



Fertilising Product Regulation implementation

**Conference on New Fertilisers Regulation
Warsaw, 23 October 2019**

Unit D2 - Chemicals

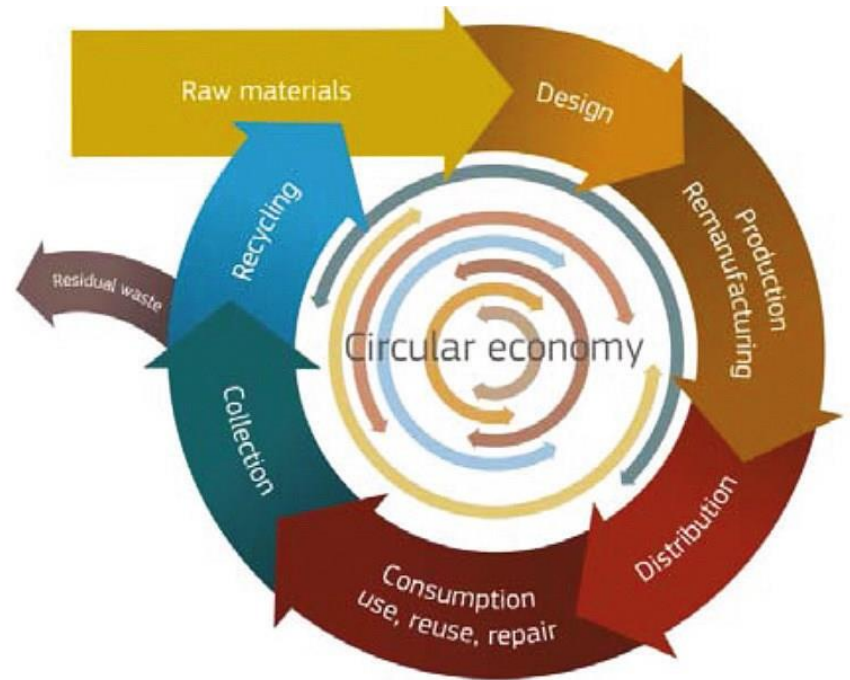
**European Commission, DG Internal Market, Industry, Entrepreneurship
and SMEs**

The Fertilising Products Regulation (FPR)

Adopted on 5 June 2019

The adoption of FPR is part of the Circular Economy Action Plan.

(for the most recent report on the implementation of this Action Plan: http://ec.europa.eu/environment/circular-economy/index_en.htm)



Harmonised rules for fertilising products

- New Legislative Framework
- Harmonised rules apply on placing on the market of CE marked Fertilising Product
- CE-marking → Free movement in the single market
- A product regulation; does not regulate use of products or mode of application
- Replace the existing Fertilisers Regulation 2003/2003



