Response ID ANON-GS6N-EGTC-1

Submitted to UK fertilisers: regulatory reform
Submitted on 2026-06-10 16:48:00

1. Executive summary

2. Background

2.1 UK fertilisers legislation

2.2 EU reform

2.3 Marketing fertilisers in Northern Ireland

2.4 Policy context

2.5 Rationale for reform of UK fertilisers legislation

3. The consultation and call for evidence process

4 Consultation Questions

1 Would you like your response to be confidential?

No

If you answered yes to question 1, please give your reason(s).:

2 What is your name as the respondent? Please note, organisation names will be asked later

What is your name as the respondent? Please note, organisation names will be asked later:
Jenny Grant

3 What is your email address?

What is your email address?:
jenny@r-e-a.net

4 Do you consent to us using your contact details for future purposes relating to this joint consultation and call for evidence?

yes

5 Please specify whether you are responding as an individual or on behalf of an organisation

organisation

6 If you are responding on behalf of an organisation, what type of organisation do you represent?

other

If you answered other, please specify what type of organisation you represent.:
Trade Association

7 If you are responding on behalf of an organisation, what is the name of the organisation?

If you are responding on behalf of an organisation, what is the name of the organisation?:
Renewable Energy Association (REA)

8 Which part of the fertiliser value chain are you involved in?

other

If you answered other, please specify what part of the fertiliser value chain you are involved in.:
Trade association for members producing products, advising on their use and end-users.

9 If you are involved in placing fertilising products on the market, are you a:

other

If you answered other, please explain in what capacity you are involved in placing fertilising products on the market.:
Our members are manufacturing fertilising products

10 Where are you or the organisation you represent based?

England

4.2 Proposal to develop a harmonised regulatory framework

11 What would be the impact of repealing the above regulations, including relevant parts of the AN Safety Regulations, and replacing them with one framework which would be applicable to the whole of the UK?

major positive impact

Please explain your response and share any information or evidence to help us understand your response, including any alternative regulatory changes or other proposals which would simplify fertilisers manufacturing and marketing rules (whilst delivering on all other reform principles outlined in Section 2.5). :

The REA supports repeal of existing UK fertiliser legislation and its replacement with a single UK Fertilising Products Regulation (UK FPR) applicable across the UK, with two significant exceptions outlined below. We expect the framework to align with the EU FPR where feasible and desirable, with technical requirements developed through industry consultation.
Existing End of Waste (EoW) rules for waste-derived compost* and digestate products** should continue and evolve as an alternative route to market for producers. Future developments may include digestate-derived and other AD-derived products.
* For waste-derived compost products those rules comprise: PAS 100; the Compost Resource Framework (in England), the end-of-waste for compost regulatory position in Scotland or Wales, or the Compost Quality Protocol (in Northern Ireland); and REAL's Compost Certification Scheme Rules.
** For waste-derived digestate products those rules comprise: PAS 110; the AD Resource Framework (in England), or the end-of-waste for digestate regulatory position in Scotland or Wales, or the AD Quality Protocol (in Northern Ireland); and REAL's Biofertiliser Certification Scheme Rules.
We are aware that the EU FPR includes a section on digestates made from 'fresh crop' (non-waste) materials and that the range of test types and associated pass/fail criteria are, rightly, less extensive than for waste-derived digestates.
A harmonised fertiliser framework that explicitly includes compost, digestate and derived products could deliver significant benefits. It would create a level playing field between recycled organic nutrients and synthetic fertilisers, supporting a more circular and resilient agricultural system, where recycling nutrients are valued as strategic resources. In addition:
• A common framework would provide consistent quality, safety and labelling requirements, improving confidence in compost and digestate products and enabling comparison with conventional fertilisers.
where nutrients recovered from organic wastes and materials are valued as strategic resources.
• A unified framework would better recognise compost and digestate as fertilisers and soil improvers rather than waste-derived materials, helping reposition them as valuable agricultural inputs.
• A clear route to market for products derived from organic wastes would encourage investment in digestate processing, nutrient recovery and concentration technologies, and support development of tailored fertilisers, struvite and biochar-based products.
• Compost and digestate provide organic matter and support soil biological activity. A framework that recognises both nutrient value and soil health benefits could encourage more balanced nutrient management and long-term soil improvement.
It is important that the UK FPR remains proportionate in both regulatory requirements and costs.

4.3 Proposal for UK FPR to be based on conformity assessment

12 To what extent do you agree or disagree that conformity assessment would be an appropriate framework for regulating fertilisers in the UK?

agree

13 Please explain your response(s) and share any information or evidence that you have to help us understand your response, including examples from other countries or areas of regulation where available. In particular, any comments you may have with regards to proposals for UK FPR to be based on conformity assessment and whether a conformity assessment framework for fertilisers would help improve product safety and deliver environmental benefits, and any other points you wish to raise about what you have read in Section 4.3.

Please explain your response(s) and share any information or evidence that you have to help us understand your response, including examples from other countries or areas of regulation where available. In particular, any comments you may have with regards to proposals for UK FPR to be based on conformity assessment and whether a conformity assessment framework for fertilisers would help improve product safety and deliver environmental benefits, and any other points you wish to raise about what you have read in Section 4.3.:

In the UK the use of compost and digestate as products (not those regulated as waste) has for many years been allowed under the relevant conformity assessment scheme – Renewable Energy Assurance Ltd's (REAL's) Compost Certification Scheme and Biofertiliser Certification Scheme (encompassing the End of Waste requirements and quality standards). This has been very effective process for ensuring the quality and safety of recycled organic materials that are applied to land and has helped to build market confidence in these materials.

These are not novel and unknown materials, approximately 171 certified compost sites produce approx. 2 million tonnes of certified compost every year and 109 certified AD plants produce approx. 7 million tonnes of certified digestate annually (data from REAL's annual report).

