

# ***New Regulation on Fertilising Products***

***Bronislava Škarbová***

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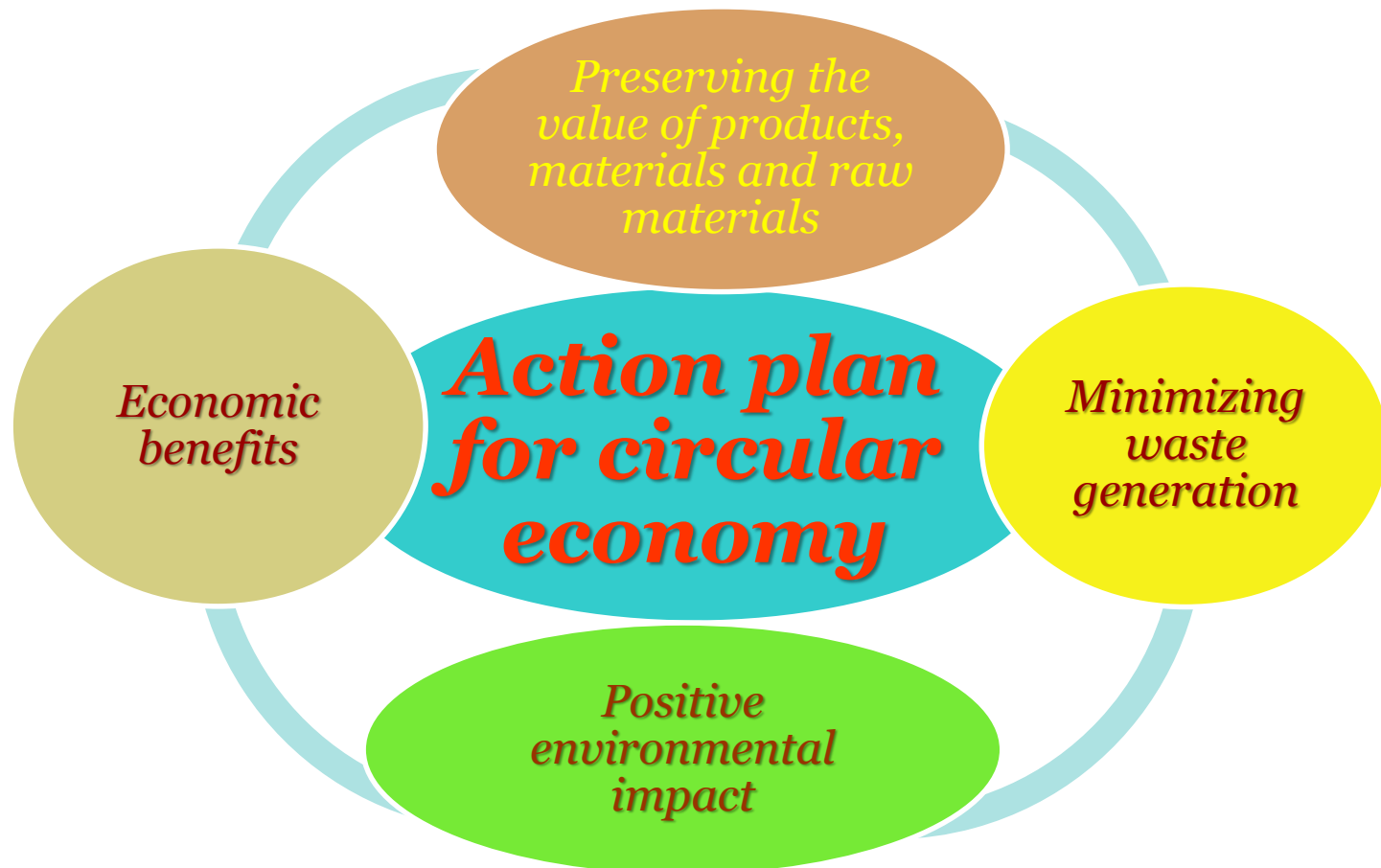
# ***DRAFT of NEW REGULATION***

