Regulation of the Minister of Agriculture, Fisheries, Food Security and Nature of , No. WJZ/00000000, amending the Manure and Fertilisers Act Implementing Regulation in connection with allowing the use of Renure in excess of the use standard for animal manure under certain conditions

(ChainID WGK00000)

The Minister for Agriculture, Fisheries, Food Security and Nature, acting in agreement with the Minister for Infrastructure and Water Management,

Having regard to Annex III(2)(c) of Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources, Articles 9(2), 13(5), 38, 39 and 40(2) of the Manure and Fertilisers Act and Articles 7, 36 (introduction and c), 41 (introduction and c) and 70 of the Manure and Fertilisers Act Implementation Decree;

Hereby decrees:

Article I

The Manure and Fertilisers Act Implementing Regulation is amended as follows:

A

The following is added to Article 1(1), in alphabetical order:

> *Renure*: nitrogen-containing fertiliser extracted from animal manure that meets the quality requirements for Renure;
>
> *Quality requirements for Renure:* quality requirements as referred to in Annex Af;
>
> *Registered producer:* a producer of Renure registered as such by the minister in accordance with Article 35c;
>
> *Renure certificate:* certificate issued on the basis of a designated certification scheme;

B

In Chapter 3, the following new section is added:

Section 4 Renure

Article 35a

In excess of the quantity of animal manure referred to in Article 9(1) of the act, a maximum of 80 kilogrammes of nitrogen per hectare per calendar year may be used for Renure if that Renure:

a. is produced by and purchased from a registered producer or holder of the Renure certificate; or

b. has been produced by a registered producer or holder of the Renure certificate and is used at its business.

Article 35b

1. A producer of Renure may submit an application for registration as a producer to the minister, indicating the customer number provided by the minister to identify the company or business of the producer or the unique number referred to in Article 9(a) of the Commercial Register Act 2007.

2. Together with the application for registration, the producer must provide the following information and documents:
   a. Name, postal address and email address of a contact person;
   b. Address(es) of the location or locations where the Renure is produced;
   c. Unique registration number or unique identification number referred to in Article 54(1)(c) of the separate locations of the storage facilities belonging to the producer's business for

Renure or if the producer is an intermediary, the registration number of the storage facility referred to in Article 49 for each separate type of Renure as referred to in part k;

d. Cadastral designation of the storage facility for Renure if the producer does not have a unique registration number;
e. Maximum storage capacity of Renure in cubic metres, differentiated according to the type of Renure;
f. Manure codes referred to in Annex I of the Renure produced at the company or business;
g. Maximum production capacity of Renure in cubic metres per year, in number of cubic metres per hour and in kilogrammes of nitrogen per hour, differentiated according to the type of Renure and equipment used;
h. Inventory of Renure produced at the time of the application, indicated in tonnes and in kilogrammes of nitrogen, differentiated according to the type of Renure;
i. The five, or in the case of ammonium salts, three most recent consecutive analytical results of samples of the fertiliser produced by the equipment, by which the samples:
    1° are no older than six months;
    2° are evenly spread across a period of 14 days; and
    3° have been taken in accordance with Annex Eb, on the understanding that the samples have not been taken from the supply pipe to the final storage;
j. Proof of delivery of the equipment for the production of Renure;
k. A description of the installation showing that it is used for the production of one of the following types of fertiliser:
    1° Ammonium salts originating from a gas purification or emission control process designed to remove ammonia from waste gases;
    2° Mineral concentrate produced by reverse osmosis;
    3° Struvite from animal manure;
l. A description of the production process and individual processing steps, including the techniques used, the sequence in which they are used, the hourly capacity of the relevant equipment and the method used to monitor production volume;
m. A description of the expected types of manure to be processed, the quantities thereof in tonnes per year and in kilogrammes of nitrogen and the quantity, nature and composition of any substances to be processed together with the animal manure;
n. A description of the final products of the production process, their quantities in tonnes per year and their expected composition, differentiated according to the different final products.

3. At least one of the analytical results referred to in the second paragraph, part i, must cover the levels of copper and zinc.

4. By way of derogation from the second paragraph, part i, if the producer temporarily uses a mobile device for the production of Renure, a declaration from the supplier containing the results of the analyses referred to therein when the mobile device was first put into use for the production of Renure is sufficient.

5. By way of derogation from the second paragraph, part j, if the producer temporarily uses a mobile device for the production of Renure, documents showing when the equipment is expected to be delivered are sufficient. The producer must notify the minister at least one working day in advance that the equipment is put into use. In the notification, the producer must also provide the unique identification number of the equipment and the period during which the equipment is used by the producer.

Article 35c

1. The minister registers a producer of Renure if:
    a. the producer is registered in accordance with Article 35b;
    b. the producer has complete control over the production process;
    c. the commercial building or if Renure is not produced in a building, the site at which Renure is produced, belongs to the producer's company or business;
    d. the Renure production facility is fully operational;
    e. the producer actually produces Renure at an installation using one of the techniques referred to in Annex Af, part 1; and
    f. all analytical results submitted, as referred to in Article 35b(2)(i) or (5), show that the fertiliser produced meets the quality requirements for Renure.
2. Registration as a producer of Renure is required per type of Renure, as referred to in Article 35b(2)(k). Producers can be registered for several types of Renure.
3. A registered producer must report to the minister any changes to the information provided during registration within five working days.
4. Registration may be suspended in whole or in part if the registered producer does not comply with the provisions of this section applicable to the producer. The minister may attach conditions to this suspension.
5. Registration will be suspended in whole or in part if the analysis of the second sample referred to in Article 35e(3) shows that the fertiliser produced does not meet the quality requirements for Renure. The suspension will be lifted if the results of the analysis of at least two samples taken in accordance with Annex Eb subsequently show that the fertiliser produced once again meets the quality requirements for Renure.
6. Registration may be cancelled in whole or in part if:
    a. the registered producer does not comply with the provisions of this section applicable to the producer;
    b. after suspension as referred to in the fifth paragraph, the registered producer does not submit new analyses within three months showing that the fertiliser produced meets the quality requirements for Renure;
    c. the registered producer requests cancellation;
    d. the registered producer provided incorrect or incomplete information in the registration application and the provision of correct or complete information would have led to the application being rejected.

Article 35d

1. A registered producer determines, in respect of both the Renure produced and livestock manure used for that purpose, the applicable quantity using a device for determining the volume that complies with the rules laid down by or pursuant to the Metrology Act, the volume measured being converted by weight on the basis of density.
2. The installation used to produce Renure generates an overview showing when and for how many hours the installation has been in operation. The registered producer must submit the overview to the minister on request.

Article 35e

1. This article applies exclusively to determining whether the fertiliser produced meets the quality requirements for Renure.

2. A representative sample of the fertiliser produced must be taken by or on behalf of the producer. The sample is taken from the final storage, from the pipeline to the final storage or when loading cargo. The samples must be taken in accordance with the generally applicable sampling principles and are analysed for the quality requirements for Renure by a laboratory that demonstrably complies with NEN-EN-ISO/IEC 17025:2018. The analysis is carried out using a method included in Annex IB for the various categories or a method offering at least equivalent safeguards. For the analysis for the presence of copper and zinc, one analysis every three months is sufficient.

3. If an analysed sample does not meet one or more quality requirements for Renure, a second sample must be taken within one working day and, by way of derogation from the ninth paragraph, must immediately be sent to a laboratory for analysis.

4. If the second sample also shows non-compliance with one or more quality requirements for Renure, the registered producer may not issue declarations as referred to in Article 35h and the registered producer must report this to the minister no later than the next working day following receipt of the analysis results. If the sample is taken when loading cargo, the registered producer must also inform the purchaser of that cargo within the same period that the fertiliser supplied does not meet the quality requirements for Renure.

5. The registered producer may only issue a declaration if the analysis of at least two representative samples not taken on the same day shows compliance with the quality requirements for Renure.

6. Sampling must be carried out in accordance with Annex Eb.

7. No composite samples are used for analysing the quality requirements for Renure.

8. When transporting the sample to the laboratory, the registered producer must provide an accompanying form indicating the parameters under which the sample is to be analysed. The accompanying form must also contain the information referred to in Section 2.3 of Annex Eb.

9. The manure sample must be sent to the laboratory no later than the second working day following the day of sampling.

10. The laboratory sends the results of the analysis to the registered producer within 15 working days of receipt of the manure sample. If the analysis shows that the manure sample does not meet the quality requirements for Renure, the laboratory will notify the registered producer as soon as possible, but within 24 hours.

Article 35f

1. If a producer does not dispose of Renure at least once every 14 days or if a producer uses Renure at their own business, the producer must have a report at the time of application or disposal showing that the quality requirements for Renure are met. In addition, at the time of disposal or use, the producer also has an analytical report of the Renure to be disposed of or used showing that the Renure has been analysed for copper and zinc.

2. The period between the analysis covered by the report referred to in the first paragraph and the time of application or disposal of the Renure may not exceed 14 days in the case of the analysis of the quality requirements and three months in the case of the analysis of copper and zinc.

Article 35g

1. By way of derogation from Article 81(5), if an accredited laboratory is unable to determine the phosphate or nitrogen content of a Renure sample because the sample has been damaged at the sampling organisation or after receipt by the laboratory, the relevant quantity of animal manure must, by way of derogation from Article 68(1) and (5) of the decree, be determined on the basis of the moving average of the nitrogen content or phosphate content, respectively, for the relevant type of manure at the company or business.

2. By way of derogation from Article 81(6), if, on receipt of a sample sent to it, an accredited laboratory finds that the sample does not meet the requirements of Chapter 4, Section 4.2, of the Animal Manure Accreditation Programme (AP05), which is included in Annex H, the relevant quantity of animal manure fertilisers must, by way of derogation from Article 68(1) and (5) of the decree, be determined on the basis of the moving average of the nitrogen content or phosphate content, respectively, for the relevant type of manure at the company or business.

3. For the purposes of this article, the moving average of the nitrogen or phosphate content is the average nitrogen or phosphate content of the eight most recent consecutive analysis results for the type of manure in question.

Article 35h

1. The registered producer provides the purchaser with a signed and dated declaration that the fertiliser supplied is Renure. This obligation does not apply if the Renure was produced by a farmer and the farmer uses the Renure at his or her own farm.

2. A producer whose registration has been suspended or withdrawn does not provide declarations as referred to in the first paragraph.

Article 35i

1. The declaration referred to in Article 35h must be present when the Renure is transported.

2. The transport document accompanying the Renure cargo must indicate the manure code for the applicable type of Renure listed in Annex I, Table V.

Article 35j

Renure mixed with other types of Renure or with other fertilisers in storage at a producer's or customer's premises or during transport is not regarded as Renure for purposes of this section.

Article 35k

If the registered producer is an intermediary, the justification referred to in Article 14(1) of the Manure and Fertilisers Act relates to both the amount of phosphate and the amount of nitrogen.

Article 35l

1. The registered producer keeps the following information and documents in its records:
    a. Analysis reports of all samples, both for determining the amount of nitrogen and phosphate and whether the fertiliser meets the quality requirements for Renure;
    b. Quantity of Renure produced per month in the calendar year in cubic metres and in kilogrammes of nitrogen and phosphate;
    c. Quantity of Renure transported in the calendar year in cubic metres and in kilogrammes of nitrogen and phosphate;
    d. Amount of animal manure used for the production of Renure in a calendar year in tonnes and in kilogrammes of nitrogen and phosphate;
    e. Amount of nitrogen supplied in nitric acid in kilogrammes if nitric acid has been used for the production of Renure;
    f. Overview referred to in Article 35d(2) over the calendar year in which Renure was produced.

2. If a mobile installation has been used to produce Renure, the registered producer must also keep documents showing that the mobile installation was actually located at the producer's company or business and for how long.

3. The amount of animal manure in kilogrammes of nitrogen used to produce Renure, as referred to in the first paragraph, part d, must be determined by analysis by an accredited laboratory or by using the fixed mineral levels referred to in Annex I.

Article 35m

1. Farmers who use the use standard for Renure fertilisers referred to in Article 35a must keep records of the amount of Renure used in tonnes and kilogrammes of nitrogen and phosphate and the area and location of the parcels of the farm on which Renure is used or incorporated into the soil.

2. Farmers who buy Renure from a producer must keep the declaration referred to in Article 35h(1) in their records.

Article 35n

1. A certification scheme for the Renure certificate referred to in Article 1(1) is designated by the minister by separate decree.

2. If a producer holds the Renure certificate, the conformity assessment body reports this to the minister.

3. Unless specified otherwise, this section applies mutatis mutandis to holders of the Renure certificate, provided that the term ‘registered producer’ is read as ‘certified producer’.

4. Articles 35b, 35c, 35e, fourth paragraph, first sentence, fifth paragraph and sixth paragraph, 35h, 35i, first paragraph, and 35m, second paragraph, do not apply if the Renure has been produced by a producer who holds the Renure certificate.

C

In Article 69i, the words ‘Renure, ’ are added after the words ‘consists of’.