REA would support the use of a conformity assessment framework for regulating fertilisers alongside the option of retaining REAL's current conformity assessment schemes for compost and digestate.
The conformity assessment framework could improve market confidence, innovation and regulatory consistency. It should establish clear requirements for safety, quality and performance across all fertiliser products and not undermine any existing standards. This would provide greater certainty for producers, users and regulators. A conformity assessment approach could provide a structured mechanism for bringing new products to market. It is important that a conformity assessment framework is proportionate to risk and recognise both nutrient and soil health benefits.

14 What impact would reform of UK fertilisers legislation and the implementation of the proposed UK FPR have on you or your organisation?

moderate positive impact

15 To what extent could the proposed UK FPR affect how companies compete in the UK fertiliser market?

Please explain your response and share any information or evidence to help us understand your response, including examples from other countries or areas of regulation where available. In particular any comments you may have on benefits or costs to the sector. :

The proposed UK FPR has the potential to increase competition by providing a clearer route to market for innovative fertiliser products, including those derived from recycled organic materials. However, the framework must be proportionate and risk-based. Excessive conformity assessment costs or requirements that fail to recognise the characteristics and benefits of compost and digestate could disproportionately affect smaller producers and create barriers to market entry. The regulation should therefore support fair competition by recognising existing quality assurance schemes, enabling innovation and ensuring that products delivering soil health and circular economy benefits can compete on an equal footing with conventional fertilisers.

16 Are you or your organisation involved in placing fertilising products on the market?

No (if you answered no to question 16 please skip to Section 4.4)

17 What number of different products do you or your organisation place on the market in the UK per year?

Not Answered

18 How frequently do you or your organisation change product offerings?

Not Answered

19 Approximately how long do you or your organisation currently spend on administration in relation to the current regulatory framework per product?

Not Answered

20 Do you anticipate that you or your organisation will see a reduction in administrative costs as result of implementation of the proposed UK FPR?

Not Answered

21 If you answered yes to question 20, please tell us what percentage reduction in administrative costs you think would be achievable if UK FPR was implemented in the UK.

If you answered yes to question 20, please tell us what percentage reduction in administrative costs you think would be achievable if UK FPR was implemented in the UK.:

If you answered question 21 with a percentage reduction in administrative costs, please explain why you think this reduction in administrative costs would be achievable if UK FPR was implemented in the UK. Please explain your response and share any information or evidence to help us understand your response, including examples from other countries or areas of regulation where available. :

4.4 Proposed UK FPR conformity assessment framework

22 To what extent do you agree or disagree with the proposals for fertilising products which have gone through conformity assessment as set out in UK FPR to use the UKCA mark?

don't know

4.4.2 Product type and component material requirements

23 To what extent do you agree or disagree with the product function categories (PFCs) and component material category (CMC 1) which have been prioritised for inclusion in UK FPR conformity assessment framework?

disagree

24 To what extent do you agree or disagree with all fertilising products being required to meet general product requirements and labelling requirements, and for UKCA marked products needing to comply with specific requirements in relation to the products claimed function (PFC) and component material (CMC)?

agree

25 Please explain your response(s) and share any information or evidence that you have to help us understand your response. In particular, any comments you may have with respect to UK FPR using the UKCA mark, the proposed staged implementation of UK FPR conformity assessment requirements for specific PFCs and CMCs and the proposal for all fertilising products to meet the same general product and labelling requirements and for UKCA marked products to comply with specific requirements in relation to the products claimed function and component material, and any other points you wish to raise about what you have read so far in Section 4.4.

Please explain your response(s) and share any information or evidence that you have to help us understand your response. In particular, any comments you may have with respect to UK FPR using the UKCA mark, the proposed staged implementation of UK FPR conformity assessment requirements for specific PFCs and CMCs and the proposal for all fertilising products to meet the same general product and labelling requirements and for UKCA marked products to comply with specific requirements in relation to the products claimed function and component material, and any other points you wish to raise about what you have read so far in Section 4.4.:

We are disappointed that CMC 3 (compost) and CMC 4 (fresh crop digestate) CMC 5 (digestate other than fresh crop digestate) are not prioritised for inclusion in the UK FPR framework. Composters and AD operators feel that this proposal represents a major missed opportunity.
The stated rationale for excluding certain PFCs and CMCs from the first phase of implementation is 'due to uncertainties over the benefits and the wider environmental and human health impacts of newer and novel fertilisers, as well as market readiness of alternative and novel technologies for producing fertilisers in the UK context.' While this may be true of some product categories, composts and digestates are not novel products to the UK market – they are widely used throughout the UK, have been for many years, and their environmental and health impacts have been extensively researched and are tightly controlled through an existing regulatory framework including environmental permits, Animal By-Products regulations, and assessment of conformity with PAS 100/PAS 110, the EA-owned Resource Frameworks and REAL's relevant scheme rules (i.e. End-of-Waste rule sets).
These EoW rule sets work very effectively for what is within their scope. While we do not wish to overcomplicate the regulatory framework, we see three scenarios in which it may be beneficial to give businesses the option to choose between the UK FPR and the EoW rule sets (and anticipate that both would evolve over time):
1. Further processing - Under the existing EoW rule sets, composts and digestates which have met end of waste criteria may be sold as finished products or as an ingredient to be added to other non-waste blends (e.g. soil improvers). However, the finished compost/digestate product may not undergo any further treatment before its intended use (e.g. dewatering, pelletisation) which might make the product more valuable and more attractive to end users. The inclusion of compost and digestate in the UK FPR would lay the regulatory groundwork to enable Defra and the industry to collaborate to develop suitable conformity assessment criteria for digestate-derived products.
2. Organo-mineral fertilisers (OMFs) - The organic fraction of organo-mineral fertilisers should include recycled organic content such as compost and separated fibre digestate. By including composts and digestates in conformity assessment at this stage, the later inclusion of OMFs may more easily be able to include the use of organic materials that have been recycled from biodegradable wastes or materials.
3. Minimum recycled content - We believe a fertilising product type should have a minimum required recycled content where this is technically feasible (see Q117 for more details). E.g. OMF product types must include a minimum concentration of recycled organic content such as compost or digestate fibre. Similarly, organic fertilisers and organic soil improvers should have a minimum required recycled content unless this is assured by specifying the types of waste or material from which they are allowed to be made (the EU FPR does the latter). By including composts and digestates in conformity assessment at this stage, later phases of the regulations can more easily introduce requirements for recycled material.
The inclusion of composts and digestates made from source-separated biodegradable wastes and digestates made from purpose grown crops in Phase 1 of conformity assessment would also serve to support the UK's circular economy goals and reduce the carbon footprint associated with fertiliser production and use. Furthermore, at a moment when traditional fertilisers are highly subject to international supply shortages and severe price volatility, the UK has a domestically available alternative that can be delivered to market quickly, easily and affordably.
Finally, if organic materials are not prioritised in the first phase of UK FPR conformity assessment, we understand that it could be several years before organic waste-derived materials are recognised under the regulations (i.e. we were told Defra would run a separate consultation on inclusion of other materials in 18 months' time, followed by a 2 - 3 year transition period). This timeframe is problematic as subsidy support is coming to an end for many AD plants (.e.g. FIT, RO, or RHI support) and industry may have to look to move to a market-based revenue stream (i.e. more valuable digestate-derived products). There is an urgent need to bring regulations into alignment with innovation and allow AD businesses to bring lucrative digestate-derived products to market before existing support mechanisms end.
Considering these factors, the UK organics sector calls on Defra to take more ambitious action to include waste-derived organic materials in the UK FPR phase 1.