**REGULATION OF THE EUROPEAN  
*PARLIAMENT AND OF THE COUNCIL***

**laying down rules on the making available on the  
market of EU fertilising products and amending  
Regulations (EC) No 1069/2009 and (EC) No  
1107/2009**



# *Action plan for circular economy*



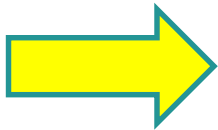
# *History and Process*

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October – November 2015

EC submitted Road map for public consultation



March 2016

EC submitted the draft of the Regulation  
Council and EP



April 2016

Scrutiny at the EP the Council

# *Council*

## **Working Party for Technical Harmonisation**

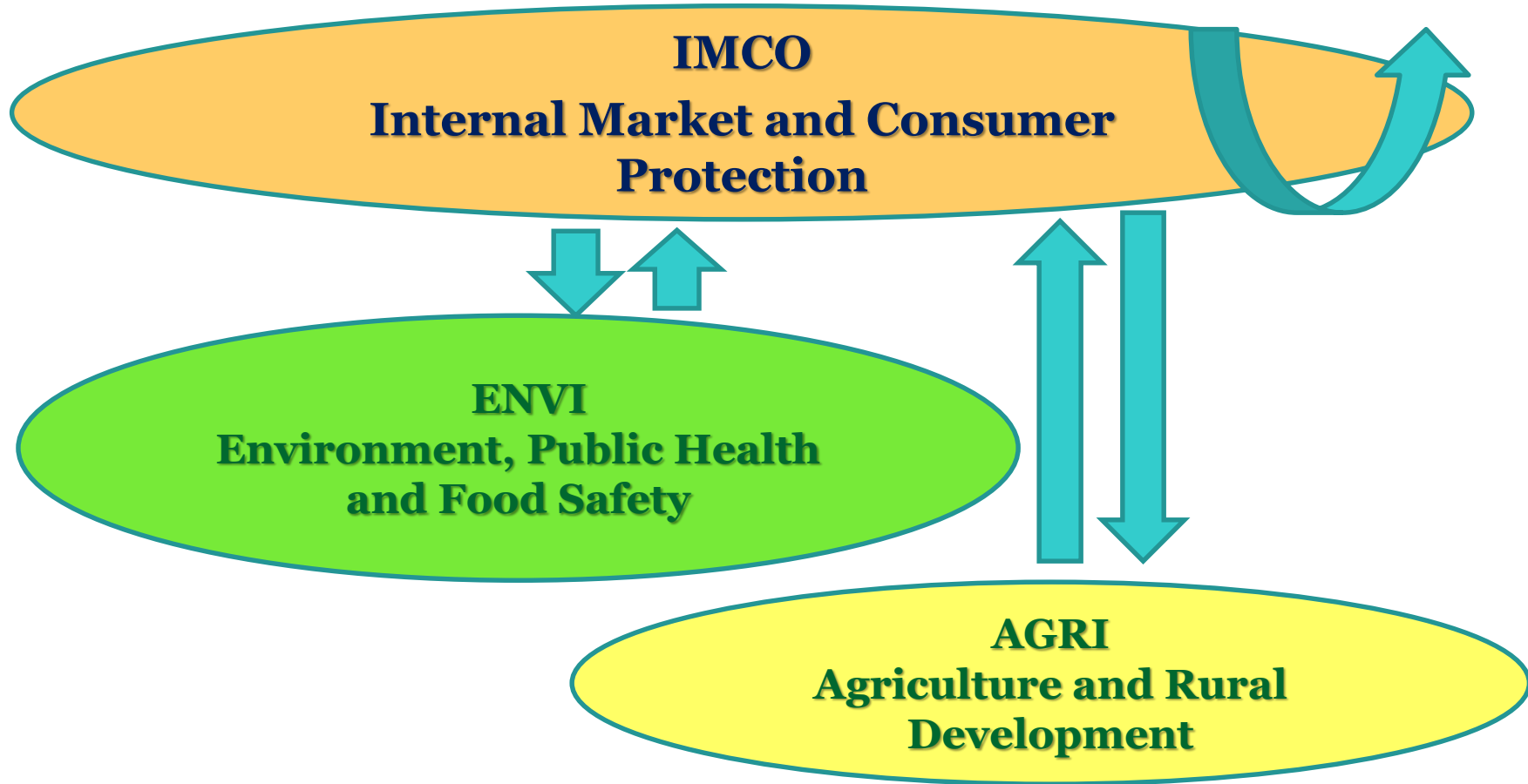
**April 2016  
NL PRES**

**July – December 2016  
SK PRES**

**January – June 2017  
MT PRES**

**July – December 2017  
EE PRES**

# *European Parliament*



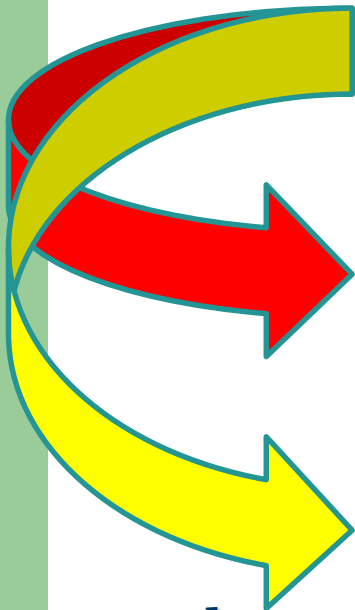
# *Regulation 2003/2003*

exclusively covers fertilisers from mined or chemically produced, inorganic materials

need to make use of recycled or organic materials for fertilising purposes



The scope of the harmonisation should therefore be extended in order to include recycled and organic materials.



# ***Old/new Regulation – optional harmonisation***



**Regulation (EC) No 2003/2003 does not prevent non-harmonised fertilisers from being made available on the internal market in accordance with national law**



**this possibility should remain**

**Compliance with harmonised rules should remain optional, and should be required only for products which are CE marked when made available on the market**

**(EU market if requirements of this Regulation are met)**



**This Regulation should not apply to products which are not CE marked when are made available on the national market (national market if national legal requirements are met)**





# *Old/new Regulation – scope*



## **Regulation (EC) No 2003/2003**

This Regulation shall apply to products which are placed on the market as **fertilisers designated "EC fertiliser"**.