European
Commission

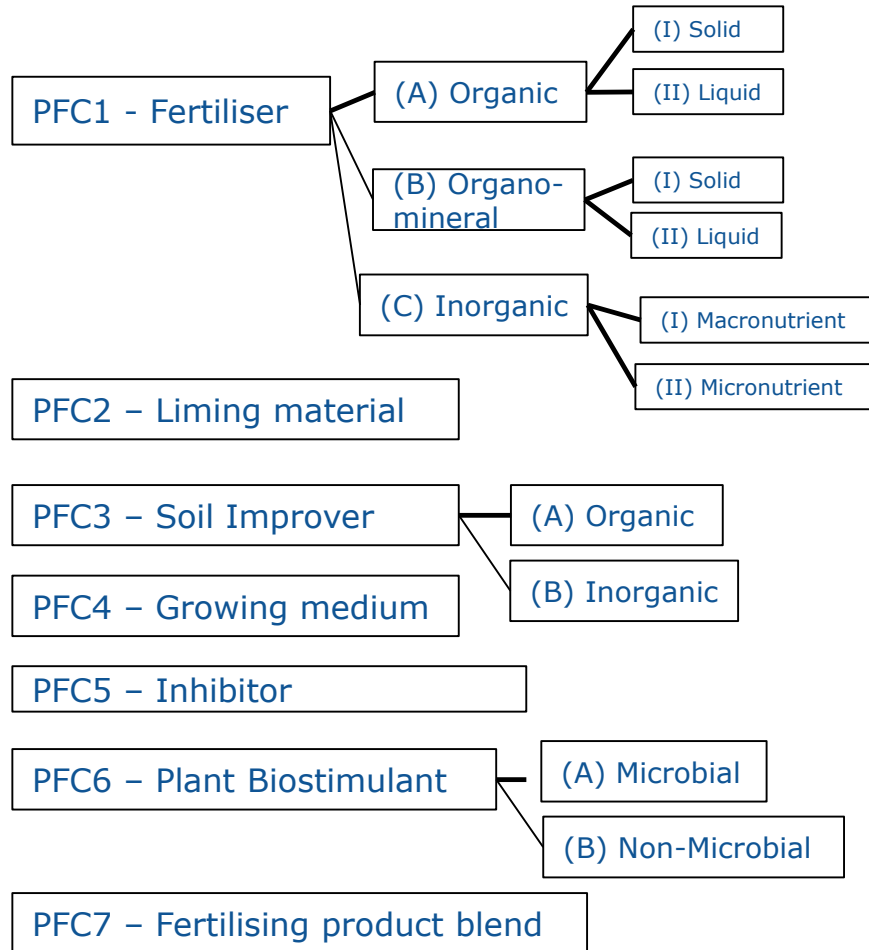
Optional harmonisation



Data sources: European Commission (2011), Eurostat (2012)
Map created by Benjamin D. Hennig, University of Sheffield, 2012

**An EU fertilising product
belongs to....**

Product Function Categories ('PFC')



EU fertilising product must comply with requirements of at least one product function category (PFC)

- Safety (contaminants , pathogens)
- Quality (content of nutrients)
- Labelling

EU fertilising product may claim more than one functions (PFCs)

Blend (PFC 7) made of two or more component EU fertilising products

An EU fertilising product is composed of.... **Component Material Categories (CMCs)**

CMC 1: Substances and mixtures, primary

CMC 2: Simple plant parts or extracts

CMC 3: Compost

CMC 4: Energy crop digestate

CMC 5: Other digestate

CMC 6: Food industry by-products

CMC 7: Micro-organisms

CMC 8: Nutrient polymers

CMC 9: Other polymers

CMC 10: Products derived from animal by-products

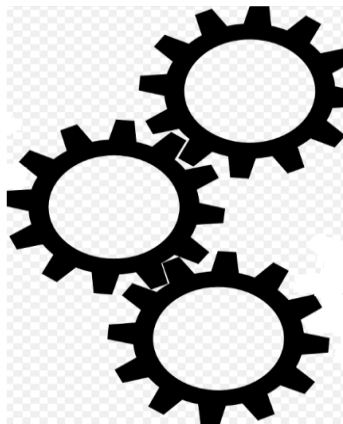
CMC 11: By-products

- **All component materials have to be covered by a CMC**
- **Product composed of at least one CMC and comply to its relevant requirements**
 - REACH
 - “End-of-waste criteria”
 - Animal-by-products regulation
- **One PFC may contain more than one CMC**
- **CMCs not expected to react intentionally**
- **Precursors of a chemical in CMC 1 do not need to be covered by a CMC**

for manufacturers:

More products covered by the FPR → new opportunities

Less red-tape – much broader categories and no need to amend the FPR for individual products as it is the case now