4.4.2 Product type and component material requirement (continued)

26 How beneficial do you think it would be for the UK to recognise CE marking for certain fertilising products placed on the market in Great Britain?

beneficial

Please explain your response and specify the specific products (belonging to PFC 1(C), PFC 2, PFC 5 (A), PFC 5(C) or PFC 7 and consisting of CMC 1 only) that would benefit from recognition of CE marking including any relevant information or evidence to help us understand your response.:

Products already CE market under EU FPR should be recognised as complying with UK FPR without separate UK certification. We would also support actions to enable UK FPR products to be recognised in the EU – particularly in reference to Northern Ireland and Ireland.

4.4.3 Placing on the market

27 To what extent do you agree or disagree with of the circumstances when a product is placed on the market and when it should comply with the requirements of UK FPR?

agree

4.4.4 Conformity assessment procedures

28 To what extent do you agree or disagree with the choice of conformity assessment modules for UK FPR?

Not Answered

4.4.5 Presumption of conformity

29 To what extent do you agree or disagree with the proposal to consider adopting British Standards developed by CEN (to support EU FPR) as designated standards to give presumption of conformity under UK FPR (if appropriate for the UK)?

partly agree, partly disagree

4.4.6 Declaration of conformity

30 Do you foresee any issues with the proposed declaration of conformity requirements?

Not Answered

31 Please explain your response(s) and share any information or evidence that you have to help us understand your response. In particular, any comments you may have with regards to proposals for placing products on the market, choice of conformity assessment modules for UK FPR, the applicability of standards and declaration of conformity or any other points you wish to raise about what you have read in Section 4.4?

Please explain your response(s) and share any information or evidence that you have to help us understand your response. In particular, any comments you may have with regards to proposals for placing products on the market, choice of conformity assessment modules for UK FPR, the applicability of standards and declaration of conformity or any other points you wish to raise about what you have read in Section 4.4?:

4.5 Obligations of economic operators

32 To what extent do you agree or disagree with the proposed obligations of manufacturers?

Not Answered

4.5 Obligations of economic operators (continued)

33 To what extent do you agree or disagree with the proposal to allow manufacturers to appoint an ‘authorised representative’?

Not Answered

4.5.2 Obligations of importers

34 To what extent do you agree or disagree with the proposed obligations of importers?

Not Answered

35 Do you or your organisation import fertilising products or materials into the UK?

Not Answered

36 Do you or your organisation currently face any additional importation costs when importing fertilising products or materials to the UK?

Not Answered

If you answered yes to question 36, please describe the additional costs per tonne of product and reference any evidence that would help us understand the impact of those additional costs on your business.:

37 Do you believe that any of the additional importation costs you currently face could be reduced through the proposed implementation of UK FPR?

Not Answered

38 If you answered yes to question 37, please tell us what percentage reduction in these additional costs (per product) you think would be achievable if UK FPR was implemented in UK?

Please describe the reduction in costs you think would be achievable as a percentage per product. :

4.5.3 Obligations of distributors

39 To what extent do you agree or disagree with the proposed obligations of distributors?

Not Answered

4.5.4 Cases in which obligations of manufacturers apply to importers and distributors

40 To what extent do you agree or disagree with the circumstances where an importer or distributor will be considered a manufacturer under the proposed UK FPR?

Not Answered

41 Please explain your response(s) and share any information or evidence that you have to help us understand your response. In particular, any comments you may have with regards to proposed obligations of manufacturers, authorised representatives, importers and distributors under UK FPR, or any other comments you wish to make about anything else you have read in this Section 4.5.

Please explain your response(s) and share any information or evidence that you have to help us understand your response. In particular, any comments you may have with regards to proposed obligations of manufacturers, authorised representatives, importers and distributors under UK FPR, or any other comments you wish to make about anything else you have read in this Section 4.5.:

4.6 Actors involved in UK FPR conformity assessment framework

42 To what extent do you agree or disagree with the proposed accreditation and location requirements for testing laboratories?

Not Answered

43 What level of impact would the proposed accreditation and location requirements for testing laboratories have on you or your organisation?

Not Answered

4.6.3 Approved bodies

44 Do you foresee any issues with the proposed criteria for approved bodies?

Not Answered

45 To what extent do you agree or disagree with the proposed process for the application and appointment of approved bodies and changes to approval?

Not Answered

4.6.3.4 UKMCAB database

46 To what extent do you agree or disagree with the proposed approach, that where a conformity assessment body complies with a designated standard, it is presumed to meet the requirements for appointment as an approved body?

Not Answered

4.6.3.6 Subsidiaries of and subcontracting by approved bodies

47 To what extent do you agree or disagree with the proposal to allow approved bodies to subcontract specific conformity assessment tasks?

