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WELSH STATUTORY INSTRUMENTS

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**2008 No. 3143**

**The Nitrate Pollution Prevention (Wales) 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” (“*tail organig gyda chyfraddau uchel o nitrogen sydd ar gael yn rhwydd*”) 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**

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

**Exemptions: crops sown before 15 September**

26. Spreading organic manure with high readily available nitrogen on tillage land with sandy or shallow soil is permitted between 1 August and 15 September inclusive provided that the crop is sown on or before 15 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 150 kg total nitrogen between the start of the closed period and the end of February.

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(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 or at their website, [www.basis-reg.com](http://www.basis-reg.com).

### **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 15 September to 15 January, or
- (b) in the case of tillage land, from 1 September to 15 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 1 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.