

## New EU rules on fertilisers

The EU has published new rules for placing fertilising and other products on the EU market.

One of the European Commission's objectives is to encourage large scale fertiliser production from domestic organic or secondary raw materials in line with the circular economy model, by transforming waste into nutrients for crops. Driven by this, in March 2016 the European Commission presented its proposals for replacing the EC Fertilisers Regulation (2003/2003).

After a number of changes to the proposal as it progressed through the legislative process, on 21st June 2019 the Council adopted EU Regulation 2019/1009. Referred to in short as the EU Fertilising Products Regulation (EU FPR), it harmonises the requirements for fertilisers produced from phosphate minerals and from organic or secondary raw materials in the EU, opening up new possibilities for their production and marketing on a large scale. It covers a range of product types including mineral fertilisers, organic fertilisers, organo-mineral fertilisers, soil improvers, growing media and plant biostimulants. It sets harmonised limits for a range of contaminants, such as cadmium, contained in mineral fertilisers.

On 25th June 2019 the EU FPR was published in the Official Journal of the EU and it will enter into force twenty days afterwards on 15th July 2019. Most of its rules will start to apply from 16th July 2022, three after its entry into force. It amends EC Regulation 1069/2009 - which lays down health rules as regards animal by-products and derived products not intended for human consumption - and EC Regulation 1107/2009 - which controls placing plant protection products on the market - and repeals EC Regulation 2003/2003.

Niculae BADALAU, Romanian Minister of economy, said: *"These new rules will ensure that only fertilisers that meet high quality and safety EU-wide requirements and standards can be sold freely across the EU. The contaminants in EU phosphate fertilising products, such as cadmium, can potentially pose a risk to human, animal or plant health, to safety or to the environment and for this reason, the content of such contaminants was limited according to the new rules. The new rules will boost the production and use of phosphate fertilizers with low cadmium content and of organic fertilisers and will provide a greater choice to farmers oriented towards a more environment-friendly agriculture."*

According to this new regulation, EU fertilising products bearing the "CE marking" will have to fulfil certain requirements to benefit from free circulation in the EU's internal market. These include not exceeding maximum specified contaminant levels, consisting only of defined component materials, and meeting labelling requirements. Manufacturers of fertilisers that do not bear the CE marking will still have the possibility of placing them on their national market (under national fertiliser regulations). Similarly, producers of waste-derived composts and digestates within the EU's internal market may choose to supply them as CE marked products or for use on land under waste regulatory controls. In the countries of the UK, where national End of Waste rules exist for waste-derived composts

and digestates, producers also have the choice of supplying these renewable resources as, respectively, certified Quality Composts and Biofertilisers.

The REA's Organics Recycling Group is working on a Briefing Note about the EU FPR and aims to publish it during July 2019.

Our contact at the European Sustainable Phosphorus Platform has communicated that:

- the Joint Research Centre's report proposing criteria for 'STRUBIAS' materials (biochars / pyrolysis materials, struvite / recovered phosphate salts, and ash-based products) is expected soon and these criteria may be finalized in late 2019 or early 2020 then added into the EU FPR's annexes; and
- the modification of the REACH regulation to exempt digestates from registration is expected to be published in the Official Journal of the EU in summer 2019.

Further information: click [HERE](#) for the EU FPR

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