D

After Annex Ae, an annex is added with the following text:

Annex Af to Article 1 (Quality requirements for Renure)

Renure meets the following conditions

1. The animal manure component of the fertiliser has undergone processing that increases the concentration of nitrogen in mineral form, urea nitrogen or crystal-bound nitrogen, expressed as a percentage of the weight of total nitrogen, compared to the input before the treatment process, resulting in one of the following products:
    a. An ammonium salt (washing salt) derived from a gas purification or emission control process designed to remove ammonia from waste gases;
    b. A mineral concentrate obtained by reverse osmosis;
    c. A nitrogen-rich phosphate salt (struvite) precipitated from animal manure.
2. The fertiliser is of consistent quality in all batches and has a ratio of mineral nitrogen to total nitrogen of at least 90% or a ratio of organically bound carbon to total nitrogen of no more than three, in both cases corrected for nitrogen originating from component materials that do not originate from animal manure and contain more than 3% nitrogen on a dry matter basis;
3. The fertiliser does not exceed the following limits:
    a. Copper (Cu): 300 mg kg-1 dry matter;
    b. Zinc (Zn): 800 mg kg-1 dry matter.

4. Pathogens in fertiliser containing more than 1% organic carbon do not exceed the following limits:

Microorganisms to be tested	Sampling plans			Limit value
	n	c	m	Maximum value of the number of bacteria expressed in colony-forming units
Salmonella spp.	5	0	0	Absent in 25 grams or 25 millilitres
Escherichia coli or enterococci	5	5	0	1,000 in 1 gram or 1 millilitre
Where: n = number of samples to be tested c = number of samples in which the number of bacteria expressed in colony-forming units (CFU) is between m and M, m = threshold value for the number of bacteria expressed in colony-forming units that is considered satisfactory,				

E

In Annex B, in the table under the heading ‘Other’, the following row is added after the row concerning ‘Other organic fertilisers’:

Renure		100

F

After Annex Ea, an annex is added with the following text:

Annex Eb corresponding to Article 35e (sampling protocol quality requirements for Renure)

1. Introduction

Pursuant to Annex III(2) of the Nitrates Directive, a Member State may allow Renure to be used under strict conditions in excess of the standard of 170 kg N per hectare per year from animal manure. These products then count towards the total nitrogen usage area. The aforementioned directive lays down requirements on the quality and use of Renure. The starting point is that the Renure produced is of constant quality and meets the requirements relating to nutrients, heavy metals and microbiological indicators.

To determine whether a product meets the quality requirements of Renure, a representative sample must be taken. In view of the need to guarantee the representativeness, quality and frequency of sampling of Renure, requirements and conditions have been included in this protocol. This protocol does not cover sampling for the determination of pathogens.

This protocol contains rules on the:

- Sampling method;
- Sampling frequency.

2. General requirements

This section describes how a Renure sample should be taken and processed until the sample arrives at the laboratory. The protocol must be followed under all weather and other conditions, by which the safety guidelines must be observed at all times.

2.1 Taking a representative sample

The registered producer must take a representative sample or have a representative sample taken of the Renure produced. The sample is taken when loading cargo containing

Renure from the final storage or from the supply pipe to the final storage. The samples are taken in accordance with the generally applicable sampling principles and analysed by an accredited laboratory for the quality requirements for Renure. If a producer produces several Renure products, the producer must take a representative sample or have a representative sample taken from each *individual Renure product.*

2.2 Storage of manure sample and transport to laboratory

The laboratory sample, which meets the minimum quantity specified in Section 4.2 of Annex H (AP05), must be placed in a clean and leak-proof sample container and provided with a unique identification number. The sample packaging and identification must comply with the relevant provisions of Annex E. The laboratory sample must be transported and stored in such a way that the temperature does not rise (protected from solar radiation). If the sample is not transferred to the laboratory within 24 hours, the sample must be cooled within 12 hours after sampling at 4 °C, with a permitted deviation of no more than 3 °C. The sample must be transported to the laboratory no later than two working days after sampling. Transfer to a courier service from or on behalf of the laboratory also counts as transport to the laboratory.

Accompanying form

Each laboratory sample must have an accompanying form containing the following information at a minimum:

- Sampling date;
- Reference number/Chamber of Commerce business registration number of the producer of Renure;
- Estimated volume of the cargo, if cargo sampling is involved;
- Manure code as referred to in Annex I;
- Sample package number;
- rVDM number at the time of load sampling;
- Indication that the analysis should only take place in relation to the quality requirements, if this is the case;
- Indication of the parameters to be analysed.

Any details must also be indicated on the accompanying form.

3. Specific requirements

3.1 Producers who dispose of Renure at least once every 14 days.

A producer of Renure who disposes of Renure at least once every 14 days must take or have a sample taken at least once every 14 days for purposes of analysing mineral nitrogen (N mineral) and total nitrogen (N total) or total organic carbon (TOC) and total nitrogen (N). In addition, once every three months, a sample must also be analysed for copper (Cu) and zinc (Zn). These requirements apply to each individual Renure product.

In the event that the installation or processing process used to produce Renure is shut down for an extended period of time and no Renure is transported for more than 14 days, the sample must be taken no later than five working days after Renure production has restarted and Renure is being transported. The producer must record the period during which there was a standstill and the reason for the standstill.

3.1.1 Sampling during loading of cargo

Mineral concentrate and liquid ammonium salts:
Sampling of Renure for quality requirements is carried out using automatic sampling equipment that meets the requirements set out in Annex E, parts a, b and c. An intermediary registered on the basis of Article 38 of the Manure and Fertilisers Act Implementation Decree takes charge of the sample and ensures that it is stored correctly and transported to an accredited laboratory.

Solid ammonium salts
A registered intermediary takes a representative sample during loading of the cargo. Sampling must meet the following requirements:

- The sample[1] is taken from the scoop part of the wheel loader, shovel or bulldozer;
- The number of samples is at least eight;
- The containers to be sampled are selected at random from each cargo load and spread across the entire load.

In the case of ammonium salts in big bags, the number of big bags to be sampled depends on the size of the cargo, with at least one sampling per five big bags. The big bags to be sampled per cargo load are selected at random. At least one sample is taken from each randomly selected big bag (with a capacity of approx. one cubic metre). A sample is taken from the big bags alternately in a more or less horizontal direction and a more or less vertical direction. The minimum number of samples is eight.

A laboratory sample is then taken from the samples taken. The laboratory sample is placed in a clean, leakproof sampling package and given a unique identification code.

A registered intermediary takes possession of the sample and ensures that the sample is properly stored and transported to an accredited laboratory.

3.1.2 Sampling from the final storage or from the supply pipe to the final storage

Sampling from the final storage takes place from the final storage itself or from the supply pipe to the final storage. In this case, however, a device must be installed in the final storage facility or in the supply pipe to the final storage facility that makes it possible to take a representative and reliable sample safely. An example would be a separate well or tank where the manure can be sufficiently mixed.

A representative sample is taken from Renure that is mixed to create a homogeneous fertiliser.

Sampling for quality requirements is carried out using automatic sampling equipment installed at the final storage facility or on the supply pipeline to the final storage facility or using a means of transport/tank with automatic sampling equipment that meets the requirements set out in Annex E, parts a, b and c.

If no automatic sampling equipment is available, the producer may hire a sampler to take a representative sample of manure using a hand-operated sampling device. The producer takes possession of the sample and ensures that the sample is properly stored and transported to an accredited laboratory.

This sample and associated analysis is only valid for the purpose of determining whether the quality requirements for Renure have been met.

3.2 Other producers

This section applies to producers who do not dispose of Renure at least once every 14 days.

3.2.1 Sampling with a transport vehicle equipped with an automatic sampling cabinet

Producers who use Renure on their own agricultural land or transport it to a buyer may use a means of transport equipped with automatic sampling equipment that meets the requirements set out in Annex E, parts a, b and c, for sampling purposes.

Renure is sampled and analysed before it is used or disposed of. Before one or more cargo loads of Renure are used or transported, at least one sample must be taken for an analysis

[1] *Sample:* a quantity of material taken from the cargo in a single operation during sampling (e.g. one scoop, drill sampling, hand sampling);

of mineral nitrogen (N mineral) and total nitrogen (N total) or total organic carbon (TOC) and total nitrogen (N). At the time of disposal or use at the farm, the analysis of the sample may be no older than 14 days (Article 35f) and the analysis of the sample for copper (Cu) and zinc (Zn) may be no older than three months. If Renure is used at the farm itself, this sample and accompanying analysis only apply to determining whether the quality requirements for Renure have been met.

3.2.2 Sampling from the final storage or from the supply pipe to the final storage

Sampling from the final storage takes place from the final storage itself or from the supply pipe to the final storage. In this case, however, a device must be installed in the final storage facility or in the supply pipe to the final storage facility, enabling a representative and reliable sample to be taken safely. An example would be a separate well or tank where the manure can be sufficiently mixed.

A representative sample is taken from Renure that has been mixed to create homogeneous manure.

Sampling for quality requirements is carried out using automatic sampling equipment installed at the final storage facility or on the supply pipeline to the final storage facility or using a means of transport/tank with automatic sampling equipment that meets the requirements set out in Annex E, parts a, b and c.

If no automatic sampling equipment is available, the producer may hire a sampler to take a representative sample from a cargo load of manure using a hand-operated sampling device. The producer ensures that the sample is properly stored and transported to an accredited laboratory.

Renure is sampled and analysed before it is used or disposed of. Before one or more cargo loads of Renure are used or transported, at least one sample must be taken for an analysis of mineral nitrogen (N mineral), total nitrogen (N total) or total organic carbon (TOC). At the time of disposal or use at the farm, the analysis of the sample may be no older than 14 days (Article 35f) and the analysis of the sample for copper (Cu) and zinc (Zn) may be no older than three months. These requirements apply to each individual Renure product

This sample and associated analysis is only valid for the purpose of determining whether the quality requirements for Renure have been met.

G

In Appendix H, the following is added to Section 5.3, second paragraph:

For determining the total nitrogen content in ammonium salts, ISO 5315 is used. For determining the total phosphorus content in ammonium salts, NEN7435 may be used, provided that an appropriate dilution is used

H

A table with the following text is added to Annex I:

Table V, corresponding to Article 35i

Description	**Manure code**
Ammonium sulphate that meets the quality requirements for Renure	130
Ammonium nitrate that meets the quality requirements for Renure	131
Mineral concentrate that meets the quality requirements for Renure	132
Struvite that meets the quality requirements for Renure	133
Other ammonium salt that meets the quality requirements for Renure	134

I

The following annex is added after Annex Ia:

Annex Ib to Article 35[e] (Quality requirements for analytical methods)

Analysis methods that, provided they are validated for Renure, can be used for analysing Renure.

	RENURE category Parameter	Mineral concentrate	Ammonium nitrate and ammonium sulphate	Scope
1	**Dry matter**	NEN7432		Animal manure and manure products
2	**Total nitrogen (N)**	NEN7434 – if the sample contains nitrate nitrogen NEN7437	ISO5315	Animal manure and manure products
3	**Mineral nitrogen (ammoniacal nitrogen)**	NEN7438	*	Animal manure and manure products
4	**Total phosphorus (P_2O_5)**	NEN7433+NEN7435		Animal manure and manure products
5	**Total potassium (K_2O)**	NEN7433+NEN7436		Animal manure and manure products
6	**Total organic carbon (TOC)**	NEN-EN15936		Soil, waste, treated biowaste and sludge
7	**Copper (Cu) and Zinc (Zn)**	NEN6961+NEN6965 of NEN6966		- Water, water bottom, sludge, sludge-containing water, airborne dust, soil, bio-waste and nutrients; - Water, eluates and destruates; - Water, eluates and destruates
8	***Salmonella* spp.**	ISO6579-1		- Products intended for human consumption and the feeding of animals; - Environmental samples in the area of food production and food handling; - Samples from the primary production stage such as animal faeces, dust, and swabs
9	***Escherichia coli***	ISO16649-2		Food and feed
10	**Enterococci**	NEN-EN17720		Plant biostimulants and blends with >50% plant biostimulant

* For ammonium sulphate and ammonium nitrate, no publicly accessible methods are currently available to determine the necessary nitrogen fractions in the appropriate measuring range and in comparable matrices.

