

To the European Commission - DG GROW, Fertilisers Unit

Brussels, 19th April 2026

Object: FAQ clarification processed biowastes in CMC14 (pyrolysis materials).

Dear Fertilisers Team

Following questions from operators wishing to place recycled nutrient materials on the market, we request that clarification be included into the FPR FAQ concerning the following:

Assuming that

- *biowaste is classified as ABP Cat3*
- *there is to date no ABP End-Point defined for pyrolysis processes.*

Question A:

Point 1(d) of CMC14 specifies that biowaste can be used as an input for CMC14 pyrolysis materials. Point 4 of CMC14 appears to suggest that, where not listed in point 1, ABPs (Cats 2 and 3) can be used for CMC14 if there is a defined ABP End-Point.

- In that biowaste IS listed in point 1, does this mean that an ABP End-Point is NOT required for biowaste to be used as input to CMC14 (subject to respecting CMC14 conditions) ?

Question B:

Point 1 of CMC14 specifies that input materials listed in points 1(a) to 1(e) can be used as inputs after various processing, in particular composting and anaerobic digestion. It is not specified that the composting or AD process must respect the conditions of CMC3 or CMC5. Regulation 2023/1605 defines ABP End-Points for composts and digestates in art. 3 (b) and (c)

- Does this mean that a compost or digestate, produced from biowaste or other Cat2 or Cat 3 ABPs under the conditions set out in 142/2011, can be used as input to CMC14 ?
 - despite that 2023/1605 wording “*reached the end point as organic fertilisers and soil improvers*” appears to suggest that the End-Point is applicable for direct use in a fertilising product, not for re-processing to manufacture a fertilising product component (e.g. by pyrolysis),
 - despite that the wording of 1069/2009 art. 32 “*Organic fertilisers and soil improvers may be placed on the market and used provided ...*” does not mention reprocessing, only sale and use as such.
- If compost or digestate from biowaste (etc) can thus be used, is this irrespective of whether the composting or digestion process respects the criteria of CMC 3 or 5 ?

Question C:

If various biological wastes including Cat 2-3 ABPs (e.g. biowaste) are pyrolysed, and then the resulting biochar is used as input to a CMC3 compost, where the composting process both respects the CMC3 criteria and the relevant 142/2011 processing conditions:

- Can this compost be CE-Mark (if respecting CMC3 and relevant PFC, labelling and certification criteria), on the basis that the pyrolysed mixture including ABPs is a “derived product” as per CMC3 point 1-b (ABP derived products referred to in 1069/2009 art. 32) ?
 - despite the wording of 1069/2009 art. 32 which appears to cover direct use as such, not reprocessing

We hope that it will be possible to clarify these points in the FAQ and we remain at your disposition for any further information on these questions.

Yours sincerely

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