



EU LEGAL ASPECTS

From the European Point of View: Legal Aspects of RUSTICA

SHORT SUMMARY FOR PRACTITIONERS

EN version

The RUSTICA project strives for novel solutions towards optimal plant nutrition and soil quality. At the same time, tremendous efforts are undertaken in policy and lawmaking to pave the way for new products towards sustainability in agriculture. In the EU, the new Fertilising Products Regulation (EU)2019/1009 repeals its predecessor mainly covering inorganic fertilisers and presents new options for developing circular fertiliser models. Taking into account inter alia waste and by-products for component materials, valorisation routes via compost and anaerobic digestion are mainly reflected in the new legal instrument. Rules on contaminants are thoroughly defined towards protecting humans and the environment.

On the other hand, considering RUSTICA and its technologies, comprehensive stipulations on animal by-products are quite missing in the new EU Regulation on fertilising products at the moment. Furthermore, certain restrictions apply to the use of waste and by-products for some component materials. As such, producing a specific fertiliser material requires a thorough verification of the feedstock under use, the required processing steps and the final destination by means of product function.

SHORT SUMMARY FOR PRACTITIONERS

NATIVE version

Das RUSTICA-Projekt strebt nach neuartigen Lösungen für eine optimale Pflanzenernährung und Bodenqualität. Gleichzeitig werden in Politik und Gesetzgebung enorme Anstrengungen unternommen, um neuen Produkten den Weg in Richtung Nachhaltigkeit in der Landwirtschaft zu ebnen. In der EU hebt die neue Düngemittelverordnung (EU) 2019/1009 ihre Vorgängerin auf, die hauptsächlich anorganische Düngemittel abdeckte, und bietet neue Optionen für die Entwicklung von zirkulären Düngemodellen. Unter Berücksichtigung von unter anderem Abfällen und Nebenprodukten als Ausgangsstoffe spiegeln sich hauptsächlich Verwertungswege über Kompost und anaerobe Vergärung im neuen Rechtsinstrument wider. Vorschriften zu Schadstoffen sind zum Schutz von Mensch und Umwelt sorgfältig definiert.

Andererseits fehlen in Anbetracht von RUSTICA und seinen Technologien in der neuen EU-Verordnung für Düngemittelprodukte derzeit umfassende Bestimmungen zu tierischen Nebenprodukten. Darüber hinaus gelten für einige Komponentenmaterialien bestimmte Einschränkungen für die Verwendung von Abfällen und Nebenprodukten. Daher erfordert die Herstellung eines bestimmten Düngemittels eine gründliche Überprüfung des verwendeten Ausgangsmaterials, der erforderlichen Verarbeitungsschritte und der endgültigen Verwendung anhand der Produktfunktion.



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CONTEXT

Hitherto, a huge amount of leftovers from fruit and vegetable production, processes and distribution containing valuable nutrient substances is either not available for circular fertilising products or optimal valorisation technologies are not yet developed. This untapped potential can be harnessed for innovative value chains and fertilising materials in the EU and beyond.

PROBLEM

Even though a broad gate has recently been opened by EU legislation on fertilising products resulting from waste and by-products, there are still issues to be discussed, such as the missing of final conditions on the use of animal by-products and limitations of waste-based input to certain types of component materials.

SOLUTION

The RUSTICA project thoroughly analyses legal aspects concerning its feedstocks, methods of manufacture, and final products. It identifies not only current legal barriers and stimuli but also opportunities and future developments for its five main technologies. Results are documented and forwarded to policy makers and institutions responsible for lawmaking procedures. The scope of the first assessment includes international agreements and EU secondary law affecting the RUSTICA scheme.

OUTCOME

1. A detailed and publicly available report (D3.2) on international policy and agreements with focus on EU and Colombia, as well as further EU legislation on the options and constraints of RUSTICA developments
2. A dedicated summary on major criteria in EU legislation relevant for stakeholders and marketing of the new technologies
3. A set of articles on the project website informing professional and private audience on specific legal highlights and challenges of RUSTICA value chains.

PRACTICAL RECOMMENDATIONS

- It is necessary to evaluate the feedstocks and precursors of fertilising products and their legal options for the individual value chains.
- It is necessary to verify the processing methods and compare them with legal requirements.
- It is necessary to assess contents, such as nutrient values, contaminants and pollutants of the fertilising products in terms of compliance with legislation.
- It is necessary to investigate the peculiarities of fertiliser mixtures and blends and their positions in legal frameworks.
- It is necessary to refer to legal sources addressing environmental issues, e.g., water (nitrate), energy and GHG emissions relating to fertiliser application.