J

In the table in Appendix M, the following is added after the section on 'Quantity determination':

Renure					
		Article 35c(3) and Article 124(1)	Failure to report changes to the registration data provided	[PM]	€300
			Failure to report changes to the registration data provided in a timely manner	[PM]	€300
			Failure to fully report changes to the registration data provided	[PM]	€300
			Providing untruthful information for purposes of registration or failing to truthfully report changes to the registration data provided	[PM]	€300
		Articles 35l, Article 35m	Failure by the registered producer or buyer of Renure to keep transparent	[PM]	€300

		and Article 124(1)	records (including changes to records) or failure to make records available for inspection in the Netherlands		
			Failure by the registered producer or buyer of Renure to keep transparent records in a timely manner (including changes to the records)	[PM]	€100
			Failure by the registered producer or buyer of Renure to keep complete and transparent records (including changes to the records)	[PM]	€200
			Failure by the registered producer or buyer of Renure to keep truthful and transparent records (including changes to the records)	[PM]	€300
		Article 35(1) and (2) and Article 39(4) and Article 124(1)	Failure by the registered producer of Renure to provide the requested data	[PM]	€300
			Failure by the registered producer of Renure to provide the requested information by the specified deadline	[PM]	€100
			Failure by the registered producer of Renure to provide all requested information	[PM]	€200
			Failure by the registered producer of Renure to provide truthful information	[PM]	€300
		Article 35i(1)	Absence of a declaration as referred to in Article 35h during the transport of Renure by a registered transporter	[PM]	€300
		Article 35h(1 and 2)	Providing a farmer with a false declaration, as referred to in Article 35h, by the registered producer of Renure	[PM]	€300
		Article 35d	The equipment for determining volume as referred to in Article 35d(1) and determining the number of hours that the installation is in use and at what time, as referred to in Article 35d(2), does not function satisfactorily or the equipment used to determine volume does not comply with the rules laid down by or pursuant to the Metrology Act	[PM]	€300
		Article 35b(5) and Article 124(1)	Failure by the producer of Renure to report that mobile equipment is being put into operation in a timely manner	[PM]	€100
			Failure by the producer of Renure to provide accurate information	[PM]	€300

			regarding the use of mobile equipment		
		Article 35e, Annex Eb	Failure to properly carry out by or under the responsibility of the producer of Renure the sampling and packaging of Renure samples for purposes of the quality requirements	[PM]	€300
		Article 35e(4)	Failure by the producer of Renure to report that Renure does not meet the quality requirements to the minister or the buyer in a timely manner	[PM]	€100
		Article 35e(6) and Annex Eb	Failure by the producer of Renure, transporter or sampling organisation to keep manure samples in proper condition and at a proper location	[PM]	€300

Article II

1. Renure produced before the entry into force of this regulation may be used and marketed as Renure in accordance with the provisions of this regulation if an analysis of a sample taken in accordance with Annex Eb has shown that the fertiliser meets the quality requirements for Renure and the producer of the Renure is registered as such or holds the Renure certificate.
2. Renure already present at the location at the time of entry into force of this regulation may be used up to a maximum of 80 kg of nitrogen per hectare per year in excess of the use standard referred to in Article 8 of the act if an analysis of a sample taken in accordance with Annex Eb has demonstrated that the fertiliser meets the quality requirements for Renure. The farmer records the results of the analysis.
3. Buyers of mineral concentrate as referred to in Article 35f as it read until 31 December 2025 may use the supply of mineral concentrate still present on the farm on that date in accordance with Article 35a (introduction and a), on the understanding that for ‘registered or certified producer’, it should be ‘designated producer’ and for ‘Renure’, it should read ‘mineral concentrate’.

Article III

This regulation enters into force on the day after its notification in the Government Gazette.

This regulation and explanatory notes will be published in the Government Gazette.

The Hague, [DATE]

Minister of Agriculture, Fisheries, Food Security and Nature,

EXPLANATORY NOTES

I. General

1. Introduction

Under the Nitrates Directive, the amount of nitrogen (N) from livestock manure that can be used as fertiliser in agriculture in the Netherlands is limited to 170 kg nitrogen per hectare per year (kg N/ha/year). One of the reasons for this is the fact that part of the nitrogen in animal manure is bound in organic form. This form of nitrogen is slowly converted into ammonium in the soil through the process of mineralisation and then partly into nitrate through nitrification. This means that, especially with crops with a short growing season, there is a risk that these forms of nitrogen only become available after the growing season of a crop in the form of nitrate, which is then lost to the groundwater, therefore contributing to its pollution.

The individual Member States can determine, based on the criteria in the Nitrates Directive, how much nitrogen farmers are allowed to use from sources other than animal manure. In some cases, the nitrogen requirement of a crop for optimal yield is higher than the limit for nitrogen from livestock manure and the total nitrogen use standard for that crop is higher than 170 kg N/ha/year. In practice, this often leads to artificial fertiliser being used to meet further nitrogen requirements.

However, techniques have been developed that make it possible to separate the mineral fraction of nitrogen from animal manure, allowing it to be used in place of artificial fertiliser. In 2020, the Joint Research Centre of the European Commission defined criteria that these nitrogen products must meet for safe use in excess of the use standard for animal manure without additional risk of nitrate losses to groundwater. These products are referred to as Renure (REcovered Nitrogen from manURE).

These criteria are:

(i.) Renure is obtained through a process in which the processing chain for the manure used as an input material includes a physical, chemical or biological process step for the treatment of manure other than only mixing, blending, drying, rewetting, granulation and/or storage, causing the concentration of mineral N, urea-N and/or crystal-bound N (% compared to total N) to increase compared to the input material. The production process results in materials of a consistent quality that meet all other criteria.

(ii.) Renure materials have a mineral N:total N ratio ≥ 90% or a Total Organic Carbon (TOC):total N ratio ≤ 3. This criterion is assessed by correcting for all N derived from concentrated N materials (>3% N, dry matter based) classified as products or by-products and not derived from manure.

(iii.) Renure materials do not exceed the following limit values:

- Copper (Cu): 300 mg kg-1 dry matter; and
- Zinc (Zn): 800 mg kg-1 dry matter.

(iv.) Member States must ensure that the timing and dosage of Renure and other fertilisers are tailored to the nitrogen, phosphorus and potash requirements of crops in order to minimise nutrient leaching and runoff.

(v.) In line with good agro-environmental practices, this especially includes the following:

- Specifying information on the content of N and P_2O_5 in Renure materials for each of these elements if the concentration exceeds 1% of the dry matter, with a maximum deviation of 25% from the actual value, in order to monitor and record the nutrient balance in the field;
- Unless this is impossible, maintaining, as far as possible, a living plant cover on land for most of the year or equivalent measures.

(vi.) Member States must prevent and minimise NH_3 emissions during the use of Renure on the field (by injection, immediate surface application or equivalent measures), especially for Renure fertilisers that have

- > 60% of the N present in forms other than NO_3--N and
- have a pH_{H2O} > 5.5.

(vii.) Member States must prevent and minimise emissions to air resulting from storage through appropriate storage conditions for Renure.

2. Implementation conditions for use of Renure

In April 2024, the European Commission published a proposal to amend the Nitrates Directive on the basis of these criteria and subsequently amended it. On 19 September 2025, the Nitrate Committee issued a positive recommendation on the (amended) proposal. This led to the amendment of Annex III of the Nitrates Directive. This amendment, which entered into force on [PM], makes it possible to use up to 80 kg of nitrogen per hectare of additional nitrogen from several Renure products on an annual basis. These are mineral concentrate obtained from reverse osmosis, ammonium salts from a gas purification or emission control process designed to remove ammonia from gases and struvite from animal manure. These products must meet the criteria formulated by the Joint Research Centre and as included in this regulation.

In addition, the European Commission has laid down a number of conditions that Member States must meet before they may allow the use of Renure in excess of the use standard of 170 kg/ha per year.

These conditions do not require implementation because they have already been implemented in various places in Dutch legislation and regulations. For example, the requirement that both the number of animals and fertiliser production must not increase due to the authorisation to use Renure is fulfilled by the regulation with production rights and manure production ceilings in the Manure and Fertilisers Act and with restrictions included in nature permits.

There is also already an obligation to use Renure in a manner that prevents emissions of nitrogen to the air as much as possible. After all, Renure is a product of animal manure and must therefore, pursuant to Article 4.1199 of the Environmental Activities Decree, be used in a low-emission manner in accordance with one of the methods described in the BAT document on low-emission use, version 1.0.

The proposal also stipulates that good agricultural practices must be followed to limit the loss of nitrogen to water and soil as a result of the use of Renure. Specifically, this refers to keeping the soil covered in winter. This condition is already met in the form of the obligations regarding the use of slurry and other animal manure and in the form of the obligation to grow catch crops prescribed in the Manure and Fertilisers Act and Environmental Activities Decree.

In addition, the use of animal manure and products based on it is a source for the pollution of waters with metals. For example, almost 40% of the water bodies identified by the Water Framework Directive do not comply with the maximum permitted levels of zinc, particularly in rural areas. For this and other reasons, limits are set on copper and zinc contents, both in the Fertilising Product Regulation and in this proposal.

Renure must be provided with the correct labelling, indicating the nitrogen and phosphate content. This obligation has also already been met with the obligations that apply to the transport of animal manure (such as the real-time Animal Manure Transport Certificate).

Finally, the proposal requires that emissions must be limited when storing Renure. In practice, Renure is stored in a storage tank or manure basin. Section 4.86, in particular Article 4.859, of the Environmental Activities Decree sets out rules limiting emissions from the storage of animal manure in a manure basin, thereby also satisfying this requirement.

3. Amendments

This regulation makes it possible to use animal manure that meets the quality requirements for Renure as implemented and included in Annex Af up to a maximum of 80 kg of nitrogen per hectare per year in addition to the 170 kg, provided that the conditions laid down in this regulation in accordance with the Nitrates Directive are met. The use of these products may also be limited by phosphate usage standards, depending on the phosphate content. This section explains in more detail the changes relating to certification, registration, mobile equipment, quality requirements, sampling, analysis, the determination of incoming and outgoing flows in the production of Renure and accountability in the context of manure accounting.

In order to use Renure in excess of the standard of 170 kg of nitrogen per hectare per year, the Renure must be produced by and purchased from a Renure producer registered as such by the minister or from a producer certified by a conformity assessment body (hereinafter referred to as CBI) under a certification scheme designated by the minister. Producers who produce and use Renure at their own farm must also be registered or certified.

Certification

A legal basis is currently under development in the Manure and Fertilisers Act in order to be able to link certification to legal consequences. The intention is that once this basis has been established, all Renure producers will be required to be certified in accordance with this certification scheme. Until then, it is possible to be certified on a voluntary basis, which exempts producers from certain obligations included in this regulation.

At the initiative and under the direction of NCM, this quality system has been developed with private certification, called ‘Renugarantie’. A working group consisting of experts from the Ministry of Agriculture, Fisheries, Food Security and Nature, Netherlands Enterprise Agency, Netherlands Food and Consumer Product Safety Authority, Cumela, LTO Agriculture and Horticulture Association, POV and practitioners (manure processors, livestock farmers) has commissioned KIWA Verin to carry out this task. Participants in this system will benefit from a gradual reduction in sampling frequency (up to monthly sampling instead of bi-weekly) to demonstrate that the product meets the quality requirements.

A producer of Renure becomes a participant in the quality system. This may be a farmer or manure processor. In this case, a livestock farmer may also engage a contractor who has the necessary equipment to produce Renure. Registration takes place with the scheme administrator, the manure sales monitoring organisation Mestafzetcontrole.

To become a participant, the producer must first undergo an admission audit. It should be made clear that a technique is used that can produce Renure that meets the quality requirements. In addition to the production technique, it should also be made clear during the admission audit that Renure is stored separately. After certification, the participant may use a quality label and market the products as Renure or use it personally at their farm. During participation, the participant must carefully monitor and transparently record the volumes produced according to a specific protocol. An independent sampler visits at regular intervals and if necessary, also takes samples unannounced from the final storage facility to verify the composition.

The audits may be carried out by CBIs that can register for this purpose with the scheme operator. Recognition conditions have also been drawn up by the scheme owner for the CBIs.

The scheme owner has an executive board consisting of representatives from LTO Agricultural and Horticultural Association, POV, Cumela, Transport and Logistics Nederland and an independent chairman. The board is advised by a committee of experts. A disputes committee will also be established for situations in which participants want to challenge decisions made by the board. The secretariat of the foundation is jointly run by Cumela and LTO Agricultural and Horticultural Association.

Registration

A producer of Renure who is not certified on the basis of the certification scheme designated by the minister and wants to transport the product to a customer who uses this product in excess of the use standard for animal manure or wants to use it personally in excess of the use standard for

animal manure must submit an application for registration to the minister. In practice, this means that the application must be submitted to the Netherlands Enterprise Agency. If a producer produces multiple Renure products, such as mineral concentrate and ammonium salts, the producer will be registered for multiple products. Each individual product must meet the quality requirements. If mobile equipment is used for the production of Renure, the livestock farmer or intermediary who produces Renure at his or her farm or business must apply for registration.

In this application, the producer provides the details and documents referred to in Article 35b, stating a customer number or Chamber of Commerce business registration number. This data is necessary to be able to keep track of the manure flows and to ensure that the fertiliser produced by a registered producer meets the quality requirements for Renure. Given the importance of this information, Article 35c(3) stipulates that changes to the information provided in the application for registration must be reported to the minister within five working days. The explanatory notes by article further detail the information and documents to be submitted.

Mobile equipment

For the production of Renure, farms and intermediate enterprises can temporarily use mobile equipment. Some agricultural businesses are temporarily provided with the equipment for this purpose and operate it themselves. Other farms choose, for example, to engage a contract worker who, on behalf of the registered producer, processes the animal manure produced or supplied on his or her own farm into Renure using mobile equipment.

