

ECN Feedback on Item 4 Frequently Ask Questions (FAQs)

Reference: EU Expert Group meeting on Fertilising Products 4-5 November 2025

Item: 4 Frequently Asked Questions

Annex I

Section A: new questions to be included in the FAQs document

Annex II to the FPR – Component Material Categories

FAQ 2.1: What types of bio-waste can be used as input material in compost or digestate?

Response from DG GROW:

*'Bio-waste' means, biodegradable garden and park waste, **separately collected** organic food and kitchen waste from households, offices, restaurants, wholesales, canteens, caterers and retail premises and **comparable waste from food processing plants, according to the Waste Framework Directive**. It excludes by-products of food production that never become waste. Those are covered by CMC 6.*

'Comparable waste streams from food processing plants' may cover food waste flows from factories processing food materials, for example from factories producing sandwiches, ready-to-cook meals, frozen meals, jams and preserves. Such food waste flows could include vegetable or bread, vegetable peelings and unused parts of vegetables, waste of meat intended for human consumption, food materials discarded because of deterioration or date.

Bio-waste meeting the above definition may contain animal by-products. Those may be used as input material for compost and digestate but have to reach the end point in accordance with the ABPR before the final EU fertilising product is placed on the market.

Bio-waste may have a sludge-like texture.

The ECN endorses the amendment allowing bio-waste to have a sludge-like texture.

FAQ 2.3: When does a derived product reach an end point beyond which it is no longer subject to the requirements of the ABPR?

Response from DG GROW:

*Derived products within the meaning of the ABPR may reach an end point **in accordance with that Regulation when** if they have undergone the necessary treatment as determined in accordance with Article 5(2) ABPR **they and** are used in a compliant EU fertilising product. This means that once the EU declaration of conformity is signed, the material*

contained *in an EU fertilising product which is derived from animal by-products* is no longer subject to the veterinary controls set out by the ABPR.

The ECN endorses the answer.

Section B: questions to be revised in the FAQ document

Changes to answers already endorsed by the expert group are marked in track changes.

Annex II to the FPR – Component Material Categories

FAQ 2.2 Question 8.34: Can sludge be used as input material?

DG GROW amended the answer with two sentences:

1. **The sewage sludge may have been treated for instance via anaerobic digestion and/or solid/liquid separation before being used as input material.**
2. In addition, some types of input material permitted under certain CMCs may have a semi-solid, sludge-like texture, for instance bio-waste.'

ECN endorses the added sentence 2, but the sentence 1 is confusing. It is not clear if it relates to the use of treated sludge in CMC12. Please clarify!

Annex II Annex II

Section A: new questions to be included in the FAQ document

FAQ 1.3: Can an inorganic soil improver (PFC 3(B)) contain organic component materials?

Response from DG Grow:

Yes. Inorganic soil improvers are defined as 'soil improver other than an organic soil improver'. While organic soil improvers (PFC 3(A)) must contain at least 95% of material of solely biological origin, the absence of such material is not a requirement for inorganic soil improvers. This means that a soil improver that contains organic materials but does not meet the requirements for organic soil improvers under PFC 3(A) can be certified under PFC 3(B), if it meets the requirements for inorganic soil improvers.

The discussion on this question was postponed at the last Expert Group meeting, but the answer is concerning. The ECN fears that the category of inorganic soil improver is at risk of becoming a catch-all for all fertilisers that do not fit into other categories, particularly digestate, which does not contain the minimum level of nutrients required for it to be declared an organic fertiliser (liquid or solid).

The definition of inorganic soil improvers is so broad that materials that do not comply with other PFCs can be classified as such, despite having no real soil-improving potential. It is absolutely necessary to respect the function of a soil improver which is to maintain, improve

or protect the physical or chemical properties, the structure or the biological activity of the soil to which it is added.

In addition, materials containing up to 7.5% organic carbon by mass provide organic matter. Additional criteria must be added, such as requirements relating to dry matter, heavy metals and pathogens.

The ECN considers an inorganic soil improver only if there is **no organic carbon** present.