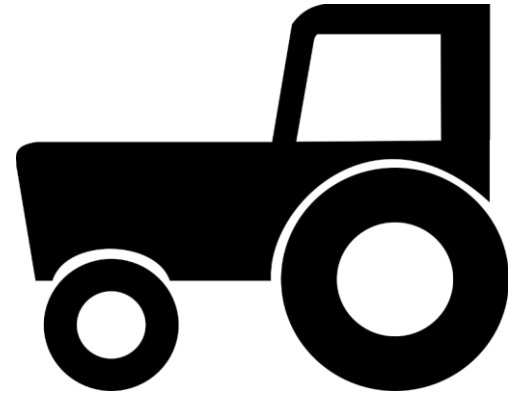
for technology providers:

FPR opens the door to new technologies such as decadmiation or phosphorus recuperation

for farmers:

More choices for the fertilising products they use

Produce raw materials for their own fertilising products



for EU citizens:

Mandatory limit values for the most important contaminants and pathogens in EU fertilising products

Period of transition



2022

EU fertilising products FPR
EC fertilisers placed on the
market before the application of
FPR
National fertilising products

2019

EC fertilisers R 2003/2003
National fertilisers

Implementation of FPR

- Commission expert group
- Conformity Assessment and Market Surveillance
- Products derived from animal by-products (ABPs) used as fertilising products
- Criteria on agronomic efficiency and safety for by-products
- Biodegradability criteria for control release fertilisers
- Standardisation request
- Guidance document on labels
- FAQs

Commission Expert Group

Commission will need to consult a relevant Commission expert group before adopting delegated acts

Expert group on fertilising products

- ✓ new mandate
- ✓ open call for observers
- new rules of procedure

Conformity assessment (1)

FPR follows the new legislative approach

- the conformity assessment to be done following one of the modules set in Annex IV
- in some modules, notified bodies play a role
→ need to create the corresponding infrastructure

Timeline – April 2020



Modules are defined in Annex IV depending on component material category (CMC) *or* product function category (PFC)

Module A

- PFCs 1*-4 containing
 - CMC 1 except 1(4) and
 - CMCs 4, 6, 7, 8 and 11
- PFC 7*

Module B + C

- PFCs 1*-4 containing CMCs 1(4), 2, 9 and 10
- PFCs 5 and 6

Module D1
PFCs 1*-6 containing CMCs 3 and 5

***Module A1** shall be used for ammonium nitrate fertilisers of high nitrogen content.

Conformity assessment (2)

- in some of the modules, notified bodies play a role → need to create the corresponding administrative structure

NANDO Information System

(New Approach Notified and Designated Organisations)

<https://ec.europa.eu/growth/tools-databases/nando/index.cfm?fuseaction=na.main>

Timeline – April 2020



Market surveillance

New Market Surveillance Regulation (Regulation (EU) 2019/1020) will be applicable by July 2022

- improves market surveillance
- seeks to boost Europe's track-and-trace capabilities in the world of global supply chains



Timeline – July 2022

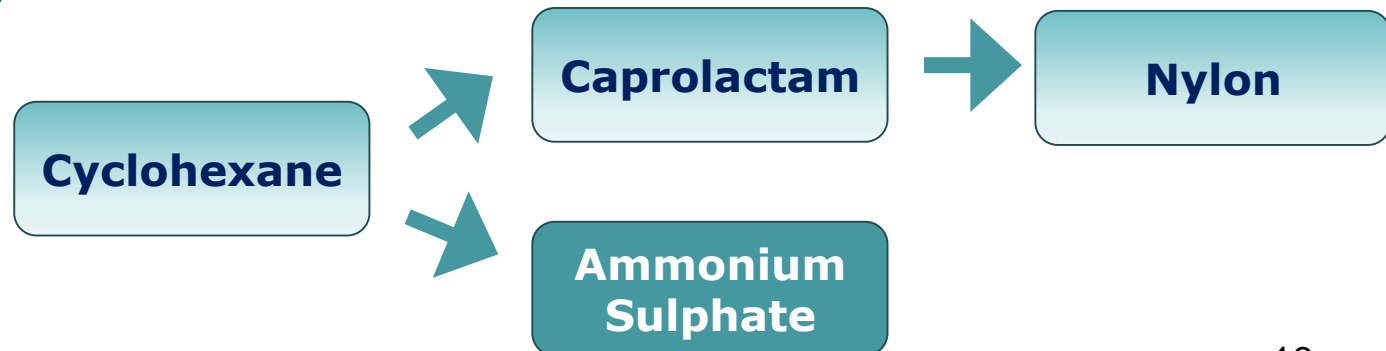
https://ec.europa.eu/growth/single-market/goods/building-blocks/market-surveillance_en