If a livestock farmer or intermediary company produces Renure using mobile equipment, he or she must register as a Renure producer. The application for registration, as referred to in Article 35b must be accompanied by a declaration from the supplier of the equipment together with five, or in the case of ammonium salts three, analysis results of samples taken at the time the equipment was first put into operation. The producer will need to request this declaration and analysis results from the supplier of the mobile equipment. In such cases, producers temporarily using mobile equipment are not be required to submit analysis results of Renure samples produced at their business when applying for registration, by way of derogation from the provisions of Article 35b(i). However, the other information required for registration on the basis of Article 35b must be provided.

This article stipulates that agricultural businesses and intermediary companies may temporarily use mobile equipment to produce Renure, provided that the supplier has demonstrated, on the basis of previous analyses, that the unique equipment is capable of producing Renure that meets the quality requirements.

One working day before the mobile equipment is put into operation at the business, the registered producer must provide the Netherlands Enterprise Agency with data on the use of the equipment at the farm and must provide a unique number identifying the equipment and period during which the equipment is at the business. This notification is made each time before the mobile equipment is used at the business.

The registered producer has the Renure produced sampled and analysed for the quality requirements before the first batch of Renure is used or disposed of. Only once that analysis demonstrates that the product meets the quality requirements may Renure be used as such or disposed of.

In reality, it is possible that Renure (ammonium salts) is only used or disposed of several months after production. At the time of application or disposal, the analysis report (date of analysis result) relating to the analysis of mineral nitrogen and total nitrogen or total organic carbon (TOC) and total nitrogen may be no older than 14 days. The analytical report concerning the analysis of copper and zinc may be no older than three months at the time of application or disposal.

Certified producers who want to use mobile equipment must comply with the requirements set out in the certification scheme designated by the minister.

Quality requirements

The Nitrates Directive requires that the production process of Renure results in a fertiliser of consistent quality that meets the quality requirements set out in Annex III to the Nitrates Directive. These requirements are implemented in Annex Af. The quality requirements relate to nutrients, heavy metals and microbiological indicators. In order to ensure that the Renure produced continues to meet these requirements after registration, the Renure producer must periodically sample each individual type of Renure and have it analysed by an accredited laboratory.

To determine whether a product meets the quality requirements of Renure, a representative sample must be taken. Given the need to ensure the representativeness, quality and frequency of sampling with Renure, Appendix Eb contains a sampling protocol with sampling requirements. The laboratory analyses the quality requirements using the methods listed in Annex Ib or a method accredited for Renure products or its own method, in accordance with RVA-T001-NL.

A producer of Renure verifies whether the product continues to meet the quality requirements by regularly having the product analysed for mineral nitrogen (N mineral), total nitrogen (N total) and/or total organic carbon (TOC). The sample is also analysed for copper (Cu) and zinc (Zn).

For each cargo load of Renure transported to a customer who uses this product in excess of the use standard for animal manure, the registered producer must provide a signed and dated declaration in accordance with Article 35h, stating that the product meets the quality requirements. This declaration makes clear to the farmer that the fertiliser purchased meets the quality requirements for Renure and can be used in excess of the use standard for animal manure of 170 kg of nitrogen per hectare per year.

If an analysis of a sample taken reveals that the Renure does not meet the quality requirements, the registered producer must immediately take a new sample. If the analysis of that second sample subsequently shows that the quality requirements are met, this does not need to be reported to the minister and the producer can continue to sell the Renure. However, if the analysis of the second sample also shows that the quality requirements are not met, the producer must report this to the Netherlands Enterprise Agency no later than the following working day and the Netherlands Enterprise Agency will suspend the registration for the type of Renure concerned. From the moment that the analysis of the second sample shows that the Renure does not meet the quality requirements, the producer may no longer provide a declaration, in accordance with Article 35h, for the product in question that does not meet the quality requirements. In addition, the buyer must immediately be informed that the Renure no longer meets the quality requirements, so that the farmer knows that the product supplied may not be used in excess of 170 kg of nitrogen per hectare per year. Even if the producer does not remove the product from the farm, but wants to use it personally in excess of the use standard for animal manure, if, on the basis of analysis, it appears that the product does not comply, the Renure may not be used from that moment on in excess of the standard of 170 kg nitrogen per hectare per year. The producer reports this to the Netherlands Enterprise Agency no later than the following work day, after which the Netherlands Enterprise Agency suspends producer registration.

Companies certified on the basis of a certification scheme designated by the minister are subject to a similar system described in the certification scheme. If the quality requirements are no longer met, the CBI will suspend the certificate. A certified producer does not need to provide a declaration as referred to in Article 35h when disposing of Renure.

Sampling quality requirements

The sampling protocol set out in Annex Eb describes the sampling method and frequency at which the sample must meet quality requirements. It also describes how the sample must be stored and what data must be provided to the laboratory when the sample is transported to the laboratory.

The registered producer has a representative sample taken of the Renure produced. The sample is taken when loading cargo containing Renure from the final storage or from the supply pipe to the final storage. The samples are taken in accordance with the generally applicable sampling principles and analysed by a laboratory that demonstrably complies with the standard NEN-EN-ISO/IEC 17025.

In the case of load sampling, sampling is carried out by a registered intermediary using automatic sampling equipment that meets the requirements set out in Annex E, parts a, b and c, or in the case of solid ammonium salts, a representative sample is taken manually, as described in Annex Eb.

When sampling from the final storage facility or supply pipe to the final storage facility, the sampling is carried out by a registered intermediary using automatic sampling equipment that meets the requirements set out in Annex E, parts a, b and c. The producer may also engage a sampler who takes a representative sample from the manure stream using a hand-operated sampling device.

Different situations are distinguished in the sampling protocol. For example, different rules apply to manure processors and companies that produce Renure in a continuous process and dispose of Renure on a regular basis than to producers who only dispose of Renure at certain times of the year or use it on their own land. This distinction is explained below.

Manure processors and agricultural businesses that produce Renure and dispose of Renure at least once every 14 days must take a sample at least once every 14 days for analysis of mineral nitrogen (N mineral) and total nitrogen (N total) or total organic carbon (TOC) and total nitrogen (N). In addition, the sample is also analysed for copper (Cu) and zinc (Zn) once every three months. The sampling complies with the conditions set out in Annex Eb. For example, if a producer of Renure produces both ammonium salts and mineral concentrate, the above requirements apply to each individual product.

As a result of (long-term) maintenance and other calamities, such as transport bans due to an outbreak of animal diseases, the installation and processing process can come to a standstill for a longer period of time, so that manure is discharged less than once every 14 days. In this case, sampling takes place within five working days after production has been restarted. The producer records the period during which there was a standstill and the reason for the standstill.

Farms in particular use Renure largely on their own land often only a few times a year. A farmer who uses Renure at his or her own farm and disposes of Renure less than once every 14 days must sample and analyse the Renure for quality requirements before one or more loads of Renure are used or transported. This ensures that the Renure demonstrably meets the quality requirements at the time it is used or disposed of.

This means that a farm that wants to use Renure on its agricultural land several times a year (e.g. after each cut of grass), each time before the first load of Renure is used, must demonstrate that the product meets the quality requirements on the basis of an analysis result showing that the analysis is no older than 14 days. In addition, pursuant to Annex Eb, the sample to which the analysis result relates must have been taken in the period prior to use or disposal. For quality requirements relating to copper (Cu) and zinc (Zn), the analysis results may be no more than three months old.

This sample with associated analysis is only valid for determining compliance with the quality requirements and not for the justification of nitrogen and phosphate within the use standards.

Analysis

In order to determine the composition of Renure for purposes of testing it against quality requirements, there are currently no publicly available analysis methods with performance characteristics for Renure. This is because Renure was not defined at the time the methods were developed. Renure may be included in the analysis standards currently being developed by CEN for products covered by the Fertilisers Products Regulation (FPR) 2019/1009. Wageningen Food Safety Research (WFSR) has examined which available methods for analysis of animal manure and other fertilising products would be suitable in the meantime for analysing Renure products. These methods are listed in Annex Ib for the different categories. After validation of these methods for Renure products, these methods, or methods that include at least the same guarantees, can be used as analytical methods and brought under accreditation.

In order to determine whether products such as mineral concentrate, ammonium nitrate and ammonium sulphate or other ammonium salts meet the quality requirements for Renure, a method included in Annex IB for the various categories or a method providing at least equivalent guarantees is used.
If, in the future, European legislation prescribes the use of European harmonised standards or if CEN standards for Renure products are available, these will be incorporated into national fertiliser legislation.

As there are currently no reference methods available for the analysis of Renure, alignment with the existing system of standardised laboratory competences is being pursued. The pre-treatment and analysis of samples must therefore be carried out in accordance with a method listed in Annex IB for the respective categories or in accordance with a method that offers at least equivalent guarantees. In accordance with the policy on standardisation and accreditation, the reliability of these analysis methods is guaranteed by the fact that they may only be used by laboratories that demonstrably comply with the NEN-EN-ISO/IEC 17025 standard.
The intention is to ultimately require that Renure only be analysed in a laboratory that, according to testing/accreditation by the RVA, demonstrably meets the quality requirements and the requirement that the method used is specifically validated for the analysis of Renure.

Volume

In order to ensure that Renure is actually produced and to account for the quantity produced, Article 35d stipulates that the registered producer must measure the quantity of Renure produced and the manure used for this purpose using a flow meter or other equipment for determining volume that complies with the rules laid down in or pursuant to the Metrology Act. The measured volume (cubic metres) is then converted into weight (in tonnes) on the basis of density. The volume data is logged in real time and kept by the producer for at least five years. This monitors both the incoming manure that is processed and the final product. This also applies if mobile equipment is used.

In addition, the installation used to produce Renure must generate a report showing when and for how many hours the installation has been in operation. This information is used by the Netherlands Food and Consumer Product Safety Authority and Netherlands Enterprise Agency for supervision and enforcement purposes.

Accountability

Renure is a product of animal manure and therefore falls under the definition of animal manure. This means that the rules for the transport of animal manure apply and that the transport of Renure is carried out by a registered intermediary with a means of transport with DL equipment and automatic sampling and packaging equipment in the case of liquid Renure. In addition, each shipment of Renure removed from the company or business is weighed, sampled and analysed for purposes of nutrient accountability and reported in rVDM.

Analysis for the determination of nutrients (AP05):

The analysis of Renure to determine nitrogen and phosphate levels is carried out by an accredited laboratory and must take place in accordance with the AP05 method (Annex H of the Urm).

For cargo samples of mineral concentrate, reference is made to the NEN standards for nitrogen (NEN7434 or NEN7437 (in case nitrate is present)) and phosphorus (NEN7435) with the NEN pre-processing standards prescribed therein, as described in Annex H (AP05). These standards are already generally applied in the industry for analysing mineral concentrate.

To determine the total amount of nitrogen in ammonium salts, the ISO 5315 that is already prescribed in the Urm for other inorganic fertilisers can be applied. To determine the total phosphorus content for manure accounting in ammonium salts, NEN7435 may be applied, subject to sufficient dilution if necessary (see Article I(G)).

4. Impact on businesses and government

Business community

Business impact review

The results of the business impact review are described below. It is expected that the proposed rules for Renure will be easy for businesses to implement in practice without the need for additional advice. After all, the quality requirements are in line with the RENUREGARANT certification scheme, which was developed in collaboration with industry stakeholders and the ministry, with a focus on practicality. The proportionality for small businesses is considered good, as it is primarily the producers of Renure – typically manure processors and larger livestock farms – that are responsible for demonstrating compliance with the quality requirements.

The national regulations are in line with European rules that are expected to be introduced shortly. By taking steps in advance, the introduction in the Netherlands can proceed quickly and farmers can already benefit in the upcoming fertilisation season. The European rules contain restrictions for innovation, but the Netherlands does not impose any additional obstacles. No negative consequences are expected for the market, competitive position, employment or working conditions; at most, limited additional employment opportunities may arise in laboratories. Finally, the earning capacity of farmers can be improved because nitrogen from manure can be used more efficiently, which reduces costs for manure disposal and fertiliser.

Summary of agricultural practical test

On Wednesday 5 November 2025, the Ministry of Agriculture, Fisheries, Food Security and Nature discussed the proposed amendment to the Manure and Fertilisers Act Implementing Regulation in connection with Renure with five dairy farmers, pig farmers and manure processors. The business professionals responded positively to this scheme. They look forward to the online consultation on this regulation. However, a number of points have been identified that can be taken into account in the further development of the scheme.

First of all, the business professionals had questions about the sampling of the Renure product. In particular, the sampling of agricultural businesses that produce Renure products personally and partially dispose of them raised questions about the feasibility of the approach. Due to the short-term nature of Renure product purchases, sampling at the proposed frequency is feasible. Business professionals indicate that bi-weekly sampling, as in the case of continuously producing companies, will not be feasible for these professionals due to the cost of sampling. An alternative sampling scheme is still being considered for businesses that only dispose of their Renure product during a certain period of the year. It was also indicated to the professionals present that, as the proposed certification method can offer more customisation in the sampling schedule and voluntary participation in certification is already possible in the upcoming fertilisation season.

