
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the [Sludge \(Use in Agriculture\) Regulations 1989 \(S.I. 1989/ 1263\)](#) (“the principal Regulations”), which were made in order to implement Council Directive No. [86/278/EEC](#) (OJ No. L181/6), concerning the protection of the environment and, in particular, of the soil, when sewage sludge is used in agriculture.

Regulation 2(2) secures that the principal Regulations apply in all cases covered by Council Directive No. [86/278/EEC](#). It removes the exception provided in regulation 1(2) of the principal Regulations for sludge deposited on land in accordance with the Collection and Disposal of Waste Regulations 1988 (S.I. [1988/819](#)) made under Part I of the Control of Pollution Act 1974. Regulations 2(3) and 2(4) amend regulations 4(2) and 5 of the principal Regulations so as to make it clear that they only apply to agricultural land. Regulation 2(6) amends regulation 8 of the principal Regulations so as to make it clear that the prohibitions on growing commercial food crops in regulation 8(3) and on selling or offering for sale any crop grown on an agricultural unit which is part of a dedicated site, only apply where the concentration of certain metals in the soil exceeds the permitted concentration, as set out in the soil table in Schedule 2 to the principal Regulations.