Fertiliser" means material, the main function of which is to provide nutrients for plants.



## **New Regulation**

This Regulation shall apply to **EU fertilising products**.

**EU fertilising product** means a fertilising product which is CE marked when made available on the market

# *Structure of new Regulation*

***Preamble + Articles  
7 Chapters***

- 1. General provisions**
- 2. Obligations of economic operators**
- 3. Conformity of EU fertilising products**
- 4. Notification of conformity assessment bodies**
- 5. Union market surveillance control of EU FP....Union safeguard procedure**
- 6. Committee and delegated acts**
- 7. Transitional and final provisions**

***Annexes ( I- IV)***

- I. Product Function Categories (PFC)**
- II. Component Material Categories (CMC)**
- III. Labelling requirements**
- IV. Conformity assessment Procedure**

# *Definition (s)*



## **Fertilising product**

means a substance, mixture, microorganism or any other material, applied or intended to be applied on plants or their rhizosphere or on mushrooms or their mycosphere, or intended to constitute the rhizosphere or mycosphere, either on its own or mixed with another material, for the purpose of providing the plants or mushrooms with nutrient or improving their nutrition efficiency



## **CE marking**

means a marking by which the manufacturer indicates that the fertilising product is in conformity with the applicable requirements set out in Union harmonisation legislation providing for its affixing