Not Answered

4.6.3.7 Appeal against decisions of approved bodies

48 Please explain your response(s) and share any information or evidence that you have to help us understand your response. In particular, any comments you may have with regards to proposals for management of UK FPR, conformity assessment bodies (CABs) (including testing laboratories) the appointment of approved bodies and proposals for subsidiaries and subcontracting of approved bodies, or comments on anything else outlined in Section 4.6.

Please explain your response(s) and share any information or evidence that you have to help us understand your response. In particular, any comments you may have with regards to proposals for management of UK FPR, conformity assessment bodies (CABs) (including testing laboratories) the appointment of approved bodies and proposals for subsidiaries and subcontracting of approved bodies, or comments on anything else outlined in Section 4.6.:

4.7 Market surveillance and enforcement

49 To what extent do you agree or disagree with the proposals for enforcement of UK FPR at the first stage of implementation, outlined in Section 4.7.2?

Not Answered

50 Enforcement of fertilisers legislation may mean officers need access to specialist skills or advice. How can officers be best supported to enforce fertilisers legislation?

Enforcement of fertilisers legislation may mean officers need access to specialist skills or advice. How can officers be best supported to enforce fertilisers legislation?:

4.7.3 Non-compliances

51 To what extent do you agree or disagree with the proposed formal non-compliances for UK FPR and the proposed measures the enforcement authority will take where the formal non-compliance persists?

Not Answered

4.7.4 Penalties

52 Do you foresee any issues with the penalties for infringement of UK FPR regulatory requirements?

Not Answered

53 Please explain your response(s) and share any information or evidence that you have to help us understand your response. In particular, any comments you may have with regards to the proposals relating to UK FPR enforcement, market surveillance, non-compliances and penalties or comments on anything else outlined in Section 4.7.

Please explain your response(s) and share any information or evidence that you have to help us understand your response. In particular, any comments you may have with regards to the proposals relating to UK FPR enforcement, market surveillance, non-compliances and penalties or comments on anything else outlined in Section 4.7.:

4.8 Proposed technical requirements

54 Do you foresee any issues with the proposed general requirements for all fertilising products placed on the market under UK FPR?

Not Answered

4.8.2 Requirements for all product function categories (PFCs)

55 To what extent do you agree or disagree with the general requirements that would apply to all PFC categories implemented at the first stage of UK FPR?

Not Answered

4.8.3 PFC 1, PFC 2 and PFC 5 descriptions

56 To what extent do you agree or disagree with the proposed descriptions for PFC 1, PFC 2 and PFC 5 (including sub-categories)?

Not Answered

4.8.4 CMC 1 requirements

57 To what extent do you agree or disagree with the proposed general requirements that would apply to CMC 1 at the first stage of implementation of UK FPR?

Not Answered

4.8.5 PFC 1(C) minimum and maximum nutrient value limits

58 To what extent do you agree or disagree with the proposals for nutrient levels in inorganic fertiliser (PFC 1(C))?

Not Answered

59 Please explain your response(s) and share any information or evidence that you have to help us understand your response. In particular, any comments you may have with regards to the technical proposals for all fertilising products marketed under UK FPR and the proposed technical requirements for UKCA marked products. Furthermore, if you have any specific comments regarding the proposed general requirements for all PFCs, the requirements specifically for PFC 1, PFC 2 and PFC 5(A) and PFC 5(C), the proposed general requirements applying to CMC 1 and the proposals for minimum nutrient levels in inorganic fertilisers outlined so far in Section 4.8 please share your comments.

Please explain your response(s) and share any information or evidence that you have to help us understand your response. In particular, any comments you may have with regards to the technical proposals for all fertilising products marketed under UK FPR and the proposed technical requirements for UKCA marked products. Furthermore, if you have any specific comments regarding the proposed general requirements for all PFCs, the requirements specifically for PFC 1, PFC 2 and PFC 5(A) and PFC 5(C), the proposed general requirements applying to CMC 1 and the proposals for minimum nutrient levels in inorganic fertilisers outlined so far in Section 4.8 please share your comments.:

4.8.6 PFC 1(C) and PFC 2 contaminant limits

60 What level of impact would introducing limits for the contaminants listed above in straight, compound liquid and solid inorganic fertiliser and liming material have on you or your organisation?

Not Answered

61 Are there any other contaminants not listed above which we should consider in relation to straight, compound liquid and solid inorganic fertiliser and liming material consisting of CMC 1?

Not Answered

If you answered yes, please tell us the name of the additional contaminant(s) which should be together with relevant evidence that would help us understand why this should be considered in relation to straight, compound liquid and solid inorganic fertiliser and liming material consisting of CMC 1. :

4.8.7 PFC 1(C)(I) (a)(i-ii)(A) AN fertiliser of high nitrogen content

62 To what extent do you agree or disagree with our proposal to consolidate rules for AN fertiliser of high nitrogen content into UK FPR?

Not Answered

Please explain your response.:

4.8.8 PFC 2 quality requirements

63 To what extent do you agree or disagree with the proposed requirements for liming materials?

Not Answered

4.8.9 PFC 5 efficacy requirements

64 To what extent do you agree or disagree with the proposal for demonstrating the efficacy of nitrification inhibitors?

Not Answered

65 For nitrification inhibitors, compared to a control sample what do you think is the minimum level of percentage reduction in ammoniacal nitrogen oxidation rate these products should achieve in the UK?

For nitrification inhibitors, compared to a control sample what do you think is the minimum level of percentage reduction in ammoniacal nitrogen oxidation rate these products should achieve in the UK?:

66 If you answered question 65 with a minimum level of percentage reduction in ammoniacal nitrogen oxidisation rate, please explain why you think this minimum level of reduction should be considered.

Please share any information or evidence that you have to help us understand your response. :

4.8.9 PFC 5 efficacy requirements (continued I)

67 To what extent do you agree or disagree with the proposal for demonstrating the efficacy of urease inhibitors?

Not Answered

68 For urease inhibitors, compared to a control sample what do you think the minimum level of percentage reduction in the rate of hydrolysis of urea these products achieve in the UK?

