



# **Fertilising Product Regulation implementation**

**1<sup>st</sup> Summit of the Organic and Organo-  
mineral Fertiliser Industry in Europe  
Brussels, 6 June 2019**

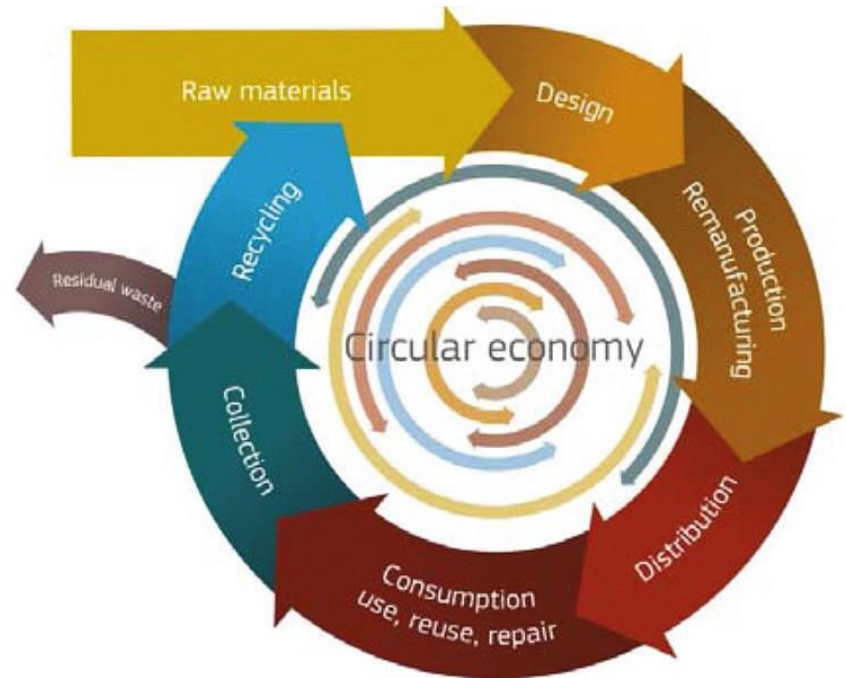
**Johanna Bernsel  
DG GROW/D2**

# The Fertilising Products Regulation (FPR)

*Adopted on 5 June*

*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](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

# Optional harmonisation



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



European  
Commission

## The main actors are:



**The EP and Council decide all essential elements**

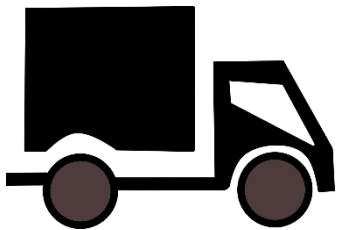
**The Commission adopts delegated acts**

**CEN adopts voluntary harmonised standards**

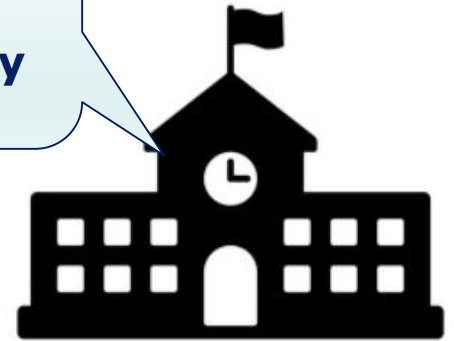


**Market surveillance authorities check EU fertilising products**

**Notified bodies assist in conformity assessment**



**Economic operators ensure conformity before placing on the market, and collaborate with market surveillance authorities**



# Structure of the FPR - Operative Provisions

- Chapter 1- General provisions (art. 1-5)
- Chapter 2- Obligations of economic operators (art. 6-12)
- Chapter 3 – Conformity of EU Fertilising Products (art. 13-19)
- Chapter 4 – Notification of Conformity Assessment Bodies (art. 20-36)
- Chapter 5 – Union market surveillance, control of EU fertilising products entering the Union Market and Union Safeguard Procedure (art. 37-41)
- Chapter 6 –Delegated powers and committee procedure (art. 42-45)
- Chapter 7 – Amendments (art. 46 – 47)
- Chapter 8 – Transitional and final provisions (art. 48 – 53)

# Structure of the FPR - Annexes

## **Annex I – Product Function Categories of EU fertilising products (PFCs)**

- Part 1- Designation of PFCs
- Part 2- Requirements related to each PFC

## **Annex II – Component Material Categories (CMCs)**

- Part 1 – Overview of CMCs
- Part 2 – Requirements related to each CMC

## **Annex III – Labelling requirements**

- Part 1- General labelling requirements
- Part 2 – Product-specific labelling *requirements*
- Part 3- Tolerance rules

