



European Commission

Enterprise Directorate-General

FERTILISER REGULATION

**Regulation (EC) No 2003/2003
of 13 October 2003**

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Explanatory part of the "screening" - 16-20 January 2006 - Croatia, Turkey

Scope and Aims

Scope:

- ▶ Mineral fertilisers
- ▶ Fertilisers labelled “EC Fertiliser”

Aims:

- ▶ Free movement of fertilisers in the internal market
- ▶ Guarantee of minimum nutrient content
- ▶ Guarantee of safety (ammonium nitrate fertilisers)

Structure of the Fertiliser Regulation

- ▶ Title 1: General provisions
- ▶ Title 2: Provisions for specific types of fertiliser
- ▶ Title 3: Conformity assessment
- ▶ Title 4: Other provisions
- ▶ Annex 1: List of types of EC fertiliser
- ▶ Annex II: Tolerances
- ▶ Annex III: Ammonium nitrate fertiliser
- ▶ Annex IV: Methods of sampling and analysis

Title 1: General provisions

- ▶ Basic fertiliser requirements
- ▶ Requirements on packaging and tolerances
- ▶ Detailed rules on labelling are specified, however,
- ▶ Member States specify labelling format of primary and secondary nutrients. National language(s) to be used
- ▶ EC fertilisers must be traceable and records kept
- ▶ Manufacturers must be established in the EU
- ▶ EC fertiliser shall conform with the regulation
- ▶ EC fertiliser shall circulate freely
- ▶ Safeguard clause

Title 1: General provisions

Basic requirements for EC fertilisers

Fertiliser

- ▶ Must provide nutrients in an effective manner
- ▶ Relevant sampling, analysis and testing methods must be available
- ▶ Must not have adverse effects on human, animal or plant health, or on the environment.

Packaging

- ▶ Packaging must be tamper proof

Title 1: General provisions

Rules on labelling

- ▶ Name or trade mark and address of manufacturer
- ▶ Type designation of Annex 1 (>100 different types)
- ▶ The words “EC FERTILISER”
- ▶ National language(s) of the Member State must be used
- ▶ Member State may prescribe that primary nutrient content is labelled in elemental or oxide form
e.g. phosphorous (P) or phosphorous pentoxide (P₂O₅)

Title 1: General provisions

Safeguard Clause

- ▶ Member States may temporarily prohibit the marketing of a fertiliser if there are grounds to believe it constitutes a risk to health or environment.
- ▶ Member State informs Commission of action
- ▶ Commission decides within 90 days after consulting the Fertiliser Committee

Title 2: Provisions for specific types of fertiliser

- ▶ Secondary nutrients in primary nutrient fertilisers
 - Minimum content for Ca, Mg, Na and S, rules on labelling
- ▶ Secondary nutrient fertilisers
 - Identification (labelling)
- ▶ Micronutrient fertilisers
 - Identification (labelling) and packaging
- ▶ Ammonium nitrate fertilisers (>28% nitrogen)
 - Rules for porosity, combustible ingredients, heavy metals etc.
 - Test of resistance to detonation
 - Control measures, packaging, traceability

Title 3: Conformity assessment

▶ Member State control measures

- Fees
- Frequency of repeat testing
- Sampling and analysis methods

▶ Approved laboratories

- Accredited laboratories to be notified to the Commission
- Standard for laboratories: EN ISO/IEC 17025
- Standard for accreditation bodies: EN 45003

Title 4: Other provisions

▶ New fertiliser types

- Mechanism for introduction of new EC fertiliser types

▶ Committee procedure

- Permits adaptation of annexes without co-decision procedure

▶ Penalties

- Member States to fix penalties which are effective, proportionate and dissuasive

Annex I: Standard types of EC fertiliser

- A. Inorganic straight primary nutrient fertiliser (N, P or K)
- B. Inorganic compound primary nutrient fertiliser (NPK, NP, NK, PK)
- C. Inorganic fluid fertiliser (Straight, Compound)
- D. Inorganic secondary nutrient fertiliser (Ca, Mg, S)
- E. Inorganic micro-nutrient fertiliser (B, Co, Cu, Fe, Mn, Mo, Zn) (chelating agents permitted for micro-nutrient fertiliser)

Annex I: Standard types of EC fertiliser

Fertiliser type descriptions

- ▶ Type designation (name)
(e.g. Sulphate of ammonia)
- ▶ Method of production and ingredients
(e.g. Chemically obtained product containing ammonium sulphate)
- ▶ Minimum nutrient content
(20% N, nitrogen expressed as ammoniacal nitrogen)
- ▶ How nutrients are to be labelled
(e.g. ammoniacal nitrogen)

Annex II: Tolerances

List of maximum allowed negative deviations of actual nutrient content from the declared content

e.g. Ammonium Sulphate: Tolerance of 0.4% for N content.

Hence, if the declared N content is 10%, then each sample of the fertiliser must contain at least 9.6% nitrogen.

For most fertilisers types there is no positive tolerance.

Annex III: Safety requirements for ammonium nitrate fertilisers

- ▶ Applies to ammonium nitrate based fertilisers containing more than 28% nitrogen
- ▶ Manufacturer must ensure that all fertilisers supplies can pass a test of resistance to detonation
- ▶ Manufacturers must keep records concerning the production sites
- ▶ Must be sold to consumer in packaged form

Annex IV: Methods of sampling and analysis

120 pages of detailed methods

(to be replaced by CEN standards starting in 2008)

Further information on the Fertiliser Regulation

- ▶ **Guideline** on the compilation of a technical file for an application to designate fertiliser as “EC fertiliser”

http://europa.eu.int/comm/enterprise/chemicals/legislation/fertilizers/index_en.htm

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