



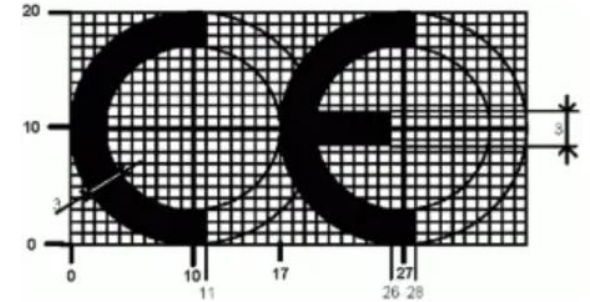
The Fertilising Products Regulation Regulatory Update

ESNI Conference 2024
Growing the Future of Nutrient Recycling
18 September

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DG GROW-F2 – Bioeconomy, chemicals and cosmetics

Fertilising Products Regulation



New Legislative Framework (*)

Harmonised rules set on making available of **EU fertilising products** on the market

CE-marking → Free movement in the EU market

Optional harmonisation

a product regulation; does not regulate use of products or mode of application of products

The Fertilising Products Regulation is fully applicable as of 16 July 2022

amended already by 13 Commission delegated Regulations (5 still under scrutiny)

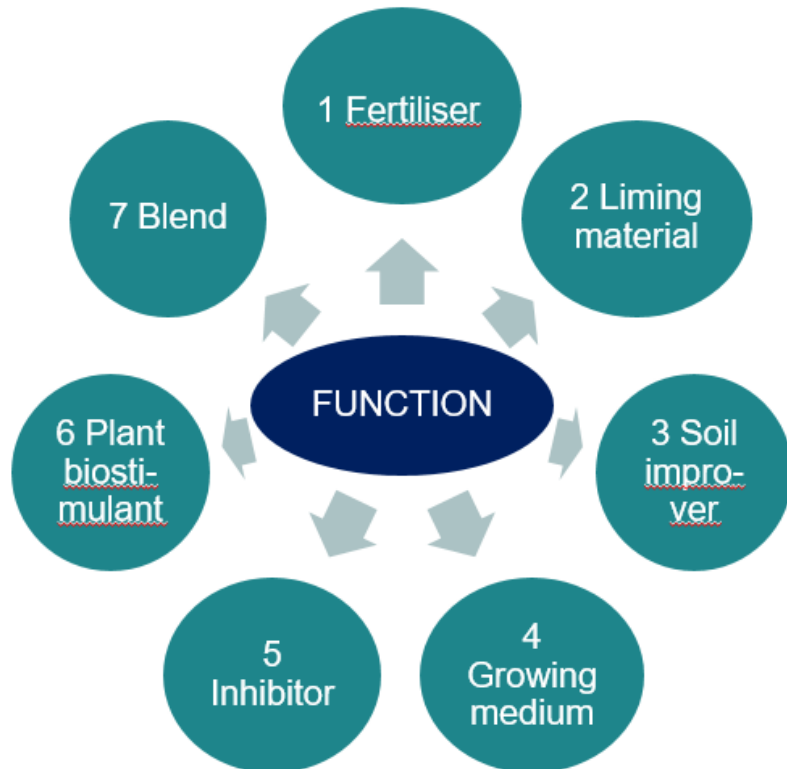
* COMMISSION NOTICE - The 'Blue Guide' on the implementation of EU product rules 2022

What are EU fertilising products

1 function (7)