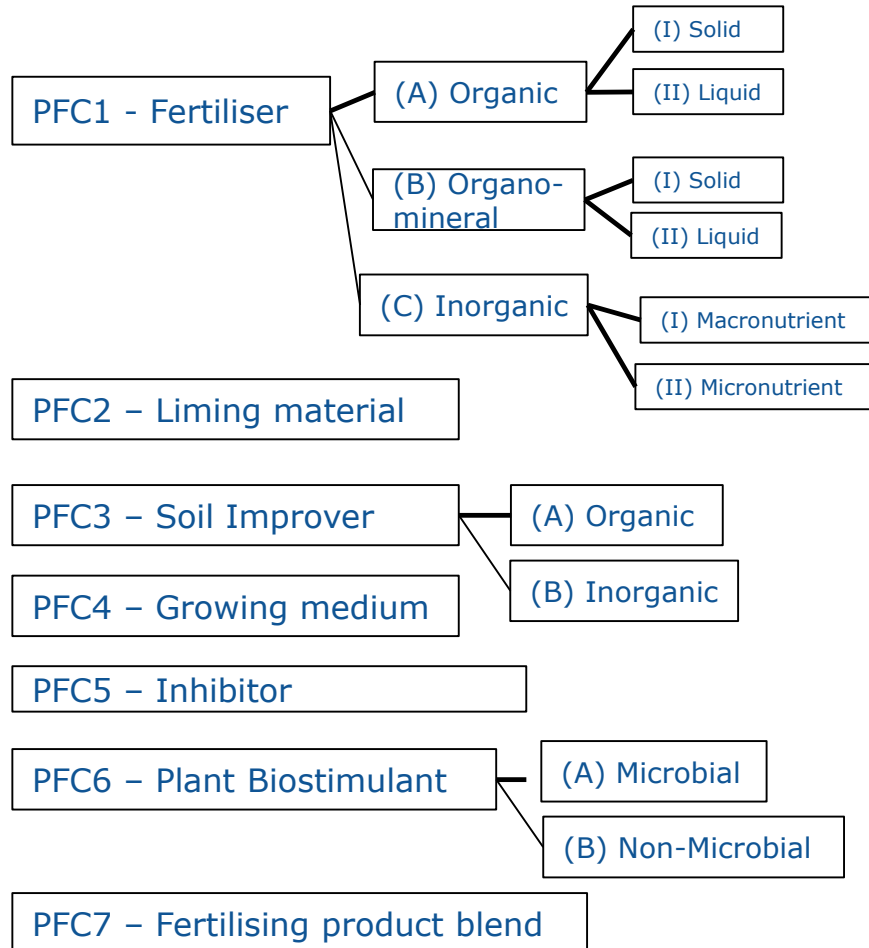
## **Annex IV – Conformity assessment procedures**

- Part 1 – Applicability
- Part 2 – Description (modules)

## **Annex V – EU declaration of conformity**

***A CE fertilising product  
belongs to....***

## Product Function Categories ('PFC')



**CE-marked products comply with requirements for at least one product function category (PFC)**

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

**CE marked product with two or more functions (PFCs) → may be considered as **Blend (PFC 7)****



**A CE 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 end points
- **One PFC may contain more than one CMC**
- **CMCs not expected to react intentionally**
- **Precursors of a chemical need not to be covered by a CMC if the chemical is covered by CMC 1**

## **Illustrative example :**

how to obtain a CE Mark for organic fertiliser (PFC 1(A))  
composed of compost (CMC 3)

### **Main product requirements:**

**Compliance with recovery rules for compost (material purity + stability)**

**Limits for heavy metal contaminants/pathogens**

**Minimum content of nutrients and organic carbon**

**Label must include:**

- Components above 5%
- Content of nutrients and organic carbon

## **Illustrative example:**

how to obtain a CE Mark for organic fertiliser (PFC 1(A))  
composed of compost (CMC 3)

### **Conformity assessment:**

**Module D1 is applicable**

**Manufacturer operates a quality system under  
surveillance of notified body**

**Quality system includes input material inspection  
and output material sample testing**

**CE marking indicates of the identification number of  
the notified body**

# Waste Framework Directive

## Animal By-products Regulation (ABPR)

## Plant Protection Product Regulation

- CE-marked compliant fertilising products cease being waste (Article 19 of FPR)
- ABPR allows fertilisers to reach the end-point in the manufacturing chain (Article 46 of FPR)
- Plant biostimulants regulated under FPR (Article 47 of FPR; PFC 6)

# Conformity assessment

- *Responsibility of the manufacturer following one of the modules in Annex IV*
- *in some of the modules, notified bodies play a role → need to create the corresponding infrastructure*



**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.*

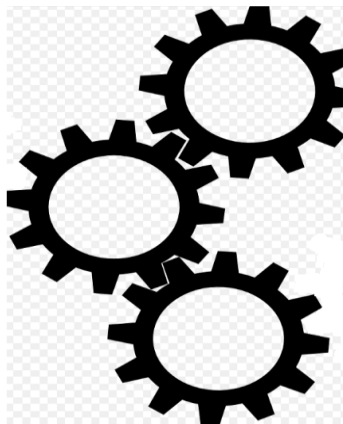
## Dynamics/adaptability of FPR

- Annexes "limited" to PFCs/CMCs where realistic safety and quality standards available
- Annexes will be more and more inclusive (Strubias, animal by-products): mechanisms to adapt the annexes (delegated acts) to technical progress
- If new safety concerns arise, reactivity to new risks (delegated acts), safeguard mechanisms