In addition, the business professionals expressed a desire to be able to transition to the proposed Renure scheme as soon as possible. They have concerns about a long transitional period between the expiry of the current pilots in relation to Renure and the proposed scheme. During this transition period, production may continue, but the Renure product may not be used in Dutch agriculture. As a result, Renure stocks will increase, leading to full inventory if the transition period lasts longer.

The uncertainty surrounding the effective date of this scheme makes it difficult for professionals to formulate their business plans. They therefore recommend that the procedures involved in this regulation should be reviewed carefully, but as soon as possible.

Livestock farmers and manure processors that produce Renure

In principle, the use of Renure in excess of the use standard for animal manure of 170 kg N/ha/year will provide additional opportunity for farmers to dispose of or use the manure produced. This will enable better utilisation of manure surpluses and, in the long term, will reduce manure disposal costs for all conventional livestock farmers in the Netherlands. This can also save on the costs of purchasing nitrogen fertiliser.

However, companies and business professionals that produce Renure must be registered or certified as producers and meet the requirements for guaranteeing the quality of Renure products. This may include sampling and analysis and the installation of flow meters on the equipment. In addition, there must be sufficient storage capacity for the Renure produced. This change may also mean that farms that currently receive mineral concentrate or ammonium salts from pilot studies and use these fertilisers in excess of the aforementioned use standard for animal manure may require additional storage if these products are now mixed into the regular manure storage facility.

The requirement for certification or registration of producers of Renure is necessary because it ensures that the Renure that is used complies with the quality requirements for Renure. If such certification or registration is not required, users of Renure must demonstrate by means of an analysis that the product meets the quality requirements each time before they can use Renure in excess of the use standard. This is difficult to implement in practice and creates an additional administrative burden for many more businesses.

For production companies that have already participated in pilot studies in which products similar to Renure could be used in excess of the use standard for animal manure, this change may entail additional costs. This is the case if sampling for quality requirements has not been carried out with the currently prescribed regularity in recent years or if there is no flow meter on the equipment used.

There are also costs associated with participating in certification. The explanatory memorandum to the [2]*legislative proposal amending the Manure and Fertilisers Act in connection with the introduction of certification* contains an overall cost indication estimated by Mestafzetcontrole (scheme owner) and Kiwa Verin. Depending on the number of participants and type of certification scheme, the expected annual costs per company for certification by a CBI are between €1,500 and €3,000 and payment to the scheme holder is between €100 and €750.

Buyers

The customer must be able to trust that the Renure purchased meets the quality requirements. After all, if the buyer receives Renure that does not meet the criteria, this counts towards the use standard for animal manure. Certification ensures that the quality requirements are met. Until the certification bill is passed, temporary registration will be permitted. The declaration issued by a registered producer or presence of a certificate in the case of certification shows the buyer that the product complies with the quality requirements for Renure.

4.1 Regulatory burden

One-off costs

This amendment has consequences for the regulatory burden. This has been calculated by the Netherlands Enterprise Agency based on the prescribed government-wide methodology (standard cost model from the regulatory burden costs handbook). The scope depends on the number of businesses that produce and purchase Renure. Discussions with sector representatives show this number is estimated to be between 100 and 2,500 businesses in the long term. In this calculation, the middle of this range has been chosen and therefore assumed to have a value of 1,200. Within this number of businesses, it is assumed that there are 200 manure processing companies and

[2] https://www.internetconsultatie.nl/meststoffenwet/b1

1,000 agricultural companies that both produce and use Renure. In addition, a range is indicated depending on the number of producers. It is difficult to estimate how many businesses will only purchase Renure – this depends on the production and other costs in relation to the price of artificial fertiliser. The calculation is therefore based on 1,000 businesses that only purchase Renure and do not produce it.

Producers

This regulation entails an administrative burden for Renure producers in particular. Producers will need to familiarise themselves with these regulations. For this, a half hour at an hourly rate of €37 is expected, which means that the total cost for all producers will be €22,200. The application for registration with the Netherlands Enterprise Agency is also assumed to be half an hour because the data cannot be filled in completely in advance by the Netherlands Enterprise Agency. This will, in principle, result in a further €22,200 in regulatory costs.

In addition, the provision of information about the equipment at the time of registration is expected to take ten minutes, as does any notification of changes and notification of the use of a mobile device. This brings the costs to a further €6 twice for 1,200 business professionals (farmers and manure processors) and €6 once for a maximum of 1,000 farmers, if all producing farmers were to rent mobile equipment. This results in €20,128 in regulatory burden.

Prior to registration and certification, samples must be taken: once on the copper and zinc contents. This costs a maximum of five times €40 and once €200, bringing the total cost to €400. This brings the cost to €480,000 with 1,200 producing businesses.

This regulation stipulates that Renure must not be mixed with other fertilisers in storage. Some manure processors will need to arrange for new storage facilities for this purpose. For storage facilities up to 2,500 cubic metres and 750 square metres, notification is sufficient, while larger storage facilities require a permit application. It is not known how much it will cost to rent temporary storage or to construct a storage facility. This also depends on the choices made and has therefore not been included in the calculation. The calculation of the regulatory burden assumes that most processors already have a storage facility, therefore half of the 200 businesses were included in the permit application for a new storage facility. The time required for a permit application is estimated to be half a day (four hours at €37 per hour). A further indication of the turnaround time has too many dependencies, which means it has not been taken into account either. The regulatory burden costs therefore come to €14,800 for manure processors.

Farmers who produce and use their own energy may also need to invest in new storage facilities. Because farmers who also produce Renure must sample before manure spreading, they are likely to opt for temporary storage, such as a manure bag or container. This will require notification to the competent authority. The cost of renting such products is not known. Most farmers who already process manure currently have all these separate storage facilities. Half of this group has therefore been included in the calculation for the new rent surcharge. The standard time for reporting is ten minutes. As a result, the regulatory burden costs for this group come to €3,083. In this calculation, it is assumed that buyers will use the Renure directly. Any storage costs have therefore not been included for this group.

There are also substantive compliance costs. In particular, the purchase and installation of a flow meter (or similar product) may entail costs if it was not already present at the production facility. The price of a flow meter can vary between several hundred and a few thousand euros. This calculation is based on €1,500 for purchase and installation. These costs may be lower if the equipment was already present at some businesses or installations. As all 1,200 producing companies have to comply with this requirement, the burden comes to €1,800,000.

Buyers

For buyers, this regulation provides little additional regulatory burden, as Renure can be supplied in accordance with the existing infrastructure and regulations for the supply of animal fertilisers. However, they will need to familiarise themselves with these regulations. With an expected half hour per buyer at an hourly rate of €37 and 1,000 buyers, the burden comes to €18,500.

One-off costs

Action	P*Q	N businesses	Total costs	Range (€)
Producer familiarisation with regulations 30 m	€37 x 0.5	1,200 (100-2,500)	€22,200	1,850-46,250
Buyer familiarisation with regulations 30 m	€37 x €0.5	1,000	€18,500	
Registration with Netherlands Enterprise Agency	€37 x 0.5	1,200 (100-2,500)	€22,200	1,850-46,250
Equipment data 10 m	€37 x 0.166667	1,200 (100-2,500)	€7,400	617-15,417
Notification of changes	€37 x 0.166667	1,200 (100-2,500)	€7,400	617-15,417
Reporting mobile device usage	€37 x 0.166667	1,000 (100-2,500)	€6,167	617-15,417
Sampling prior to registration	€400 x 1	1,200 (100-2,500)	€480,000	40,000-1,000,000
Purchase of flow meter	€1,500 x 1	1,200 (0-2,500)	€1,800,000	0-3,750,000
Permit application for storage	€37 x 4	100	€14,800	
Notification of storage	€37 x 0.166667	500	€3,083	

Structural costs

Producers

From a structural point of view, sampling and analysis for quality requirements must be carried out approximately 26 times per year (once every two weeks), with the exception of copper and zinc content, if there is continuous discharge. This will almost exclusively be the case for the 200 large manure processing companies. Assuming that this costs €40 each time, the costs for this group will amount to €208,000 per year.

The analysis of copper and zinc levels must be carried out for all 1,200 producers a maximum of four times per year. The cost is estimated at €200 per sample. Again, this creates a burden for this group of up to €960,000.

For the 1,000 agricultural businesses that produce for part of the year and use part of their production on their own farms, it is assumed that Renure is used a maximum of five times a year on grassland and once on farmland. This results in a regulatory burden of €240,000 for regular sampling at €40 per sample.

If analysis results do not meet the quality requirements, this must be reported to the Netherlands Enterprise Agency. The expectation based on the results from previous pilots is that this will rarely occur. Consequently, one session of 10 minutes per year is assumed. The total regulatory burden for this therefore comes to €6.

The producer provides the buyer with a declaration for each cargo load, stating that the product complies with the requirements. This is based on the assumption that this will be included in an automated process. Consequently, the reporting time (10 minutes) has been maintained. The resulting regulatory burden comes to €7,400. If the product does not meet the requirements, this must be reported to the buyers. In accordance with the previous assumption that this occurs only once a year, this produces a regulatory burden of €6 with a duration of 10 minutes.

Buyers

Buyers will have to archive the producer's declaration indicating that the Renure product meets the quality requirements. The ten minutes allocated for this at an hourly rate of €37 for 1,000 buyers results in a total of €6,167.

All users (including the producing companies) will have to adapt their fertilisation plan and indicate how Renure is used. For the preparation of a fertilisation plan, the standard time that the preparation of a fertilisation plan takes, namely 50 minutes, is assumed. This brings the burden to a maximum of 2,000 (total number of users, i.e. producing farmers and buyers) times 30.8 (hourly rate of €37), totalling €61,667.

Structural costs

Action	P*Q	N businesses	Total costs	Range (€)
Sampling at regular manure processors	€40 x 26	200	€208,000	
Sampling at regular producing livestock farmers	€40 x 6	1,000 (100-2,500)	€240,000	24,000-600,000
Sampling of copper and zinc	€200 x 4	1,200 (100-2,500)	€960,000	80,000-2,000,000
Reporting non-compliance to Netherlands Enterprise Agency	€37 x 0.166667	1	€6	
Providing compliance declaration	€37 x 0.166667	1,200 (100-2,500)	€7,400	617-15,417
Reporting non-compliance to buyers	€37 x 0.166667	1	€6	
Archiving of declaration	€37 x 0.166667	1,000	€6,167	
Adjusting fertilisation plan	€37 x 0.833333	2,000	€61,667	

The regulatory burden arising from this regulation may decrease if producers are required to be certified in the long term. For example, it is no longer necessary to issue a declaration stating that the product meets the quality requirements. For producers who already choose to be certified, the regulatory burden resulting from this scheme is already lower. The assumption has been made that in the first year alone, the 20 participants in the pilot mineral concentrate will be certified.

A farmer or intermediary business professional who wishes to become certified must submit an application to a CBI and notify the Netherlands Enterprise Agency. The annual administrative burden is estimated at €37 per company, based on the assumption that the certification application takes one hour, taking into account an hourly rate of €37. The associated costs would then amount to €740.

In addition, the company must set aside time for the accreditation audit and periodic audits. The one-off compliance costs for this are estimated at €74 and the annual compliance costs at €19 per business. It is estimated that the accreditation audit will take two hours and a periodic audit 30 minutes, based on an hourly rate of €37. It is estimated that in the first year, approximately 20 fertiliser processors will be certified and the total administrative burden is estimated at €2,600.

Business that are certified do not have to issue a declaration on transport nor do they have to report if their product does not appear to meet the quality requirements. As a result, the regulatory burden for this group may decrease by €120.

The total regulatory burden for the group that is being certified will therefore be €3,220.

All these effects together bring the increase in the regulatory burden due to this scheme to €2,381,750 in one-off costs and €1,484,046 in structural costs, totalling €3,865,796.

The final opinion of the Advisory Committee on Regulatory Burden (ATR) regarding this proposal will be determined after the recommendations have been taken into account. In response to the draft regulations, the committee advises providing further justification as to why Renure must be recorded separately when used.

One reason for this is that all nitrogen-containing fertilisers count towards the nitrogen use standard, which makes it important to keep track of every form of nitrogen used by a farmer. In addition, the total nitrogen use standards may be higher or lower than the use standard for nitrogen from animal manure. It is therefore important to have an idea of how much Renure has been used by a farmer. This makes it possible to assess whether a farmer has complied with the use standards.

Government effects

3.2 Implementation and enforcement

This amendment makes it possible for Renure to be used in excess of the existing limit of 170 kg N/ha/year from animal manure. A maximum of 80 kg N/ha/year applies, provided that these products comply with the quality requirements laid down by the Joint Research Centre and that the Renure is produced using a designated technique. The aim is to utilise mineral nitrogen from animal manure as an alternative to artificial fertiliser without any additional risk of nitrate losses to groundwater.