# *Products Function Categories*



1. Fertiliser

Organic fertiliser  
Organo-mineral fertiliser  
Inorganic fertiliser



2. Liming material



3. Soil improver



6. Biostimulants



4. Growing medium

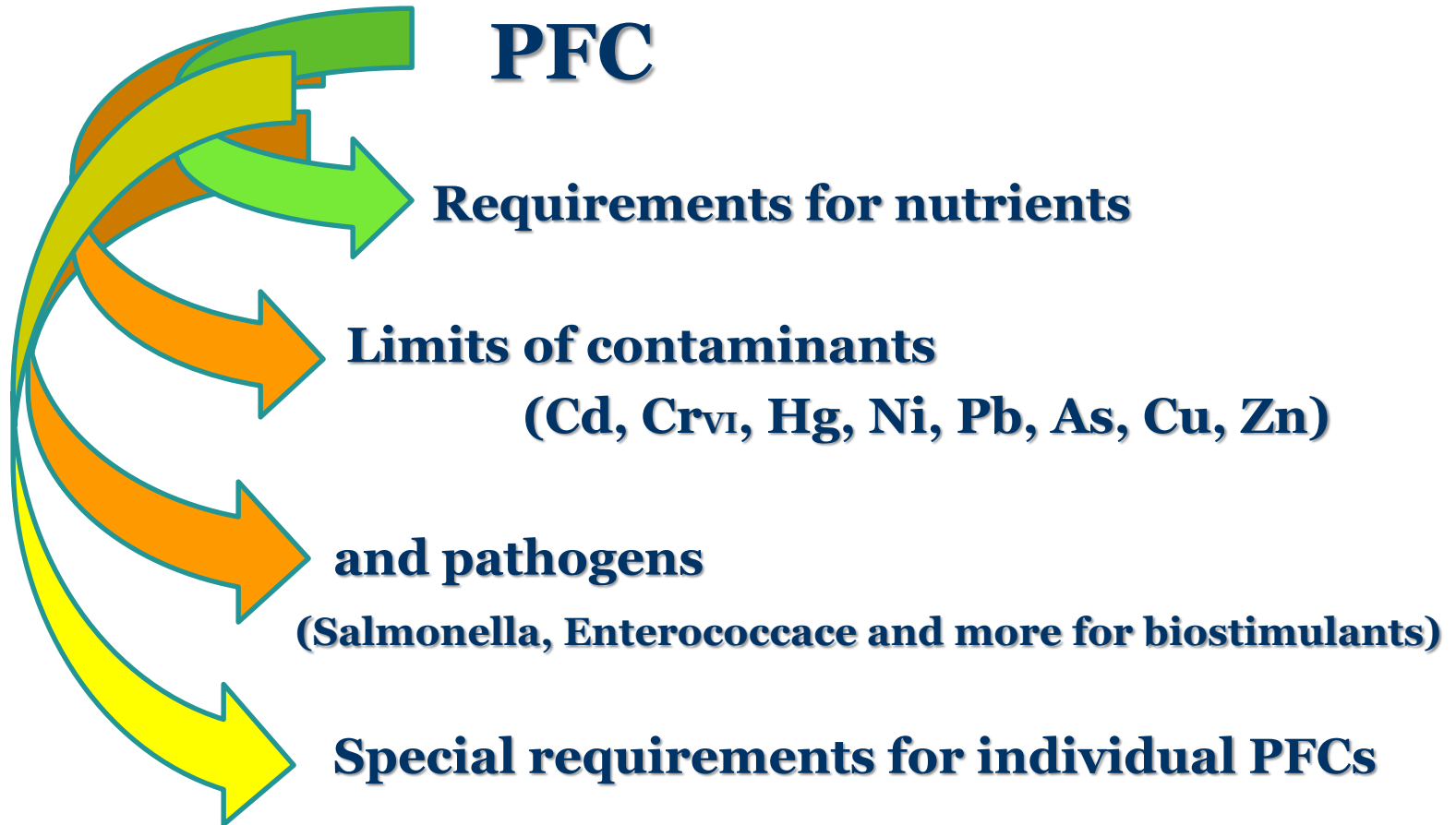


7. Blends













5. Inhibitor

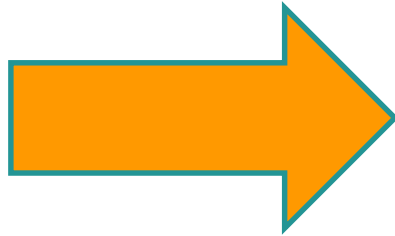
# ***Products Function Categories***



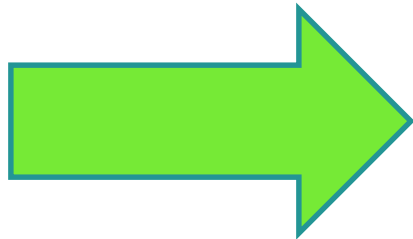
# ***Component Material Categories***

-  **CMC 1: Virgin material substances and mixtures**
  -  **CMC 2: Non-processed or mechanically processed plants, plant parts or plant extracts**
  -  **CMC 3: Compost**
  -  **CMC 4: Fresh crop digestate**
  -  **CMC 5: Other digestate than fresh crop digestate**
  -  **CMC 6: Food industry by-products**
  -  **CMC 7: Micro-organisms**
  -  **CMC 9: Nutrient polymers**
  -  **CMC 10: Other polymers than nutrient polymers**
  -  **CMC 11: Certain products derived from animal by-products**
- specific requirements for each CMC**

# *Microorganisms - MO*



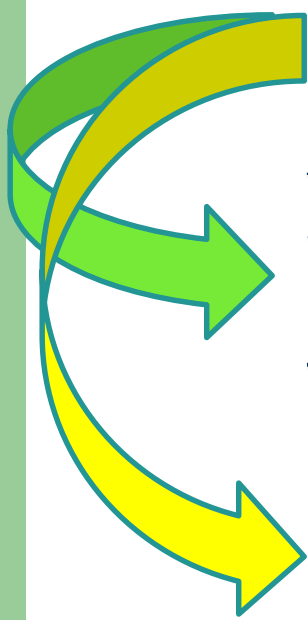
**Azotobacter spp.**  
**Mycorrhizal fungi**  
**Rhizobium spp.**  
**Azospirillum spp.**



**MO included in pesticide database ?**  
**Other MO ?**  
**Criteria for inclusion?**

# ***Impact on Regulation 1107/2009***

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Products with one or more functions, one of which is covered by the scope of Regulation (EC) No 1107/2009, **are plant protection products covered by the scope of that Regulation.**