## Win 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



## Win for technology providers:

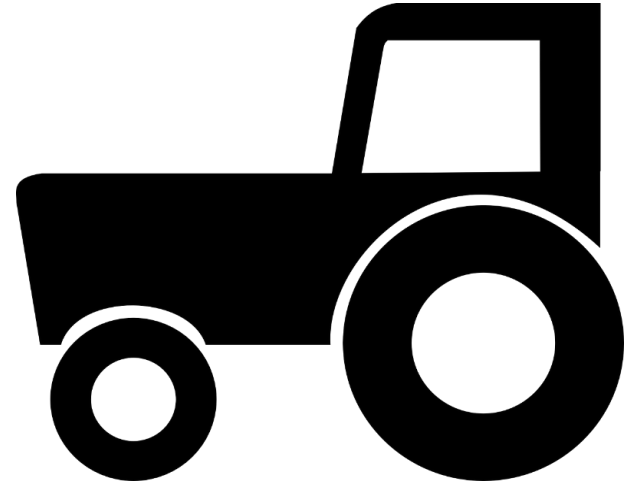
FPR opens the door to new technologies such as decadmiation or phosphorus recuperation



## Win for farmers:

More choices for the fertilising products they use

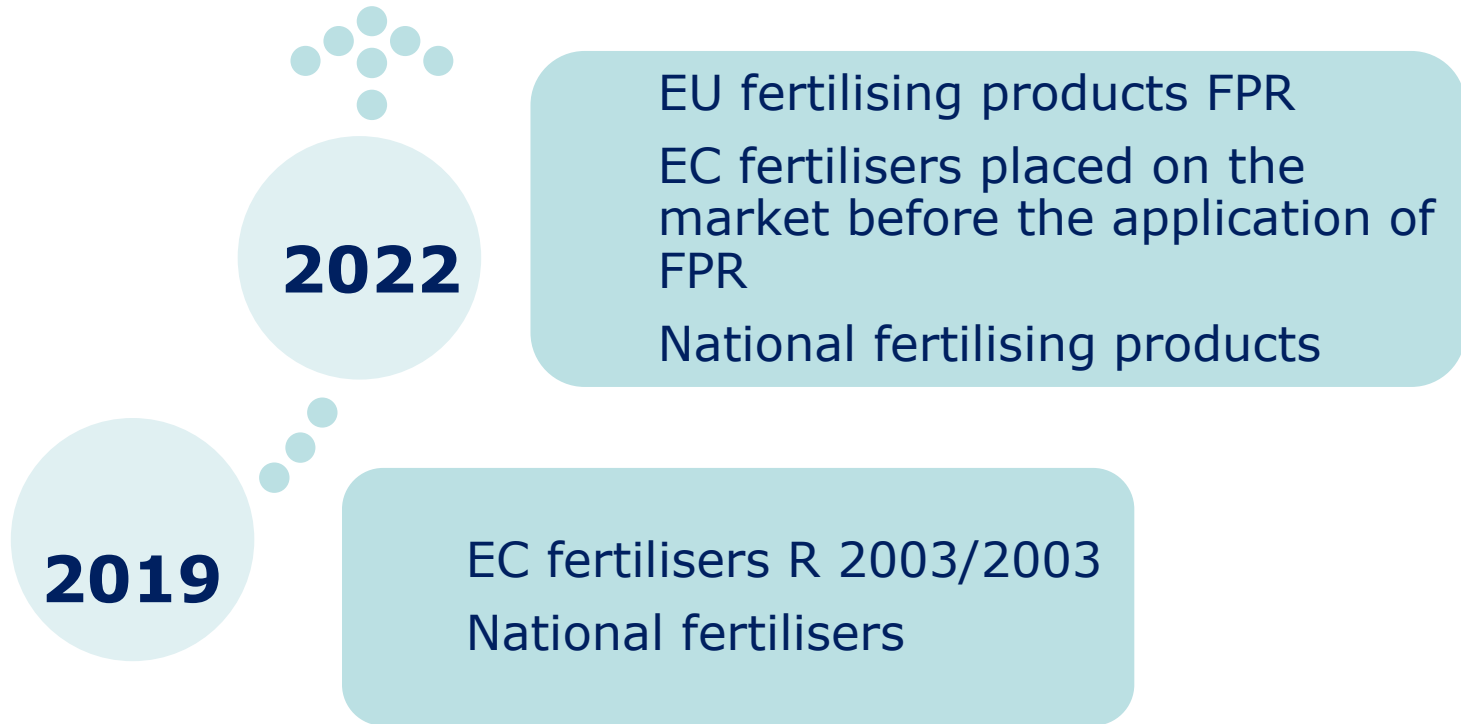
Produce raw materials for their own fertilising products



## Win for EU citizens:

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

# Period of transition



# Thank you !

**Follow the work on the implementation of the FPR on  
CircABC – Fertilisers Working Group**

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