Criteria on agronomic efficiency and safety for by-products

Commission obligation to set criteria on agronomic efficiency and safety of use of by-products (article 42(7) of FPR)

- *Complementary to criteria in Directive 2008/98/EC*

Timeline – July 2022

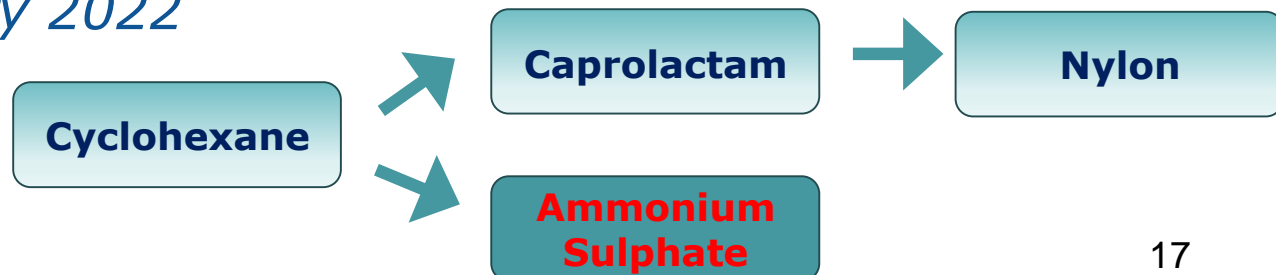


Determination of end points for products derived from ABPs used in fertilising products

Commission obligation to start assessing derived products from ABPs used as organic fertilisers (article 46 of FPR)

If assessment concludes “no risk to public or animal health” → Commission to determine end points in the manufacturing chain

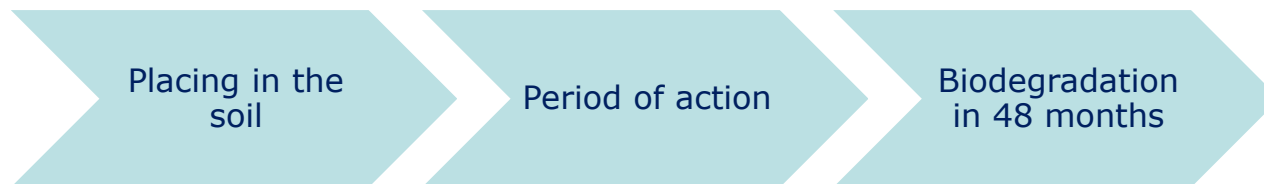
Timeline – January 2022



Biodegradability criteria for control release fertilisers

Commission obligation to assess and, where appropriate, adopt biodegradation criteria for control release fertilisers (article 42(6) of FPR)

Timeline – July 2024



Draft standardisation request

Commission will request CEN to develop harmonised standards to prove compliance with the requirements in FPR

Timeline – for vote in the next Committee on Standards



Guidance document on labels

Commission has obligation to publish a guidance document with clear information and examples concerning the visual appearance of the label of EU fertilising products

Timeline – July 2020



Frequently Asked Questions

FAQs document is proposed by the Commission to facilitate the implementation of the FPR



Thank you !



Follow the work on the implementation of the FPR on CircABC
– Commission Expert Group on fertilising products

<https://circabc.europa.eu/ui/group/36ec94c7-575b-44dc-a6e9-4ace02907f2f>