The consequences of this regulation for implementation and enforcement have been assessed. The implementation and administrative enforcement are the responsibility of the Netherlands Enterprise Agency (RVO), while the Netherlands Food and Consumer Product Safety Authority (NVWA) is responsible for enforcement and physical supervision. Both are involved in the creation of these regulations and have conducted an implementation and enforceability assessment (hereinafter: UHT) was performed. The UHT was drawn up on the basis of the draft amendment to the Manure and Fertilisers Act Implementing Regulation submitted for consultation on 10 December 2025.

The responses provided by the Netherlands Enterprise Agency and Netherlands Food and Consumer Product Safety Authority in the UHT have led to additions and clarifications to parts of the legislative proposal and the explanatory memorandum.

3.2.1 ***Feasibility and enforceability assessment by the Netherlands Enterprise Agency***

The Netherlands Enterprise Agency expects the Urm change to be feasible if it is guaranteed that the concerns identified in this UHT are complied with and laboratories are ready to sample for the quality requirements. The Netherlands Enterprise Agency points out, however, that the enforcement risks associated with Netherlands Enterprise Agency registration of producers are greater than those associated with private certification (hereinafter: Renugarant). Registration with the Netherlands Enterprise Agency is explicitly a less robust assurance option, mainly because Renugarant conducts periodic laboratory analyses of quality characteristics and physical audits at the producers' premises. These safeguards and checks are not carried out when producers register with the Netherlands Enterprise Agency.

Based on the draft order, the Netherlands Enterprise Agency has some questions and issues recommendations on the enforceability and feasibility of implementing Renure.

The recommendations are discussed briefly below:

The Netherlands Enterprise Agency indicates in the UHT that it considers it desirable to require as soon as possible (by 1 January 2027 at the latest) that producers’ production of Renure be guaranteed on the basis of a certification scheme, as this ensures strict and continuous quality of the products by means of physical audits and continuous monitoring of the analyses of the quality requirements. In addition, they indicate that the mere failure to obtain analytical data relating to the quality requirements poses risks with regard to enforceability.

The Netherlands Enterprise Agency strongly advises explicitly including in legislation and regulations that the minister is authorised to order the CBI to withdraw a certificate if the requirements of the Msw are not met. This point is supported by the Netherlands Food and Consumer Product Safety Authority.
This recommendation has not been adopted because within the certification system, the authority to issue and withdraw a certificate always lies with the conformity assessment organisation (CBI). The certification scheme will specify in which cases and when a CBI will suspend or revoke a certificate.
The Netherlands Food and Consumer Product Safety Authority remains authorised to supervise Renure producers within the certification system and a CBI must take its findings into account. Once a basis for certification has been included in the Manure and Fertilisers Act, the minister (Netherlands Enterprise Agency and Netherlands Food and Consumer Product Safety Authority) may, if it appears that the CBI is wrongfully granting certificates or wrongfully failing to revoke a certificate, call the CBI to account and, if the CBI fails to act, suspend or revoke the CBI's designation. The CBI may then no longer issue certificates.
The risk of the CBIs wrongfully issuing certificates or wrongfully failing to revoke a certificate is therefore very low. In addition, there is close contact with the scheme holder about the content of the certification scheme and the sanctions policy in the scheme.

In order to ensure the expertise, independence and objectivity of the assessment of the analysis results against the quality requirements, the Netherlands Enterprise Agency advises laboratories to provide a clear analysis report with a final conclusion, so it can quickly determine whether the results of the analysis are satisfactory. This is also desirable for the producer receiving the periodic analysis.
The regulation sets out the minimum information that must appear in the analysis report. Laboratories have indicated that they were not in favour of assessing the analysis results. However, the analysis report must clearly state the levels and the parameters to be assessed. The options for this will be examined in consultation with the laboratories.

The Netherlands Enterprise Agency indicates that producers who are farmers and do not transport manure from their farm do not have lab analyses that can be used to account for Renure. Analyses for the quality requirements cannot be used for accountability. A sample requirement is also missing here for the outgoing flow. The Netherlands Enterprise Agency recommends tightening the regulations in this regard. In addition, the Netherlands Enterprise Agency advises using an independent sampler mandatory for Renure sampling of Renure in the future.
The regulation includes requirements for determining the nutrients in the manure processed into Renure (incoming manure). In addition, Renure producers are required to keep records of how much nitrogen they use in the form of sulphuric acid. The aim is to eventually make independent sampling mandatory when sampling Renure.

The Netherlands Enterprise Agency also had a number of comments that are mainly legal in nature. These recommendations have been incorporated as much as possible in this regulation and clarified in the explanatory memorandum. These include a definition of Renure, regulations for the use of mobile equipment and administrative requirements.

3.2.2 ***NVWA feasibility and enforceability assessment***

PM

[PM: UHT RVO and NVWA]

5. Consultation

An online consultation on the draft regulation[3] took place from 11 November to 8 December 2025. The consultation resulted in several dozen responses. These responses come from farmers, contractors, social organisations and industry stakeholders. All consultation responses were

[3] https://internetconsultatie.nl/renure/b1

weighted and assessed, leading to additions and clarifications to the regulation and explanatory notes. The amendments mainly concern sampling and analysis, administration and registration, calculation of use standards, pathogen requirements and mobile equipment. The responses are discussed below by the topic.

General response

Some respondents asked questions about the desirability of allowing the use of Renure. There are concerns that the manure surplus will be maintained and water quality will not improve. There are also concerns about possible negative effects on water quality and Natura 2000 areas. In addition, there is a risk of a lock-in of intensive livestock farming and manure processing capacity, as well as concerns about vulnerability to fraud and verifiability.

Enabling the use of Renure in excess of the standard use level for animal manure is not aimed at improving water quality. This is because, among other things, the measures included in the action programmes for the Nitrates Directive are intended for this purpose. The purpose of the use of Renure is primarily to reduce dependence on fossil (artificial) fertilisers. The aforementioned report from the Joint Research Centre also gives the criteria that Renure products must meet in order not to pose an additional risk to water quality. These criteria are the starting point for the adaptation of the Nitrates Directive and of this regulation. Effects on water quality are therefore not expected. As regards susceptibility to fraud and verifiability, reference is made to the Implementation and Enforcement Tests (UHTs) of the Netherlands Enterprise Agency and the Netherlands Food and Consumer Product Safety Authority (Section 4.2).

A number of responses related to the definition of Renure. In the draft regulation, Renure was defined as a *nitrogen-containing fertiliser obtained from animal manure or from digestate in which animal manure has been used and which meets the quality requirements for Renure.* Since digestate in which animal manure has been used for the fermentation process is automatically considered to be animal manure due to the definition of animal manure in Section 1 of the Manure and Fertilisers Act, the designation of digestate has been removed.

Sampling, analysis and quantity determination

Many responses concerned questions about the necessity of the frequency with which sampling must be carried out in relation to the quality requirements, including for the registration of an installation. The responses did not result in any amendments. For businesses for which the sampling frequency is perceived to be too high, there is the possibility to participate in certification. In a designated certification scheme, the sampling frequency may be lower or the sampling frequency may be lower if it is demonstrated that the Renure continues to meet the quality requirements.

The question was also raised as to what would happen if the sample taken for the purpose of analysing quality requirements is lost. In that case, the Renure producer must immediately take a new sample for the quality requirements if he or she wants to use or sell the product.

Some responses concerned a situation in which a contracting worker produces Renure on the premises of a livestock farmer. Questions included who should provide the business address and cadastral designation of the location. The regulations apply to a registered producer. This is the cattle farmer or the intermediary at whose farm or company the Renure is produced and therefore, in this case, not the wage worker who produces the Renure on behalf of the cattle farmer or intermediary. The contractor only provides a service to the registered producer. If a registered producer has multiple production locations for the same type of Renure, there may be multiple addresses. Article 35b(2)(b) has been amended accordingly.

One of the respondents indicated that mobile manure processors store Renure in suitable IBC containers. This is permitted.

Mobile manure processors record the quality of the Renure during the filling of these IBC containers on site. In many cases, the Renure remains the property of the livestock farmer, who adds the production to his of her manure records. In such cases, the production date may be more than three months earlier than the date on which the Renure is used. One respondent states that as long as

the IBC container is not opened, the composition remains the same. The respondent was therefore asked to provide a seal to avoid the need to re-sample the Renure per IBC. For now, this is not included in the scheme. It is not known whether the composition of Renure remains the same. However, the possibilities outlined will be investigated further.

One respondent requested in Article 35b(2) that ‘capacity per hour’ be changed to ‘capacity per day’ because this would provide a more accurate picture in the long term. However, it is common in the implementation to request the capacity per hour. The request therefore did not lead to an amendment. With regard to this paragraph, it was also noted that the retention period for these logs is not included in the text of the regulation. However, the logs are part of records and a retention period has been set for this in Article 34(2) of the Manure and Fertilisers Act Implementation Decree.

One respondent indicated that they would like to see the option to request a reanalysis added if the sample does not meet the requirements. With a re-analysis, combined with the possibility of resampling, the analysis period would be very long. This option is therefore not yet included in the scheme.

In addition to a volume determination as now prescribed in Article 35d, it was also requested to allow mass determination (for example by means of a weighing cell or flow meter). Flow meters are common and determine mass/time unit, so the conversion via density is no longer necessary. This is already permitted on the basis of the draft regulation, also by means of the conversion of volume and mass on the basis of specific gravity. This reaction did not lead to any amendments.

It has also been clarified that the 24 hour-period referred to in Article 35e(9), applies from the moment the analysis result is determined. It is therefore not the moment from receipt of the sample by the laboratory. With regard to the previous Article 35f, it was noted that when using Renure personally, a longer analysis period than 14 days would be justified. Having a sample analysed would often have taken longer than 14 days. A deadline of at least 30 days has been proposed. This has not been included. The regulation stipulates a period of 15 days for the analysis and there is no evidence that this is unfeasible for the laboratories. Some respondents stated that, whereas in Article 35l, cubic meters were previously requested, tonnes would be a more common unit to express quantity. This has been amended.

There appeared to be some confusion about who was responsible for taking the sample for analysis of the quality requirements. A producer is responsible for taking the sample at the time of entry into force of the regulation, by which the intention is to require independent sampling in the future.

One respondent indicated that sampling during unloading would be preferable and that this would provide a better guarantee of representativeness. The regulation has not been adapted to this because it is first necessary to explore the impact of this on the means of transport for the existing sampling equipment. In addition, a Renure producer also has the option of taking the sample from the final storage facility or via the supply line to the final storage facility. The functioning of the scheme for implementation in the sector and in public administration will be monitored, also paying attention to the representativeness and independence of sampling.

Some of the responses referred to the limit of 80 kilogrammes of nitrogen per hectare per year originating from Renure products, which may be applied in addition to the use standard for animal manure. In addition, it has been indicated on several occasions that production techniques other than those included in the regulations are or may become available. Questions have also been asked about the added value of the requirements for pathogens in Renure products.

The increase of no more than 80 kilogrammes of nitrogen per hectare and the permitted techniques included in the draft regulation are part of the adaptation of the Nitrates Directive, which makes it possible to use Renure in excess of the use standard for livestock manure. The Netherlands can therefore not allow different technologies or higher standards. As regards analyses for pathogens, the scheme does not require analyses to be carried out on the quantities of pathogens in all cases. The pathogen requirement only applies to products with more than 1% organic carbon and ammonium sulphate and nitrate do not contain organic carbon.

In addition, based on the results of the mineral concentrate pilot, it can be stated at this time that mineral concentrate from reverse osmosis normally contains less than 1% organic carbon. No analysis of the percentage of organic carbon and pathogens in these products is therefore expected for now. However, this does not mean that these products do not contain pathogens. In addition, improvements to the efficiency of reverse osmosis installations, which are used to produce mineral concentrate, may lead to an increase in the percentage of organic carbon in the future. In the coming period, the levels of organic carbon in mineral concentrate will therefore be monitored, which may mean that in the long term, a producer will have to be able to provide analysis reports of pathogenic levels.

If a hygienisation process[4] approved by the Netherlands Food and Consumer Product Safety Authority has preceded the production process of mineral concentrate, it can be expected that the pathogens in the material have been sufficiently killed. In that case, it is not necessary to carry out an analysis of the quantity of pathogens.

To determine the input of nitrogen from animal manure into the production facility, it is included that the flat-rate mineral levels in Annex I of the Manure and Fertilisers Act Implementing Regulation may be used or a sample may be taken for analysis by an accredited laboratory accredited under the accreditation programme in Annex H of the Manure and Fertilisers Act Implementing Regulation (AP05).

Other comments regarding Appendix Af relate to, among other things, what exactly is meant by mineral nitrogen. This concerns ammonium, nitrate and nitrite, as also indicated in Chapter 8 of the JRC report.

It was not clear from the legislation when (and/or for which products) the requirement for mineral nitrogen and total nitrogen applies and when TOC and total nitrogen apply, so it is not clear when which analyses must be carried out. However, the producer can make a choice. Both options are therefore always permitted.

