



## **End of waste criteria – JRC draft final report**

### **EFAR Position**

### **August 2008**

**EFAR** read with great interest the draft report **JRC / IPTS** on the end of waste criteria and makes the following remarks about the content of the document on methodology aspects' and its application in to the compost case.

#### **Chapter I – Methodology**

The chapter seems to us complete and detailed. It incorporates the requirements included the latest version of the Waste Framework Directive.

We support the definition of the end of waste criteria mentioned page 15.

#### **Chapter II - Compost case study**

**EFAR** is in disagreement with the content of this chapter which is not in accordance with the methodology that was developed in Chapter I. This is more to a market study remaining fairly general and a review of regulations in different member states that an impact assessment to identify objectively the relevance of end of waste criteria for the compost.

The impacts on the environment and health are not quantified and socio-economic issues are not sufficiently developed.

The opinion of **CSTEE** (p 66) should lead the authors to propose that a risk assessment study of the different compost uses is highly needed to help to set the limits.

On the proposals made on the set of criteria to be adopted (Section 2.3.4), we believe that it is necessary to either declare all the feedstock, or any of them. We cannot accept that sludge and animal by-products are subject to special prescription.

We also disagree with the proposal to limit the levels of undesirable elements on inputs to half those of the final product. Due to level of these values one cannot talk about dilution !

The limits proposed in Annex 2-12 are unacceptable because there is no justification for their relevance except their consistency with the eco-label values and with the most stringent regulations in Europe.

It is surprising that the compliance with the eco-label conditions (table 8) is only studied for Germany, which produces roughly 20% of the quantities of compost in Europe.

Regarding the socio-economic impacts we ask for an exhaustive comparison of the proposed limit values with those of compost produced in the different member states but also with those of fertilizer and animal waste. An assessment of distortions of competition that could occur due to the adoption of heterogeneous limit values between composts and other fertilizers must also be carried out.

We note here that Council Regulation (EEC) No 2092/91 on organic production set the threshold for cadmium in phosphate fertiliser to 90 mg per kg of P205. In the same regulation the flow of copper brought by pesticides are limited to 6 kg/ha/year which in term of compost at 100 mg/kg/DS (as proposed) represent about 120 tonnes of raw product per hectare and per year.

We therefore believe that setting too stringent limit values is likely to disrupt existing and well established markets (like sludge compost in France, Italy and Spain among others) but also discredits the limits permitted for certain products.

The possibility to establish specific limits for different types of compost uses as growing media or as organic amendment must also be considered.

**EFAR** remains available to the **JRC** to provide data and to contribute to the debate aimed at establishing criteria for end of waste in accordance with the spirit of the Waste Framework Directive and with the preservation of the interests of the various parties involved in the agronomical recovery of the composts.