For urease inhibitors, compared to a control sample what do you think the minimum level of percentage reduction in the rate of hydrolysis of urea these products achieve in the UK?:

69 If you answered question 68 with a percentage reduction in the rate of hydrolysis of urea, please explain why you think this minimum level should be considered.

Please share any information or evidence that you have to help us understand your response. :

4.8.9 PFC 5 efficacy requirements (continued II)

70 To what extent do you agree or disagree with the proposed requirements for nitrification inhibiting compounds where they are a component material in a fertiliser product?

Not Answered

4.8.9 PFC 5 efficacy requirements (continued III)

71 To what extent do you agree or disagree with the proposed requirements for urease inhibiting compounds where they are a component material in a fertiliser product?

Not Answered

72 Please explain your response(s) and share any information or evidence that you have to help us understand your response. In particular, any comments you may have with regards to proposals for setting contaminant limits for inorganic fertiliser and liming material, parameters for liming materials, inhibitor efficacy requirements (including appropriate test methods and efficacy requirements inhibitors should achieve in the UK, and any other comments on regulating the safe and effective use of inhibitors) or any other comments about the proposals in Section 4.8 so far.

Please explain your response(s) and share any information or evidence that you have to help us understand your response. In particular, any comments you may have with regards to proposals for setting contaminant limits for inorganic fertiliser and liming material, parameters for liming materials, inhibitor efficacy requirements (including appropriate test methods and efficacy requirements inhibitors should achieve in the UK, and any other comments on regulating the safe and effective use of inhibitors) or any other comments about the proposals in Section 4.8 so far.:

4.9 Proposed labelling requirements

73 To what extent do you agree or disagree with the proposed general labelling requirements for all fertilising products?

Not Answered

4.9.2 Product-specific labelling requirements for UKCA marked products

74 To what extent do you agree or disagree with the proposed product-specific labelling requirements for PFC 1, PFC 2 and PFC 5?

Not Answered

4.9.3 Tolerance value limits

75 To what extent do you agree or disagree with the proposal to establish tolerance value limits for each PFC?

Not Answered

4.9.4 Digital labelling of fertilising products

76 To what extent do you agree or disagree with our proposals for digital labelling of fertilising products?

Not Answered

77 Please explain your response(s) and share any information or evidence that you have to help us understand your response. In particular, any comments you may have with regards to general labelling requirements for all fertilising products, product specific labelling requirements according to the product's claimed function, and digital labelling proposals or anything else you have read in section 4.9.

Please explain your response(s) and share any information or evidence that you have to help us understand your response. In particular, any comments you may have with regards to general labelling requirements for all fertilising products, product specific labelling requirements according to the product's claimed function, and digital labelling proposals or anything else you have read in section 4.9.:

4.10 Conformity assessment procedures for UK FPR

78 To what extent do you agree or disagree with the proposed module(s) each PFC will be required to go through before being placed on the market?

Not Answered

4.10.2 Module A

79 Do you foresee any issues with the requirements for manufacturers and testing laboratories under Module A, Module A1, Module B+C?

Not Answered

80 Please explain your response(s) and share any information or evidence that you have to help us understand your response. In particular, any comments you may have with regards to the additional burdens and costs for manufacturers as result of the proposed requirements for manufacturers under Module A, Module A1 and Module B+C of UK FPR?

Please explain your response(s) and share any information or evidence that you have to help us understand your response. In particular, any comments you may have with regards to the additional burdens and costs for manufacturers as result of the proposed requirements for manufacturers under Module A, Module A1 and Module B+C of UK FPR?:

4.10.5 Operational obligations of approved bodies

81 To what extent do you agree or disagree with the proposed operational obligations of approved bodies?

Not Answered

4.10.6 Information obligation on approved bodies

82 To what extent do you agree or disagree with the proposal for approved bodies to be required to share specific information with the competent authority, market surveillance authorities and other approved bodies (as required)?

Not Answered

4.11 Technical workshops

83 Please tell us if you would be willing to attend any of the above workshops and provide a summary of your experience, skills and the reasons why you are interested in attending the workshop?

Please tell us if you would be willing to attend any of the above workshops and provide a summary of your experience, skills and the reasons why you are interested in attending the workshop?:

84 In addition to the suggested workshops, are there any other issues or topics that you think the technical workshops should cover in relation to the first stage of implementation of UK FPR?

In addition to the suggested workshops, are there any other issues or topics that you think the technical workshops should cover in relation to the first stage of implementation of UK FPR?:

4.12 Next steps

85 Regarding the proposed transition to UK FPR as outlined in Section 4.12, please share any information, evidence or points of interest that you would like to be considered.

Please explain your response.:

Please share any other comments that you have in regard to this consultation.:

86 Do you have any comments about the proposals in this stakeholder engagement in relation to impacts on people on the basis of any of the following protected characteristics under the Equality Act 2010: age; disability; pregnancy and maternity; race; religion or belief; sex; sexual orientation; gender reassignment; marriage or civil partnership? How might such impacts be mitigated?

Do you have any comments about the proposals in this stakeholder engagement in relation to impacts on people on the basis of any of the following protected characteristics under the Equality Act 2010: age; disability; pregnancy and maternity; race; religion or belief; sex; sexual orientation; gender reassignment; marriage or civil partnership? How might such impacts be mitigated?:

5. Call for evidence

87 Do you use plant biostimulants as part of your usual crop inputs?

Not Answered

5. Call for evidence (continued I)

88 Please provide the name of the plant biostimulant product that you use.

If you use more than one plant biostimulant product you may submit details of other product(s) using the email template available on Citizen Space under 'Related documents and links'.:

89 Is the product (named in question 88) used on broadacre crops?

Not Answered

90 If you answered yes to question 89, please select which broadacre crops the product is used on (select all that apply):

If you selected other, please specify the name of the 'other' broadacre crop(s).:

91 Is the product (named in question 88) used on vegetable, fruit, ornamental or Aromatic and Medicinal Plant (AMP) crops, including herbs but excluding woody perennials such as bush and cane fruit?

