
STATUTORY INSTRUMENTS

2008 No. 2349

The Nitrate Pollution Prevention Regulations 2008

PART 6

Closed periods for spreading nitrogen fertiliser

Meaning of “organic manure with high readily available nitrogen”

24. In this Part “organic manure with high readily available nitrogen” means organic manure in which more than 30 per cent of the total nitrogen content is available to the crop at the time of spreading.

Closed periods for spreading organic manure with high readily available nitrogen

25. No person may spread organic manure with high readily available nitrogen on land during the following dates, all inclusive (“the closed period”)—

The closed period

Soil type	Grassland	Tillage land
<i>Sandy or shallow soil</i>	<i>1st September to 31st December</i>	<i>1st August to 31st December</i>
All other soils	15th October to 15th January	1st October to 15th January

Exemptions: crops sown before 15th September

26. Spreading organic manure with high readily available nitrogen on tillage land with sandy or shallow soil is permitted between 1st August and 15th September inclusive provided that the crop is sown on or before 15th September.

Exemptions for organic holdings

27. An occupier of a holding registered as an organic producer with a body registered with the Advisory Committee on Organic Standards⁽¹⁾ may spread organic manure with high readily available nitrogen at any time on—

- (a) crops listed in the table in Schedule 3 (permitted crops for the closed period), or
- (b) other crops in accordance with written advice from a person who is a member of the Fertiliser Advisers Certification and Training Scheme⁽²⁾,

provided that each hectare on which organic manure is spread does not receive more than 150kg total nitrogen between the start of the closed period and the end of February.

(1) The Advisory Committee on Organic Standards is a non-executive, non departmental public body that approves organic inspection bodies.

(2) The scheme is administered by Basis Registration Ltd, and a list of qualified persons is available from them on request at <http://www.basis-reg.com/contact.aspx>.

Restrictions following the closed period

28. From the end of the closed period until the end of February—

- (a) the maximum amount of slurry that may be spread at any one time is 50 cubic metres per hectare and the maximum amount of poultry manure that may be spread at any one time is 8 tonnes per hectare; and
- (b) there must be at least three weeks between each spreading.

Times in which spreading manufactured nitrogen fertiliser is prohibited

29.—(1) No person may spread manufactured nitrogen fertiliser on land during the following periods (all dates inclusive)—

- (a) in the case of grassland, from 15th September to 15th January, or
- (b) in the case of tillage land, from 1st September to 15th January.

(2) Spreading fertiliser during these periods is permitted on the crops specified in the Table in Schedule 3, provided that the maximum rate in column 2 is not exceeded.

(3) Spreading during those periods on crops not in Schedule 3 is permitted on the basis of written advice from a person who is a member of the Fertiliser Advisers Certification and Training Scheme.

Defence

30. In any proceedings for any breach of a provision in this Part relating to organic manure, it is a defence for the defendant to prove that—

- (a) the breach took place before 1st January 2012, and
- (b) the holding did not have the storage facilities for organic manure required by Part 7 at the time of the breach.