One respondent noted that there is no standard for determining mineral nitrogen in ammonium salts. The Joint Research Centre and WFSR have indicated that there is no method available that has been validated for this matrix. The respondent argues that a producer cannot therefore demonstrate that its effluent contains >90% mineral nitrogen. The producer will then have to rely on the TOC/TN ratio, but it is still unclear whether Dutch laboratories will implement the TOC method. A standard for mineral nitrogen in ammonium salts would therefore be necessary. Chapter 8 of the Joint Research Centre report states that the amount of mineral nitrogen can also be determined by subtracting the amount of organic nitrogen from the total amount of nitrogen. Laboratories can develop and/or use their own method for this purpose.

The Renure product struvite does not appear in the table. No methods could be found for this product that would be sufficient for analysing struvite. Laboratories are free to develop a method for this.

One respondent argued that allowing individual methods for analysing Renure products creates an uneven playing field if there is no guarantee that all accredited laboratories use the same method. However, there are no standardised analytical methods for which the performance characteristics for Renure are known. Until these are known, there is no option other than to allow the use of an own method.

Discussions with laboratories and responses to the consultation have shown that the deadline for obtaining the required accreditations would not be feasible. For the time being, it will therefore not yet be necessary for laboratories carrying out the analyses of quality requirements to be accredited for these activities. It is sufficient if a laboratory demonstrably complies with ISO/IEC 17025.

In practice, there will be margins of uncertainty in the results of the analytical methods used. There is therefore a risk that a sample will be unfairly rejected. The possibility to carry out a resampling will remove a large part of this margin of error. For this reason, only analysis reports are accepted

[4] https://www.nvwa.nl/onderwerpen/mest/mestverwerking-en-hygienisatie#:~:text=aanwezig%20in%20Nederland.-,Wat%20is%20verwerkte%20mest%3F,voor%20mest%20die%20gehygi%C3%ABniseerd%20is.

in which the reported ratio between mineral and total nitrogen is actually 90% or the ratio of organic carbon to total nitrogen is less than three.

Some respondents indicated that more ammonium salts can be produced than only ammonium sulphate and ammonium nitrate. Because this is expected to be a limited quantity for the time being, one additional manure code for other ammonium salts has been included.

6. Notification

[PM]

7. Entry into force

In view of the desire for the present amendment to the Urm to enter into force as soon as possible, both the date of entry into force and implementation period deviate from government policy on fixed dates for changes, as set out in Section 4.17 of the Instructions for the regulation. The derogation is justified because rapid entry into force will enable farmers to use Renure as soon as possible after the start of the fertilisation season, thereby reducing pressure on the manure market as quickly as possible with the help of Renure.

II. Explanatory notes by article

Article I

Part A

Part A amends Article 1(1). A number of definitions have been added to this first paragraph.

The definition of Renure states that Renure is produced from animal manure. This may also be digestate resulting from mono-fermentation or co-fermentation of at least 50% of animal manure with a co-material listed in Annex Aa, part IV of the Urm.

Part B

A new section has been added with part B. This section replaces the section relating to the mineral concentrate pilot project. This section expired by operation of law on 1 January 2026. The new section contains rules on Renure in Articles 35a to 35n.

Article 35a

Article 35a sets out rules on the use of Renure.Renure is a product of animal manure and falls under the definition of animal manure in Article 1(1)(c) of the Manure and Fertilisers Act. This is also in line with the Nitrates Directive, in which livestock manure is defined as ‘excrements of livestock or a mixture of litter and excrements of livestock, as well as products thereof’. Under the Nitrates Directive and Article 9(1) of the Manure and Fertilisers Act, animal manure may be used up to a maximum of 170 kg of nitrogen per hectare per year. However, the second paragraph offers the possibility, naturally only insofar as the applicable EU framework allows, to set a higher use standard by ministerial regulation and under conditions laid down in that regulation. Article 35a implements this for Renure. If a product derived from animal manure meets the quality requirements for Renure set out in Annex Af for the implementation of Annex III to the Nitrates Directive, it is permitted to use that product up to a maximum of 80 kg of nitrogen per hectare per year in addition to the 170 kg. The quality requirements set out in Appendix Af are taken directly from the quality requirements for Renure set out in Appendix III of the Nitrates Directive.

In addition to the obligation that the Renure meet the quality requirements for Renure set out in Annex Af, an additional requirement is that the Renure must have been purchased from a producer of Renure that has been registered as such by the minister. In order to be and remain registered, the producer must regularly sample the Renure produced and have it analysed for the quality requirements by an accredited laboratory. If the analysis shows that these quality requirements are not met, the registration will be suspended or cancelled and the producer will not be allowed to issue a declaration stating that the Renure meets the quality requirements. This ensures that the farmer uses Renure, which actually complies with the requirements. Instead of registration, the producer may also opt for certification. Renure may also be used up to 80 kg of nitrogen per hectare per year if the producer of the Renure is certified through a certification scheme designated by the minister.

Renure that does not meet the quality requirements is livestock manure and may be used in principle, but does not fall within the 80 kg nitrogen per hectare per year that may be used in addition to the 170 kg.

The extension of the use standard for animal manure for the use of Renure provided for in this article in excess of the use standard referred to in Article 9(1) of the act does not, of course, affect the fact that the nitrogen use standard for fertilisers referred to in Article 8(b) of the act continues to apply and may not be exceeded with the use of Renure.

Article 35b

Article 35b stipulates that a producer may submit an application for registration to the minister. In doing so, the producer must provide the information and documents referred to in the second paragraph of Article 35b. This data is necessary to be able to keep track of the manure flows and to ensure that the fertiliser produced by a registered producer meets the quality requirements for Renure.

Part c stipulates that the applicant must provide information about the location where Renure is stored. In the case of a farm, the unique holding number(s) (UBN) must generally be indicated. If the product is not stored at the UBN location itself, the cadastral indication of the location must be indicated. In the case of an intermediary business, the storage number must be indicated, in addition to the address of the site.

Part h stipulates that the applicant must provide information on the inventory of Renure produced at the time of the registration application expressed in tonnes and in kilogrammes of nitrogen, differentiated according to the type of Renure. This concerns Renure that was already produced

before the entry into force of this regulation and date of registration. On registration, the producer must demonstrate by analysis that this manure meets the quality requirements.

Part i stipulates that for registration as a producer of ammonium salts, the three most recent consecutive analytical results of samples of ammonium salts produced with equipment referred to in Article 35b(2)(k) must be submitted. Of the three samples, one sample is analysed for copper (Cu) and Zinc (Zn), in addition to an analysis for N mineral, N total or total organic carbon (TOC). For registration as a producer for mineral concentrate, it is not the analytical results of three consecutive samples, but five consecutive samples that must be submitted.
The samples must be taken at regular intervals over a period of 14 days, with at least one day between each sample. These analytical results may be no older than six months and must relate to samples taken in accordance with the sampling protocol set out in Annex Eb. It is further specified that the samples may not be taken from the supply pipe to the final storage facility. The reason for this is that it is necessary for the Renure produced for the application for registration to be involved in the analysis. With sampling from the supply line to the storage facility, this cannot be guaranteed.

Mineral concentrate involves continuous production of large volumes and significant disposal of mineral concentrate. The proportional sampling of different batches over a period of two weeks contributes to the representativeness of sampling for testing for quality requirements. Ammonium salts are often produced at a farm and concern small volumes, which means that fewer samples are needed. All analysis results must meet the quality requirements. This means that when one of the test results from the series three or five fails, three or five consecutive samples must be taken again.

In part j, proof of delivery of the equipment is requested. Some examples of proof of delivery would be a confirmation of delivery to the producer by the supplier. Such proof is necessary to ensure that registration applies only to producers who are actually able to produce Renure. It is possible that at the time this regulation comes into force, the equipment has been at the producer’s premises for some time and no delivery confirmation can be provided. In such cases, the producer is free to demonstrate in another way (e.g. by means of photographs) that the equipment is actually present at the producer's premises.

Under section k, the applicant must submit a description of the installation showing that it is used for the production of mineral concentrate, ammonium salts or struvite. This may include documentation from the supplier of the equipment describing the operation of the installation.

Part l stipulates that the application include a description of the production process and the individual treatment steps for each type of Renure. If, for example, there is a process in which the manure is first separated into a thick and a thin fraction, after which the thin fraction is further processed into Renure, then both the manure separation process and the production of Renure must be described separately.

A description of the types of manure to be processed, as referred to in part m, may include the added co-materials if there is fermentation or other additives such as acids used in the production of ammonium salts or other additives.

Finally, under section n, the application must include a description of the end products of the production process for each type of Renure. This includes the effluent that does not meet the quality requirements for Renure, thick and thin fraction and the Renure itself.

The fourth paragraph of Article 35b contains a special provision for mobile equipment that is only used temporarily. It is also possible that a farmer rents a Renure production device from a mobile equipment supplier for a short period of time to produce a certain amount of Renure from the manure in storage. In such cases, it is difficult to require the results of the analysis of three or five samples each time the equipment is used by a different producer before the farmer can be registered as a producer. A mobile installation may not be available long enough for this. The fourth paragraph therefore states that it is sufficient for the supplier of the mobile device to issue a declaration containing the analyses of five or in the case of ammonium salts three, consecutive samples in which those samples must have been taken in accordance with Annex Eb. If these

analyses show that the device produces a fertiliser that meets the quality requirements for Renure, this is sufficient and the analyses do not need to be carried out for every farmer who wishes to register (once) as a producer. This would create an unnecessary administrative burden and unnecessarily delay the registration (and therefore the production of Renure by a farmer). However, when applying for registration, it must, of course, be clear that the analyses relate to the equipment used at the location of the producer applying for registration. In the event of analysis by a laboratory, the unique identification number of the device must be provided and the statement must indicate that the analyses relate to that device. If it is not clear from the declaration that the analyses relate to the Renure produced by the mobile device temporarily in use by the producer, the requirement of the second paragraph, part i, will have to be complied with for registration, which means that the producer must submit the three or five analysis reports together with the application.

Article 35c

Article 35c(1) lays down the conditions under which the minister will register the producer. The conditions set out in this article are cumulative: the producer must comply with all the conditions before the minister proceeds to register the producer.

Renure can be produced in a commercial building, but this is not necessary. Also mobile installations are also available for the production of Renure. In this case, the producer is registered as such if the installation is located on a site belonging to the company or business of the Renure producer. This requirement has been included in the regulations because it ensures that the producer has control over the installation and therefore has a say in the production process and manure that is processed.

Only after receiving the registration decision may the producer transport the Renure to a buyer who uses this product in excess of the use standard for animal manure or uses it personally in excess of the use standard for animal manure.

It is possible that a producer produces several types of Renure (ammonium salts, mineral concentrate or struvite). The second paragraph therefore stipulates that registration is required for each type of Renure. This also means that the suspension or deletion of registration only concerns the non-compliant product and registration as a producer for the other products is maintained in principle.

For the monitoring of Renure production and use, it is important that the minister is informed about changes to the registered data in a timely manner. The third paragraph therefore stipulates that a producer is required to inform the minister within five working days of any changes to the registered data.

The fifth paragraph stipulates that the minister will suspend the registration if the sampling of the Renure produced shows that it does not meet the quality requirements. Given the importance to farmers that the Renure purchased from producers meets the quality requirements, this paragraph is worded in an imperative manner: failure to meet the quality requirements will always result in suspension of registration. A producer whose registration has been suspended may no longer issue a declaration as referred to in Article 35h during the suspension. The suspension will be lifted if the producer presents the results of the analysis of at least two consecutive samples showing that the Renure produced once again meets the requirements.

Pursuant to the sixth paragraph, the minister has the authority (not the obligation) to delete registration in the cases referred to therein. Part a authorises the minister to cancel the registration if the producer no longer complies with the applicable provisions in this section. This may include cases in which the producer no longer has full control over the production process. Part b refers to the cancellation of registration in the event that the producer has been suspended because analyses of the fertiliser produced show that it does not meet the quality requirements and the producer does not submit new analyses within three months showing that it does meet the requirements. This may mean that the producer is unable to meet the quality requirements during production. The sixth paragraph is not written in imperative terms, which authorises the minister to offer a producer a longer deadline to submit new analyses in special circumstances. The minister

will, of course, also cancel the registration if the producer so requests. Finally, the minister can cancel the registration if the producer has provided incorrect information during registration and the minister would not have registered the producer if the correct information had been provided. This may include cases where a producer has not provided the successive analytical results referred to in Article 35b(2)(i).

Article 35d

For proper monitoring of manure flows, it is important to record how much animal manure has been used for the production of Renure and how much Renure has been produced. Article 35d therefore stipulates that equipment must be installed to measure the volume of manure used and the volume of Renure produced. This equipment (flow meters) must comply with the provisions of or pursuant to the Metrology Act to ensure that the equipment indicates the correct quantities. With the registration of the incoming and outgoing flows, it is possible to check whether animal manure actually passes through the installation, that there is actual production of Renure and how much Renure is produced. In addition, the use of an hour meter shows that the equipment has actually been in operation.

Article 35e
Article 35e lays down rules for sampling and analysis of Renure for purposes of verifying compliance with the quality requirements. Renure is an animal fertiliser and should therefore be analysed for nitrogen and phosphate levels. However, this article does not expressly refer to this. The first paragraph therefore states that the provisions of Article 35e apply only for purposes of determining whether the Renure produced meets the quality requirements for Renure. The second paragraph specifies how a sample of Renure is to be taken. Furthermore, it is not yet mandatory to use an independent sampler. The samples are analysed by an accredited laboratory. The prescribed sampling and analysis method has already been explained in the general section of these explanatory notes.