Not Answered

92 If you answered yes to question 91, please select which vegetable, fruit, ornamental or Aromatic and Medicinal Plant (AMP) crops the product is used on (select all that apply):

If you selected other, please specify the name of the 'other' vegetable, fruit, ornamental or AMP crop(s).:

93 Is the product (named in question 88) used on woody perennial crops?

Not Answered

94 If you answered yes to question 93, please select the woody perennial crops the products is used on. Please select all that apply.

If you selected other, please specify the name of the 'other' woody perennial(s).:

95 Does the product (named in question 88) have one component material or is it a mixture (of two or more component materials for example, mixture of seaweed extract, amino acids, micronutrient, and so on)?

Not Answered

96 If you answered yes to question 95, please select the one component material which applies:

Not Answered

If you answered other, please describe the component material.:

Alternatively, upload a photo of the product label. Please upload file as a JPEG.:
No file uploaded

97 If you selected no to question 95, please select all the component materials in the mixture.

If you have answered 'other' please describe the other component material(s).:

Alternatively, upload a photo of the product label. Please upload file as a JPEG.:
No file uploaded

98 Where has the product (named in question 88) been manufactured?

Not Answered

99 What other fertilising products (including organic fertiliser such as livestock manure) do you generally use in combination with plant biostimulants? Please select all that apply.

100 When you use plant biostimulants do you generally apply nutrients below the level recommended by the Nutrient Management Guide (RB209), or do you use plant biostimulants with the recommended amount of nutrients for your crop?

Not Answered

Call for evidence (continued II)

101 If you do not use plant biostimulants as part of your usual crop inputs please indicate the reasons. Please select all reasons that apply.

If other, please state::

5.2.2 Benefits and risks of plant biostimulants

102 Do you think that there are any issues with the definition of plant biostimulant in Assimilated Regulation (EC) No 1107/2009?

Not Answered

Please explain your response and share any information or evidence that you have to help us understand your response. In particular, any comments you may have with regards to other characteristics of the plant or the plant rhizosphere (not including tolerance to biotic stress) which are improved by plant biostimulant products which should be considered. :

103 Please name any plant biostimulants product(s) that you believe has a negative impact on human health (or mammalian health) and where available provide associated evidence.

Please explain your response. In particular, any comments you may have on the nature of these impacts and share any information or evidence that you have to help us understand your response. :

104 Please name any plant biostimulant product(s) that you believe has a negative impact on the environment including soil health, air quality or effects on water?

Please explain your response. In particular, any comments you may have on the nature of these impacts and share any information or evidence that you have to help us understand your response. :

105 There is less certainty about the risks and benefits of plant biostimulants, compared to inorganic fertilisers. Are there any examples of how plant biostimulants have been regulated in other countries which have worked well or would work well in the UK?

Please explain your response and share any information or evidence that you have to help us understand your response. Please include examples from other countries or areas of regulation where available and any comments you may have regarding independent efficacy and safety testing for a variety of product types, now and in future. :

5.3 Green claims on fertilising products

106 If you are involved in placing fertilising products on the market do you or your organisation, make any ‘green’ claims about your product?

yes (please answer question 107)

If you answered yes to question 106, please explain what terms you are using to define your fertilising product(s) and the basis for marketing your product(s) in this way. Please share any information or evidence that you have to help us understand your response. In particular, the metrics you are using to compare your fertilising product(s) with those not using the terms you have mentioned. :

We are aware that many of our members provide a range of information to their customers and end users of composts and digestates. This includes information on the production process, materials the products are made from, the conformity with certification schemes and standards, the nutrient content of material alongside information about the sustainability of the product. Some of our members work closely with agronomists to ensure applications are optimised based on soil nutrients and crop demand and applied in accordance with good agronomic practices.

Supplying composts and / or digestate can help reduce the reliance on synthetic fertilisers, imported to the UK, often derived from fossil fuels and with a significant energy demand. Regular sampling of composts / digestates can be used to support claims about the environmental and agronomic value of these materials. Principle metrics often include nutrient content and carbon intensity scores. These help enable comparison with synthetic ferilisers both for nutrient supply and environmental impact.

107 If you answered yes to question 106, do you provide information to end-users about why the product is considered to be more environmentally friendly?

yes

108 If you answered yes to Q107, how are you sharing this information with end-users?Please select all that apply.

a document accompanying the product, website, social media, via trader or distributor

If you answered other, please specify how you are sharing information with the end user about how your product(s) are considered environmentally friendly. :

5.3.2 Carbon footprint data

109 If you are involved in placing fertilising products on the market, do you or your organisation calculate the carbon footprint or GHG emissions of your fertilising product(s)?

Yes (please answer question 110 - 113)

If you answered yes to question 109, please explain what calculation method or standard you are using to generate the carbon footprint or GHG emission for your fertilising product(s). Please share any information or evidence that you have to help us understand your response. In particular, the metrics you are using to compare your fertilising product(s) with those not using the terms you have mentioned.:

There is a variety of approaches taken by members. For some, the carbon footprints and GHG emissions of many waste-derived composts and digestates produced in the UK are not routinely calculated. However, we are aware that some members do undertake analysis of the GHG emissions, for example in accordance with the ISCC PLUS standard. Under this approach the nutrients in digestate are compared with the market value of equivalent synthetic fertilisers. This allows direct comparison with conventional fertiliser products and highlights the substantially lower greenhouse gas (GHG) emission intensity of digestate. The lower carbon footprint reflects the fact that digestate is a co-product of renewable energy generation, providing valuable plant nutrients without the energy-intensive manufacturing processes associated with synthetic fertiliser production.
We believe that most approaches are likely to underestimate the wider environmental benefits of digestates and composts. They do not fully account for the value of recalcitrant carbon contained within digestate / compost and its ability to raise soil organic carbon levels when applied to cropland, or the value of the micronutrients, trace elements and microbiology contained within the digestate / compost.
There will be undervaluation of the considerable organic carbon content in compost if carbon accounting methodologies still require carbon to be sequestered for 100 years. REA will send with its response a copy of the report by Gilbert, J., Ricci-Jürgensen, M., and Ramola, A., (2020), Benefits of compost and anaerobic digestate when applied to soil, ISWA. Two out of its four key findings were that:
• over a period of 4 – 12 years, between 11% - 45% of the organic carbon applied to soil as compost remained as soil organic carbon; and
• one tonne of green waste derived compost applied to one hectare of soil, saves 143kg/ha/yr CO_2 equivalent.
Further research is needed regarding the timescale for which organic carbon in digestate remains in agricultural soils.
For carbon footprint and GHG emissions calculations relevant to green claims for products within scope of UK FPR, industry would need clearly drawn boundaries for where production begins and ends for an AD facility or composting facility, e.g. are production related footprints and emissions to be calculated and are product use related footprints and emissions to be calculated? A relevant study is available via https://www.r-e-a.net/resources/new-study-on-greenhouse-gas-emissions-savings-from-ad/

