

**Draft Regulation of the Minister of Agriculture, Fisheries, Food Security and Nature of , No WJZ/98210565, amending the Regulation on national EZK and LNV subsidies and the Regulation on opening EZK and LNV subsidies 2025 in connection with the amendment and opening of the subsidy module for high-quality manure processing 2025**

The Minister of Agriculture, Fisheries, Food Security and Nature,

Having regard to Articles 2, 16 and 19(3) of the Framework Decision on national EZK and LNV subsidies;

Hereby decrees the following:

**Article I**

The Regulation on national EZK and LNV subsidies [Regeling nationale EZK- en LNV-subsidies] is amended as follows:

Amendment of the Regulation on national EZK and LNV subsidies and the Regulation on opening national EZK and LNV subsidies 2025 in connection with the amendment and opening of the subsidy module for high-quality manure processing 2025

A

In Article 2.18.1, in the definitions of refurbishment of a high-quality manure processing plant and establishment of a high-quality manure processing plant, ‘at a location’ is replaced by ‘at a fixed location’.

B

Annex VIII is amended as follows:

1. In the text above the table, ‘process 1 to 19’ is replaced with ‘the process number’.

2. The table now reads as follows:

	# 6	# 6 A	# 7	# 7 A	# 1 0	# 1 1	# 1 2	# 1 3	# 1 4	# 1 5	# 1 9
Digestate as feedstock – from manure mono-digestion											X
Use of flocculants			X	X							
Flotation			X	X							
Decanter	X	X			X			X			
Auger press						X			X		
Belt filter press			X	X			X			X	
Microfiltration or ultrafiltration	X	X									
Reverse osmosis	X	X	X	X							
Acidification											

Evaporation					X	X	X				
Stripping column								X	X	X	X
Chemical air scrubber					X	X	X	X	X	X	X
Condensation step											
Thickening of mineral concentrate		X		X							

## Article II

In the table from Article 1(2) of the Regulation on opening EZK and LNV subsidies 2025 [Regeling openstelling EZK- en LNV-subsidies 2025], two rows are inserted in the numerical title order, reading as follows:

Title 2.18: High-quality manure processing	2.18.2(1) (a)	Establishment of a high-quality manure processing plant		01-09-2025 to 13-10-2025	€ 3,500,000
	2.18.2(1) (b)	Refurbishment of a high-quality manure processing plant		01-09-2025 to 13-10-2025	€ 3,500,000

## Article III

This Regulation shall enter into force on the day following the date of its publication in the Government Gazette.

This Regulation and the explanatory memorandum shall be published in the Government Gazette.

The Hague,

Ministry of Agriculture, Fisheries, Food Security and Nature.

## **EXPLANATORY NOTES**

### **1. Introduction**

This amending regulation amends the high-quality manure processing subsidy module and regulates the opening of this subsidy module for 2025. The subsidy module is included in Title 2.18 of the Regulation on national EZK and LNV subsidies. The opening period and the available budget for 2025 are included in the Regulation on opening EZK and LNV subsidies 2025. This is explained below.

It is noted that, as also indicated in the publication of the subsidy module in 2022 (Government Gazette 2022, 31874), this subsidy module is a preliminary step in anticipation of the expected approval of RENURE by the European Commission. This approval is not yet finalised. Investing in high-quality manure processing by means of this subsidy module without any certainty of its approval is therefore at the risk of the investment intermediary company and does not entitle it to use the end product in excess of the usage standard of a maximum of 170 kg of nitrogen from animal manure per hectare per year, or to use or market it for purposes other than as animal manure.

### **2. Amendment to subsidy module**

The high-quality manure processing subsidy module aims to stimulate the establishment of facilities for processing animal manure into high-quality fertilisers (fertiliser substitutes). An amendment and a clarification have been added to the module.