If the analysis of a sample taken shows that the Renure does not meet the quality requirements, the producer must take a new sample within one working day. The producer must then send that sample to a laboratory for analysis within two working days. If the analysis of that second sample also shows that the quality requirements are not met, the producer is obliged to report this to the minister no later than the next working day after receipt of the analytical results. The minister will then suspend registration of the producer. From the moment the analysis of the second sample shows that the Renure does not meet the quality requirements, the producer may no longer provide declarations as referred to in Article 35h, even if the registration has not yet been suspended. If the sample showing that the Renure does not meet the quality requirements has been taken from a cargo load, the producer must inform not only the minister, but also the buyer of the load no later than the next working day following receipt of the analysis results. This prevents the buyer from using fertiliser that does not meet the quality requirements for Renure in excess of 170 kg of nitrogen per hectare per year.

The seventh paragraph stipulates that it is not permitted to use composite samples in the analysis of Renure. The reason for this is that a mixed sample shows less visibility as to whether the quality requirements are met. In addition, it is not possible to determine the exact composition of the mineral contents using a composite sample with sufficient accuracy.

The ninth and tenth paragraphs contain deadlines for the delivery and analysis of the manure samples. These periods are shorter in some respects than the period specified in Article 81 of the Urm. The reason for this is that it is important that it becomes clear as soon as possible whether the Renure meets the quality requirements. After all, the registered producer can sell Renure with a declaration of compliance with a quality requirements during the period of analysis. The certificate may no longer be issued if both the first sample and second sample show that the quality requirements are not met.

Article 35f

Producers who do not dispose of Renure at least once every 14 days are not required to sample the Renure produced once every 14 days. In order to prevent Renure from being used or disposed of

that has not been recently analysed, Article 35f stipulates that Renure may only be used or disposed of if an analysis report that is no older than 14 days at the time of use or disposal shows that the quality requirements for Renure are met. A different period applies to copper and zinc contents. The analytical report showing that the levels (CU and Zn) remain within the standards prescribed in Annex Ib may be no older than three months.

Article 35g

Article 81(5 and 6) stipulates that if an accredited laboratory is unable to determine the phosphate or nitrogen content of a sample of animal manure because the sample has been damaged during transport by the transporter or sampling organisation or after receipt by the laboratory, the nitrogen and phosphate content is determined on the basis of the fixed nitrogen and phosphate contents as specified in Annex I. This does not apply to samples taken from Renure. Article 35g stipulates that in such cases, the levels in Renure are determined on the basis of the moving average nitrogen and phosphate levels. This involves examining the average nitrogen and phosphate content of the farm or business based on the eight most recent consecutive analysis results relating to phosphate and nitrogen. If this is the case, the transporter reports the moving average nitrogen and phosphate content in rVDM, in addition to comment code 50. The reason for examining the average nitrogen and phosphate content rather than the fixed contents is because no fixed values are known yet for Renure and previous studies have shown that the measured nitrogen and phosphate contents in Renure vary per company and production process.

Article 35h

A farmer who wants to use Renure benefits from clarity as to whether the Renure purchased meets the quality requirements. That is why Article 35h stipulates that a registered producer must enclose a signed and dated declaration with the Renure delivered, stating that the Renure delivered meets the quality requirements for Renure. In practice, this means that every shipment of Renure delivered to a Renure customer must be accompanied by a signed and dated declaration stating that the Renure delivered meets the quality requirements for Renure.

Section 4 lays down rules for the production and marketing of Renure and records to be kept by the producer and farmer. In some cases, the producer of Renure is also a farmer. The rules for producers of Renure therefore also apply to the farmer. If the farmer does not produce Renure for sale but for use at his or her own farm, it does not make sense to require the producer to provide a signed declaration to the farmer and to include that declaration in his or her records. The last sentence of Article 35h(1) therefore states that the obligation to provide a declaration does not apply in this case.

The second paragraph stipulates that a producer whose registration has been suspended or deleted does not provide the declaration referred to here (e.g. in a situation as referred to in Article 35e if the analysis of samples taken shows that the fertiliser does not meet the quality requirements for Renure). In addition, it follows from the first paragraph that the declaration will also not be issued during the period in which it is known that the fertiliser does not meet the quality requirements for Renure, but the minister has not yet suspended the producer.

Article 35i

The declaration that Renure meets the quality requirements must be present when Renure is transported and the animal manure code listed in Annex I for the relevant type of Renure must be stated on the animal manure transport document. These fertiliser codes may only be used if the fertiliser being transported meets the quality requirements for Renure. Renure is a product of animal manure and therefore falls under the definition of animal manure. This also means that unless otherwise provided, all rules applicable to the transport of animal manure also apply to the transport of Renure.

Article 35j
It is not permitted to mix different types of Renure during transport or storage. The reason for this is that mixing makes it impossible to maintain an overview of the manure flows. Renure that has been mixed is not considered to be Renure for the purposes of Chapter 3, Section 4. This means first and foremost that it cannot be used in excess of 170 kilogrammes of animal manure per hectare per year. Furthermore, the mixed Renure cannot be transported with one of the manure codes for Renure and the producer may not issue a statement declaring that the manure supplied is Renure. Incidentally, the regulation does not prevent the same type of Renure from being mixed when transporting from two storage facilities at the same business.

Article 35j provides for transport and storage of Renure. The article does not prevent Renure from being mixed with other fertilisers during application.

Users of Renure should be aware that in some cases, it is not without risk to mix Renure with other fertilisers. For example, mixing ammonium sulphate with slurry can lead to the formation of hydrogen sulphide (H_2S). This manure gas can be deadly.

Article 35k
The requirement set out in Article 35k is only relevant for producers with an intermediate business. Under Article 14 of the Manure and Fertilisers Act, the accountability of intermediate businesses extends to the quantities of phosphate contained in the animal fertilisers imported and disposed of at the business. As it is necessary to have insight into the supply and removal of both phosphate and nitrogen, which are present in Renure, Article 35k stipulates that accountability for supply and transport at a company also relates to the amount of nitrogen in the fertilisers.

Article 35l

Article 35l stipulates what the producer of Renure must include in its records in all cases. This information is in addition to the information that a supplier of animal fertilisers is already required to include in its records under the Manure and Fertilisers Act. Renure is a form of animal manure, as referred to in the Manure and Fertilisers Act. This means that the obligations relating to animal manure that apply to a supplier of animal manure (such as sampling and recording of nutrient levels) also apply to Renure.

If a producer uses mobile equipment to produce Renure, the producer includes in its records documents showing that the mobile equipment was actually located at the registered producer's business or company and for how long. This is stipulated in the second paragraph of Article 35l. The regulation does not prescribe which documents must be present in the records. Some examples here would be a lease agreement or proof of delivery of the equipment to the company or business.

Part d of the first paragraph stipulates that the amount of livestock manure, expressed in kilogrammes of nitrogen, used in the production of Renure must be kept in the records. The quantity of nitrogen can be determined by the producer in two ways, as stated in the third paragraph. The choice of method is up to the producer. The amount of nitrogen may be determined by analysing a sample of the animal manure used by an approved laboratory or by using the fixed mineral content referred to in Annex I to the Urm.

Part e of the first paragraph stipulates that registered producers and their records shall include the quantity of nitrogen supplied in nitric acid expressed in kilogrammes. This only applies if the registered producer has used nitric acid for the production of Renure. This data is necessary for determining the amount of nitrogen from the nitric acid in the Renure during the manufacture of ammonium sulphate because the nitrogen originating from the nitric acid does not count towards the use standard for animal manure, but only towards the use standard for nitrogen.

The data referred to in Article 35l must be kept by the producer for at least five years in accordance with Article 39 of the Manure and Fertilisers Act Implementation Decree. In addition, pursuant to Article 35 of the Manure and Fertilisers Act Implementation Decree (if the producer is a farmer) or pursuant to Article 40 of the Manure and Fertilisers Act Implementation Decree (if the producer is an intermediary), the minister has the authority to require the producer to provide the information on request. The minister may use this information to monitor compliance with the provisions of this regulation.

Article 35m

A farmer is also subject to obligations with respect to his or her records, in addition to the administrative obligations that apply to the use of animal fertilisers. These obligations are set out in Article 35m. The farmer must keep records of the quantity of Renure used, expressed in tonnes and in kilogrammes of nitrogen and phosphate, and the area and location of the plots of farm on which Renure is used or incorporated into the soil. The farmer must also include in his or her records the producer's declaration referred to in Article 35h. That obligation does not, of course, apply if the producer is not obliged to issue a declaration. This is the case if the farmer is also the producer of the Renure or the farmer has purchased the Renure from a certified producer.

Article 34 of the Manure and Fertilisers Act Implementation Decree stipulates that farmers must retain the data in their records for at least five years.

Article 35n

Article 35a states that Renure in excess of the use standard referred to in Article 9(1) of the Manure and Fertilisers Act may be used if the Renure has been produced by a registered producer or by a producer holding the Renure certificate. Article 35n lays down rules relating to that certification. Firstly, the first paragraph stipulates that the minister designates the certification schedule on the basis of which the Renure certificate may be issued. A certification scheme is only designated if it provides sufficient guarantees to waive the obligation to register. Due to the safeguards provided by the certification system, there is a justified confidence that the Renure meets the quality requirements. However, it is important to know which producers have a certificate and which businesses have had their certificates suspended or withdrawn, as different rules apply to these producers. The second paragraph therefore stipulates that the CBI that issues the certificate must report this to the minister.

In view of the safeguards contained in the certification scheme and their verification by the CBIs, a number of provisions in this regulation do not apply to holders of the Renure certificate. Those provisions are included in the fourth paragraph.

Part C

As with filtrate and thick fraction after manure separation, it is undesirable for Renure to be transported in customised shipments without weighing and sampling. Part C therefore stipulates, by means of an amendment to Article 69i, that Articles 48, 48b and 49 of the Manure and Fertilisers Act Implementation Decree and Articles 56, 57, 58 and 59(1) of the Manure and Fertilisers Act Implementing Regulation continue to apply in full to Renure.

Part D

Part D contains the addition of Annex Af to the regulation. This annex contains the quality requirements for Renure. These quality requirements are in accordance with the quality requirements set for Renure in the Nitrates Directive.

Part E

The Nitrates Directive stipulates that an equivalent factor of 1 for artificial fertiliser must be applied for Renure. Part E has therefore been added to Appendix B, stating that the coefficient of performance for Renure is 100 for every application.

Parts F, G, and I

Parts F, G and I contain technical regulations on Renure sampling and analysis. For a further explanation, see the general explanatory notes.

Part H

Part H amends Annex I. A table with manure codes for Renure has been added to that Annex. As is also evident from the description of the manure, these codes may only be used if the Renure referred to meets the quality requirements for Renure.

Part J

Finally, part J contains an amendment to Annex M. Several rule violations and the corresponding fines have been added to that annex.

Article II

Article II concerns transitional law. The first paragraph refers to situations in which a producer was already producing Renure before this regulation came into force. The Renure produced prior to the entry into force of this regulation may be used and sold in accordance with the provisions of Article I of this regulation if the Renure meets the quality requirements and the producer of the Renure is registered as such or holds the Renure certificate. This means that producers who do not hold a Renure certificate must register and have the Renure already produced sampled and analysed in accordance with Annex Eb to ensure that it meets the quality requirements. If the quality requirements are met, the Renure as such may be sold with a declaration. Fertilisers that, according to the analysis, do not meet the quality requirements may, provided that the legal marketing requirements are met, be used within the use standard for animal manure referred to in Article 9(1) of the act.

It is possible that at the time of entry into force of this regulation, farmers already have a stock of Renure without a declaration from the producer being present and before the registration obligation applies. After all, there are farmers who already produce Renure personally and in addition, producers of Renure do not have to issue a declaration until the entry into force of this regulation that the fertiliser supplied meets the quality requirements for Renure. The Renure present may be used as animal manure within the area of use for animal manure referred to in Article 9(1) of the act. The second paragraph stipulates that the farmer may use the Renure up to a maximum of 80 kg nitrogen per hectare per calendar year in excess of the use standard referred to above if the fertiliser has been sampled in accordance with Annex Eb and the analysis of that sample shows that the fertiliser meets the quality requirements for Renure. In that case, the farmer must record the results of the analysis of the sample.

The mineral concentrate pilot project has been running for quite some time. Farmers who have registered with the minister and purchase mineral concentrate from a designated producer may use the mineral concentrate in excess of the use standard for animal manure referred to in Article 9(1) of the act. The pilot programme will end on 1 January 2026. As this mineral concentrate is expected to meet the quality requirements for Renure, the third paragraph stipulates, as a transitional measure, that these farmers may continue to use the mineral concentrate still present at their farms up to a maximum of 80 kg N/ha per year.

Minister of Agriculture, Fisheries, Food Security and Nature,

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