110 If you answered yes to question 109, how often do you update your calculations?

once a year

111 If you answered yes to question 110 are you making this information available to end-users?

don't know

112 If you answered yes to Q111, how are you sharing this information with end-users? Please select all that apply.

113 What level of impact would there be from sector specific requirements relating to green claims on fertilising products?

moderate positive impact

Please explain your response and share any information or evidence that you have to help us understand your response. In particular, any comments you may have about criteria for regulating 'low-carbon' or 'low emission' claims. Please include examples from other countries or areas of regulation where available. :

We estimate that green claims on / about fertilising products could have a moderate positive impact (thinking mainly about fertilisers and soil improvers made from biodegradable wastes and materials). It is important that boundaries applicable to calculating metrics for green claims are clearly drawn and appropriate, terms are defined and that rules or guidance on making green claims about products within scope of UK FPR enable fair comparison between different product types. This would help to improve transparency and comparability across the fertiliser market, help ensure claims are evidence based and increase confidence among end users.
Transport emissions should be included to enable the comparison of importing synthetic fertilisers from China, South America etc with transport of feedstock to and outputs from compost and digestate plants.
We note the issues raised in page 129 of the consultation document.
A completed project funded by REAL's Research Hub aimed to evaluate the carbon accounting benefits associated with producing composts and digestates and applying them to land. Although it aimed to also provide guidance on how to account for the production and application of compost and digestate under the Greenhouse Gas Protocol, limitations found during the project (and described in the report) meant that it did not 'consider the potential benefits beyond the producers' value chain (i.e. the benefits of the applying compost and digestate to soils) which cannot be accounted for under the GHG Protocol'.
We will share a short summary of this report and further information is available from REAL's Research Hub.

Transparent calculation methodologies are important when comparing composts and digestates with manufactured fertilisers, as the environmental benefits and associated impacts can differ significantly. Compost and digestate support nutrient circularity, reduce reliance on imported and carbon-intensive manufactured fertilisers, and improve resource efficiency within the agricultural system. Sector-specific guidance would help ensure these benefits are recognised in a consistent, robust and verifiable way.

5.4 Alternative processing technologies and nutrient recovery

114 What are the main barriers that need to be overcome to drive the use and manufacture of fertilising products made from alternative biological sources of nutrients and processing technologies in the UK?

Please explain your response and share any information or evidence that you have to help us understand your response. In particular, any comments you may have about regulatory barriers. Please include examples from other countries or areas of regulation where available.:

The main barriers to increasing the manufacture and use of fertilising products derived from alternative biological sources (e.g. compost, digestate, digestate derived products, recovered nutrients, and other bio-based fertilisers) are regulatory, economic, technical and market challenges.

There is currently a lengthy and costly approval process for innovative products and a lack of a clear and consistent route to market for recovered nutrient products. Achieving end-of-waste for digestate does not automatically confer end-of-waste or product status on new products made from that digestate, creating additional cost, delay and uncertainty. This creates an innovation penalty and discourages post-processing even where the technical route is promising. A more coherent and proportionate regulatory framework could significantly improve investor confidence. REA particularly supports the development of clearer regulatory pathways for recovered nutrient products and secondary fertilising materials derived from waste treatment processes.

Many alternative fertilising products face high production costs, for example, nutrient recovery technologies often require capital investment and digestate processing can be energy intensive. This can make these materials less price competitive despite their wider environmental benefits. Many biological fertilisers provide benefits that are not reflected in market prices, for example compost results in: soil organic matter improvements, enhanced soil structure, improved water retention; increased biological activity, carbon sequestration (see answer to Q112). Farm purchasing decisions are often primarily based on nutrient value, making it difficult to capture these additional benefits commercially.

Alongside this, there is limited recognition for biological fertilisers with agricultural support schemes and few incentives for replacing imported synthetic fertilisers. There needs to be greater support for valuing soil health benefits and nutrient circularity benefits.

There are infrastructure and logistics constraints as biological fertilisers are often bulkier and more difficult to transport and store than conventional fertilisers. They typically have a lower nutrient density than traditional fertilisers meaning higher volumes must be transported to deliver the same nutrient value, increasing costs and complexity of handling. They also can have more complex storage requirements, including issues such as odour management, risk of separation (digestates in liquid forms) and degradation over time which can impact nutrient consistency. Additional storage equipment may be required to maintain product quality.

Many alternative fertilising products are not fully compatible with conventional spreading and application equipment which has been designed for uniform mineral fertilisers. This introduces significant upfront capital costs where new specialised machinery is required. For digestates, there are challenges with seasonal demand not matching with the production cycle. Many of these can be addressed through further processing, particularly for digestates.

While technologies for recovering and recycling nutrients are increasingly available, wider deployment will depend on creating a policy and market environment that properly values the environmental, soil health and resource security benefits of biological fertilising products. Overcoming these barriers could reduce dependence on imported fertilisers, improve nutrient circularity, support net zero ambitions and strengthen the resilience of UK agriculture.

