre (JRC) to assess by-products in the meaning of Directive 2008/98/EC favourable for being used as component materials in fertilising products under the EU Fertiliser Regulation 2019/1009.

In general we support to set up a positive list for specific materials under the Component Material Category CMC 11 'By-products within the meaning of Directive 2008/98/EC, but we would like to express some general concerns with regard to the preliminary assessed candidate materials in Chapter 6 of the JRC report.

Our main concerns are related to several listed materials of **group 2 'residues from food, feed and beverage industry and biorefineries biological pathogens, pests'** in Table 2 '*Candidate materials with a favourable outlook for further detailed assessment based on a preliminary screening of the responses from the questionnaire*' where we see an overlapping with other component - material categories and where we miss a clear differentiation to waste materials.

We question the direct use of the following materials without any additional criteria and treatment requirements in fertilising products:

- a) glycerol, oils and fats of vegetable origin from biodiesel (by-product of the transesterification process);
- b) vegetable fibres from vegetal protein extraction;
- c) filter cakes obtained during the filtration of foodstuffs on inorganic filter media;
- d) oilseed cake obtained by extracting oil by pressing oil seeds (possibly including hydrolysis, esterification or transesterification); and
- e) malt sprouts malthouse from breweries.
- f) vinasse extract, potassic vinasse, chicory vinasse (syrupy, inulin; residue from fermented molasses)
- g) fermentation residues, hydrolysed proteins (aroma, amino acids, vitamins, alcoholic beverages)
- h) potato cell sap effluent concentrates (waste waters from potato protein processing, including derived "struvite-like" flocculates; and
- i) harvested mushroom growing media (residual growing medium after mushroom cultivation)

With regard to the listed materials a), b), c) h) and i) these materials should be defined as waste materials and should be included as input materials for CMC 3 'compost' a or CMC 5 'other digestate' where a hygienisation treatment step through composting or anaerobic digestion is requested.

In addition, we are confused about the listed materials '**cocoa, tobacco and coffee dried waste**' in Table 3 'Candidate materials with an unfavourable outlook for further assessment' with the argument that these are 'possibly covered under CMC2', as these materials should be clearly defined as waste and should not be covered under CMC2.

We call for a general elimination of all waste materials according to the definition of bio-waste on Directive 2008/98/EC in CMC 2, 4, 6 and 11. The inclusion of non-processed or mechanically processed organic plant materials and other organic waste materials (as waste materials from the food and feed processing industry) in other CMCs with no adequate stringent treatment, control and quality assurance requirements according to CMC 3 and CMC 5, will result in an underinsured, not CE-equivalent product quality.

Further we asked for clarification on the different assessment of 'ammonium sulphate'. What are the arguments to not follow further the assessment for ammonium sulphate from municipal and industrial effluent treatment (listed in table 4) in comparison to ammonium sulphate from recovery of ammonia from collected and separated digestate (liquid fraction) (listed in table 3)? In addition, it is also questionable to differentiate between different sources of ammonium sulphate. In table 2 ammonium sulphate from air cleaning systems from different industries can be accepted but ammonium sulphate from municipal and industrial effluent treatment not. This is not consistent.

Thanks in advance for taking up these concerns and if you need further information, please do not hesitate to contact us.

With kind regards,



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