**Amendments to Regulation 1107/2009**



# ***Amendments to Regulation 1107/2009***



## **Article 46**

(1) Article 2(1) (b) is replaced by the following:

"(b) influencing the life processes of plants, such as substances influencing their growth, other than as a nutrient or a plant biostimulant;"

(2) in Article 3, the following point is added:



„34. "plant biostimulant" means a product stimulating plant nutrition processes independently of the product's nutrient content with the sole aim of improving one or more of the following characteristics of the plant: (a) nutrient use efficiency; (b) tolerance to abiotic stress; (c) quality traits."

# ***Amendments to Regulation 1107/2009***



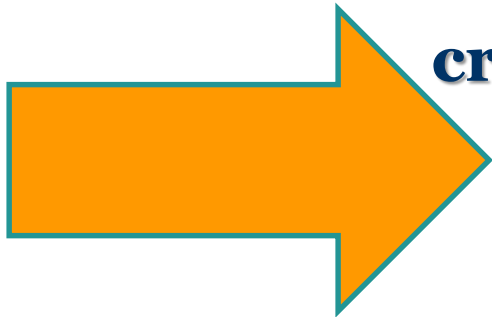
## **Article 46**

(2a) in Article 80, the following new paragraph is added:

"8. To a product which was granted an authorisation under Article 32(1) based on an application submitted before [Please insert the date of entry into force of the Regulation on the making available on the market of EU fertilising products], and which after that date falls under the definition in point 34 of Article 3, this Regulation shall continue to apply for the duration provided in the authorisation."

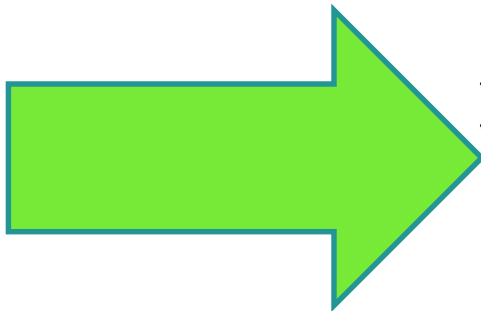
# ***Conclusion***

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## **critical points**

**Limit of Cd (total Cr)  
Delegated acts  
Implementation date**



**Exclusion of biostimulants  
from the scope of 1107/2009  
(how many?)**

***Thank you for your kind  
attention***



***bronislava.skarbova@land.gov.sk***