The overall economic case for the use and manufacture of alternative fertilising product remains a key constraint to widespread adoption. Traditional fertilisers benefit from established supply chains, ease of use and widespread end user acceptance.

Alternative fertilising products may struggle to compete with traditional fertilisers without clear recognition of their environmental benefits (e.g. reduced emissions, soil carbon benefits). Long term policy clarity, alongside targeted financial incentives and a support mechanism for these products and associated processing technologies, could help de-risk investment and encourage both production and uptake.

5.4 Alternative processing technologies and nutrient recovery (continued I)

115 What would be the benefits or drawbacks of expanding the scope of UK fertilisers legislation to fertilising products made from compost and digestate?

Please explain your response and share any information or evidence that you have to help us understand your response. In particular, any comments you may have about whether it would incentivise you or your organisation to use, manufacture or market fertilising products made from compost and digestate, and impacts (if any) on existing frameworks and end markets. Please include examples from other countries or areas of regulation where available.:

Expanding the scope of UK fertiliser legislation to include fertilising products made from compost and digestate could deliver substantial benefits, particularly in supporting nutrient circularity and market confidence. However, there are also risks if the framework is not designed to reflect the unique characteristics of organic recycled materials.

Including compost and digestate (and derived products) within fertiliser legislation would help reinforce their status as legitimate agricultural inputs rather than simply waste-derived materials or by-products. This would support soil health and provide assurance across the supply chain. Formal recognition of these products would improve market acceptance and encourage wider use by farmers and land managers. It would help to reduce reliance on imported fertilisers and advance circular economy objectives.

A broader fertiliser framework could create clearer routes to market for processed digestates, nutrient concentrates, recovered phosphorous and nitrogen products etc and this could stimulate investment in nutrient recovery technologies.

Compost and digestate are inherently variable products produced from biological feedstocks. Unlike synthetic fertilisers, their value often extends beyond nutrient content to include: organic matter addition; soil structure improvement, water retention benefits; and biological activity. A framework designed primarily around conventional fertilisers may not adequately recognise these characteristics and it is important that the framework reflects the materials produced in the UK.

One of the most significant concerns is that compost and digestate producers may face additional requirements in terms of testing and administration and increased costs. This could disproportionately affect smaller operators. It is essential that if compost and digestate are brought within the scope of UK FPR, the framework is proportionate and risk based and provides a streamlined compliance pathway for products with proven safety records. It is essential that the framework enables the option to retain the current end of waste rule sets (named in our answer to qu 11). (In other words, producers of composts and digestates must be allowed to choose to apply for certification of compliance with the UK FPR, or the relevant EoW rule set (according to whether they are producing compost or digestate), or both UK FPR and the relevant EoW rule set.)

116 Inorganic fertiliser products must comply with declared nutrient value limits as stated on each product's label. What evidence do you have that fertilising products containing organic nutrients can supply consistent levels of nutrients?

Please explain your response and share any information that you have to help us understand your response. In particular, any comments you have about whether further processing that would be necessary to make a consistent product and the costs and benefits of further processing particularly relating to compliance costs (i.e. environmental permitting) and/or capital costs for new equipment. :

There is a substantial body of agronomic and operational evidence showing that fertilising products (such as compost, digestate and other bio-based fertilisers) can supply consistent nutrient levels, but with an important qualification: consistency is achieved through standardisation of production processes, feedstock control and quality assurance systems, rather than inherent chemical uniformity as in manufactured fertilisers. While organic products are more variable than synthetic fertilisers, they can still be produced within predictable and auditable nutrient ranges. It is also important to note that these materials are regularly tested and up to date nutrient information is provided to customers.

Whether the fertiliser is organic or inorganic, crop uptake of nutrients is dependent on a range of environmental factors – those variables/anomalies apply regardless of whether the product is organic or inorganic. The important element is that the product performs reliably and safely in its intended use.

REAL's Biofertiliser Certification Scheme requires routine nutrient characterisation and REAL may be able to provide aggregated data on request from both their Biofertiliser and Compost Certification Schemes on request. REA have some historic data that we can provide but REAL's data is more recent. Any nutrient limits set in the UK FPR must be relevant for the types of materials that are currently produced in the UK and must be based on this data.

5.4 Alternative processing technologies and nutrient recovery (continued II)

117 What would be the impact of requiring a certain level of 'recycled' nutrient in fertilising products?

moderate positive impact

Please explain your response and share any information or evidence that you have to help us understand your response. In particular, any comments you have about the types of fertilising products which could contain a percentage of recycled nutrient, and the sectors where there are opportunities to recover nutrients for fertiliser manufacturer. Please also comment on any alternative regulatory changes or other proposals which could increase recycling of valuable nutrients into fertilising products. Please include examples from other countries or areas of regulation where available.:

REA supports drivers for recycled nutrients to increase the transition to a more circular economy wherever possible. It could help accelerate investment and innovation significantly. Inclusion of this requirement should be introduced gradually (with a transition) to avoid risks around lack of supply, cost inflation and infrastructure challenges.

It is important that any UK FPR specified minimum (recycled) nutrient concentrations in waste-derived organic fertilisers and organo-mineral fertilisers are achievable using the CMC types that are allowed to be used in these product function categories. E.g. before deciding such minima, we assume Defra would take account of statistics for UK-produced waste-derived composts and digestates, and for digestates made from livestock manures and/or purpose grown crops, and set achievable minimum recycled nutrient content concentrations.
Please also note the EU FPR does not set minimum (recycled) nutrient concentrations that apply to organic soil improvers (this being the product function category) that garden/plant waste-derived composts and most garden/plant+food waste composts would qualify for (when considering nutrient concentrations).

6. Consultee Feedback on the online survey

118 Overall, how satisfied are you with our online tool?

dissatisfied

Please give us any comments you have on the tool, including suggestions on how we could improve it. :

A index of question / navigation page would make it easier to reach quickly the question you are answering.

Annex 1 – Product Function Categories (PFCs) and Component Material Categories (CMC)s in EU FPR which have not been prioritised for conformity assessment at the first stage of implementation of UK FPR.

Annex 2 - Current legislation on the statute book