The subsidy module aims to stimulate the establishment of production capacity for RENURE fertilisers. This is in line with the product-process combinations contained in the proposal published by the European Commission to amend Annex III of the Nitrates Directive for RENURE. With this opening, an additional process step has been added to those eligible for subsidy: mineral concentrate thickening. When thickening mineral concentrate, extra water is removed from the RENURE fertiliser that has already been produced. This step ensures that less storage capacity is required, that transport movements are saved, and that the product can be used in a more concentrated form. To this end, two processes eligible for subsidy have been added: processes #6A and #7A. This concerns processes #6 and #7, which are already eligible for subsidy and are now also eligible if the process step of mineral concentrate thickening is added to the process. To improve the readability of the table, processes that have not been eligible for subsidy since the second and third rounds of applications (#1 to #5, #8, #9, #16, #7 and #18) have been excluded from the table.

Finally, the definitions relating to the refurbishment of a high-quality manure processing plant have been clarified. The definitions clearly indicate that the installation must be established at a location where no manure processing has taken place in the past 10 years, or where it has taken place (during refurbishment). This amending regulation clarifies that the installation is therefore to be carried out at a fixed location.

### **3. Opening 2025**

This fourth opening round of the high-quality manure processing subsidy module in 2025 will run from 1 September 2025 to 13 October 2025. As in the openings in 2023 and 2024, the subsidy ceiling for this opening period is € 3,500,000 for the installation of a high-quality manure processing plant and € 3,500,000 for a refurbishment.

As indicated in the explanatory memorandum of the original module, the aim is to open the high-quality manure processing subsidy module annually for a period from 2022 to 2026, with the intention to extend the subsidy module for a further four years. The first three openings took place from 1 December 2022 to 12 January 2023, and from 29 September 2023 to 9 November 2023, and from 2 September 2024 to 14 October 2024.

#### **4. Impact on businesses and government**

##### **Regulatory burden**

In the explanatory memorandum accompanying the introduction of the subsidy module in 2022, the regulatory burden was mapped out. This amending regulation is limited to the addition of a process step, providing clarification, and regulation of the opening for the year 2025. This will not lead to an increase or decrease in the regulatory burden on users of this subsidy module.

A draft of the amending regulation was submitted to the Advisory Board on Regulatory Burden [ATR]. The ATR has indicated that it will refrain from issuing an opinion.

##### **Implementation and enforcement**

The Netherlands Enterprise Agency (RVO) has been involved in the amendment of this subsidy module. RVO is responsible for the communication and implementation of the subsidy module. The implications of the amendments on the RVO are limited. The RVO has indicated that an implementation and enforcement assessment is not necessary.

#### **5. Notification**

The draft of the original subsidy module was notified on the basis of Directive 2015/1535/EU<sup>1</sup> in connection with technical regulations (No 2022/0707/NL). This amendment to the subsidy module adds a possible technical regulation. This amending regulation was therefore notified to PM under number PM on the basis of Directive 2015/1535/EU<sup>5</sup>.

#### **6. State aid**

The high-quality manure processing subsidy module contains state aid within the meaning of Article 107(1) of the Treaty on the Functioning of the European Union. In the explanatory memorandum to the original regulation (Government Gazette 2022, 31874) it is stated that the subsidy module falls within the scope of Article 47 of the General Block Exemption Regulation<sup>1</sup> (GBER) and complies with both the conditions of Article 47 and those of Chapter I of the GBER. The explanatory memorandum of the openings in 2023 and 2024 explains that the subsidy module also falls within Article 47 of the GBER as amended from 1 July 2023. The present amendment to the subsidy module also falls within the scope of this Article 47 of the GBER.

Like the original regulation and the previous amending regulations, this amending regulation is notified to the European Commission on the basis of Article 11 of the GBER.

#### **7. Entry into force**

This amending Regulation shall come into force on the day after its publication in the Official Gazette. This derogates from the policy for fixed times of amendments both

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<sup>1</sup> Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty Text with EEA relevance (OJ L 187/1).

for the time of entry into force and for the implementation period to be applied. This is justified in this case because the target group benefits from an early opening of the subsidy.

Ministry of Agriculture, Fisheries, Food Security and Nature