

De: European Commission - 'Have your say' <DO-NOT-REPLY@ec.europa.eu>
Envoyé: lundi 3 août 2026 07:00
À: info@phosphorusplatform.eu
Objet: 'Have your say' - Acknowledgement of receipt



Dear Sir or Madam,

Thank you for submitting your feedback on [Have your say](#).

We acknowledge receipt of your feedback which may be used to improve the proposed legislation.

[https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14627-A biotechnológiai jogszabály/F33534552_en](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14627-A_biotechnológiai_jogszabály/F33534552_en)

To make corrections, you can unpublish your feedback and send a new one, if the feedback period is still open.

This is an automatic notification message. Please do not reply to it.

With kind regards,

European Commission
Secretariat-General

ESPP input to EU [consultation](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14627-Biotech-Act_en) on Biotech Act 3rd August 2026.

https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14627-Biotech-Act_en

ESPP welcomes that the Call for Evidence for the BioTech 2 consultation of 10th June identified fertilisers as an area for action, citing creation of lead markets and simplification of legislation.

This is coherent with the EU Fertiliser Action Plan ([19th May 2026](#)) which states that the Biotech Act will “*prepare measures to create lead markets for bio-based fertilising products*”.

The draft BioTech 1 regulatory text submitted to the present consultation makes no mention of fertilisers nor of nutrients. The accompanying documents (26/5/26) refer to “*biofertilisers*” but only as GMM (genetically modified microorganisms) and “*microbial fertilisers*”:

- “GMMs ... include novel biofertilisers ...”
- “global GMM-relevant markets ... biofertilisers ... relate to microbial fertilisers in general ... commercial biofertiliser products are mostly not genetically modified ...”
- “microbial fertilisers ... to replace products potentially harmful for the environment”
- “The most advanced application of GMMs for environmental release are biofertilisers”
- “biological nitrogen fixation (BNF) by genetically modifying nitrogen-fixing bacteria ...”

It seems that there is here considerable confusion between biostimulants and fertilisers. ESPP suggests that the term “biofertiliser” should only be used for “fertilisers” as defined in the Fertilising Products Regulation 2019/1009 (and not for “biostimulants”).

ESPP notes that the separation into two Biotech Acts (1 and 2, both under preparation) causes confusion and risks of overlaps and complexity. ESPP suggests that these two Acts and regulatory processes should be combined into one single Biotech Act.

The Biotech Act(s) should address both resilient nutrient supply to feed crops to input to the bioeconomy and also the need to recycle nutrients from bio-economy residue streams. The importance of recycled nutrients for fertiliser supply resilience, food security and EU competitiveness should be recognised, and actions engaged to establish a single market for secondary nutrients across Europe, support investments, facilitate R&D through to industrial pilot and market test phases, and to make regulations simpler, clearer and coherent.

ESPP notes that the Fertiliser Action Plan states that “*The Commission will examine options for providing clear definitions for [biobased fertilisers] ... such a definition will be a necessary first step for the measures described ... to create lead markets for such products*”.

ESPP considers that such definitions are necessary to enable public policies or purchasing criteria for recycled nutrients. ESPP has developed, with wide stakeholder input, discussion proposals for regulatory definitions (**see attached**), underlining that:

- definitions of “bio-based - ” and “recycled - ” (for fertilisers, nutrients, etc) should be established concurrently and in the same regulatory texts, to ensure coherence and market clarity (‘recycled’ could be replaced by ‘circular’ or ‘secondary’)
- definitions should be applicable to “fertilisers”, to “fertilising products” and to “nutrients”.
- there should be appropriate, official, structured consultation before adopting legal definitions.
- definitions should not only be applicable to CE-Mark fertilising products, but should be transposable to National fertilisers and to industrial recycling of nutrients.
- without a precise and detailed legal text, general definitions will not be sufficient to implement policies (such as CAP funding or tax differentials) or public or private purchasing criteria.

See documents here www.phosphorusplatform.eu/regulatory.

[ESPP stakeholder proposed definitions of “bio-based - ” and “recycled - ” fertilisers, fertilising products and nutrients](#), July 2026
[ESPP input](#) to the 10th June consultation and “[Joint Call for Nutrients in the EU Circular Economy Act](#)”.

Possible minimum bio-sourced content obligations: “[Questions on Possible Phosphorus Quotas for Fertilisers](#)” (Eunomia 2026).