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European Union

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NOTE

From:	General Secretariat of the Council
To:	Council
Subject:	Use of biobased fertilizers (RENURE) - Information from the Netherlands

Delegations will find in the Annex a note from the Netherlands on the above-mentioned subject, to be dealt with under "Any other business" at the Council (Agriculture and Fisheries) on 21 March 2022.

Use of biobased fertilizers (RENURE)

The invasion of Ukraine, has clearly revealed the high dependency of the European agriculture on natural gas, critical raw materials and chemical fertilizers from third countries, in particular from the Russian Federation, Belarus and Ukraine.

The increase in the costs of chemical fertilizer is causing huge problems for the agricultural sector all over Europe. High input costs and low margins undermine the profitability of many sectors. The Netherlands analyzed the problem of rising fertilizer costs and the current economic situation in different sectors and favors solutions that decrease the import dependency and at the same time support the transition towards a circular agriculture, by re-using locally available nutrients. This is in line with the objectives of the European Green Deal and in particular the Farm to Fork Strategy to further enhance sustainable development of the agricultural sector and improving the margins for farmers by recycling organic waste into renewable fertilizers.

Against the backdrop of high fertilizer prices, The Netherlands raised this issue in the Council meetings of agricultural ministers in November and December 2021 arguing allowing the use of recovered nitrogen from manure as alternative to chemical fertilizers. This requires a derogation to or amendment of the Nitrates Directive.

The developments in the field of nutrient-recovery from livestock manure, anaerobic digestion and other organic waste streams, where residual flows could be valorized and kept within the nutrient-cycle, have proved that reducing the effect of livestock manure on the environment is possible. A better local use of livestock manure not only has environmental benefits, it also improves the economic benefits for livestock farmers and farmers producing arable crops.

Given the urgency and the need for a short term solution we propose to allow a derogation for member states to apply fertilizers with recovered nutrients from manure that meet minimum quality criteria (so-called ReNure-criteria¹) in nitrate vulnerable zones.

¹ JRC Publications Repository - Technical proposals for the safe use of processed manure above the threshold established for Nitrate Vulnerable Zones by the Nitrates Directive (91/676/EEC) (europa.eu)

Investments in this type of installations are large and have a return on investment that is usually 10 years or longer. To encourage and the industry to invest, the derogation should be long enough to allow producers to have a return on their investment.

At the same time we have to look for a structural long-term solution. Therefor we would like to request the Commission to take this issue into consideration in the first fit-for-purpose assessment of the Nitrate Directive.

To summarize:

- **In direct response to the Ukraine crisis, we request the Commission to develop in the short term a derogation method for allowing the application of fertilizers with recovered nutrients from manure for a minimum period of 8 years.**
- **On the *mid- or longterm*, we ask the Commission to provide a general solution by including this derogation as an amendment in the Nitrate Directive.**