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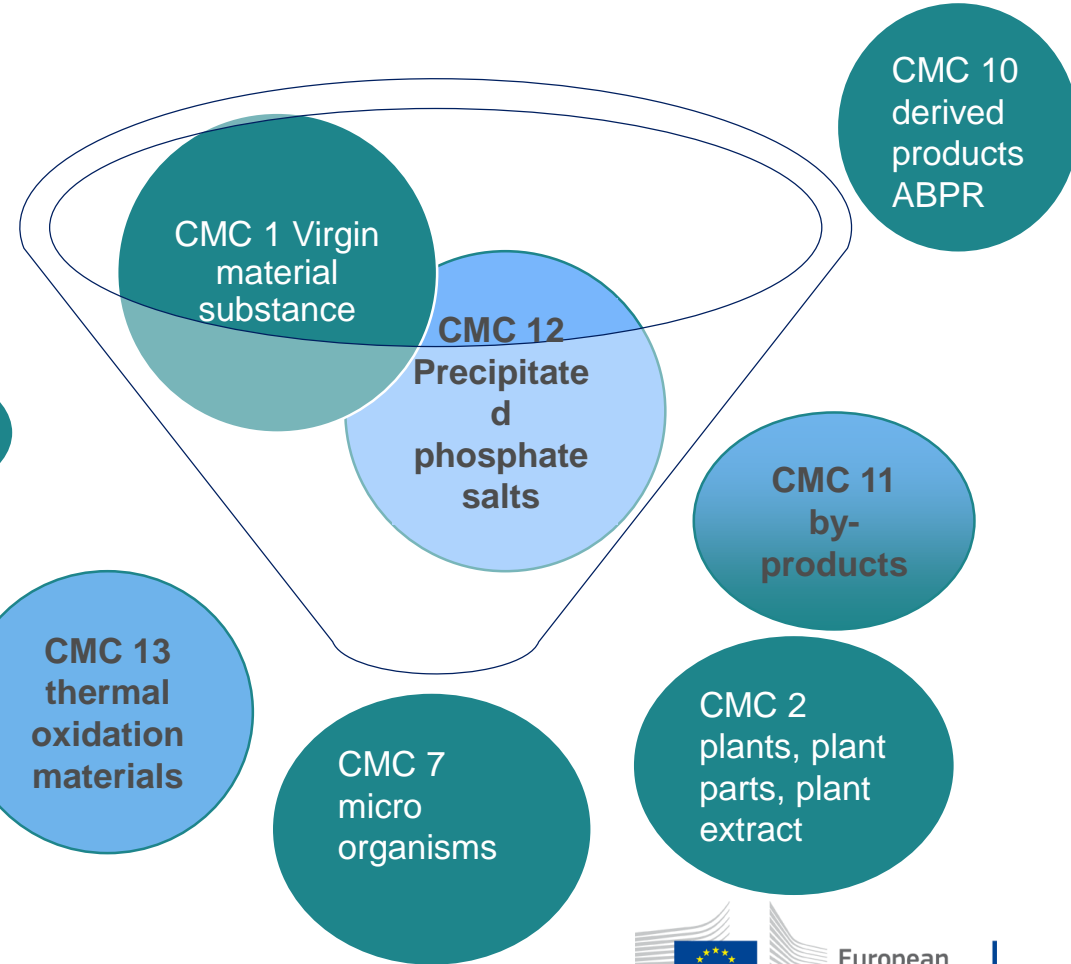
x components (15)



CMC 15
high
purity
materials

CMC 3
compost

CMC 13
thermal
oxidation
materials



Which materials are allowed as components ?

CMC 1: Virgin material substances and mixtures

CMC 2: Plants, plant parts or plant extracts

CMC 3: Compost

CMC 4: Fresh crop digestate

CMC 5: Digestate other than fresh crop digestate

CMC 6: Food industry by-products

CMC 7: Micro-organisms

CMC 8: Nutrient polymers

CMC 9: Polymers other than nutrient polymers

CMC 10: Derived products within the meaning of Regulation (EC) No 1069/2009 (Animal by-products Regulation)

CMC 11: By-products within the meaning of Directive 2008/98/EC (Waste Framework Directive)

CMC 12: Precipitated phosphate salts and derivatives

CMC 13: Thermal oxidation materials and derivatives

CMC 14: Pyrolysis and gasification materials

CMC 15: High purity materials

waste derived materials are covered

end-of waste is reached when manufacturer signs the Declaration of Conformity and affixes the CE-marking on the EU fertilising product

Let's focus on digestate (CMC 4 and 5)...

INPUT materials

- (a) **bio-waste** within the meaning of Directive 2008/98/EC resulting from separate bio-waste collection at source;
- (b) **living or dead organisms or parts** thereof, which are unprocessed or processed only by manual, mechanical or gravitational means, by dissolution in water, by flotation, by extraction with water, by steam distillation or by heating solely to remove water, or which are extracted from air by any means, except: (i) materials originating from mixed municipal waste,; (ii) sewage sludge, industrial sludge or dredging sludge, and (iii) animal by-products or derived products within the scope of Regulation (EC) No 1069/2009.
- (c) **digestion additives** provided that: (i) the additive complies with the requirement set out in point 2 in CMC 1 and (ii) the total concentration of all additives does not exceed 5 % of the total input material weight; or
- (d) any material listed in points (a) or (b) which: (i) **has previously been composted or digested, and (ii) contains no more than 6 mg/kg dry matter of PAH₁₆.**

Temperature / time profiles

- (a) thermophilic anaerobic digestion at 55 °C for at least 24 hours followed by a hydraulic retention time of at least 20 days;
- (b) thermophilic anaerobic digestion at 55 °C with a treatment process including pasteurisation as described in point 1 of Section 1 of Chapter I of Annex V to Commission Regulation (EU) No 142/2011 (5);
- (c) thermophilic anaerobic digestion at 55 °C followed by composting in: — 70 °C or more for at least 3 days, — 65 °C or more for at least 5 days, — 60 °C or more for at least 7 days, or — 55 °C or more for at least 14 days;
- (d) mesophilic anaerobic digestion at 37-40 °C with a treatment process including pasteurisation as described in point 1 of Section 1 of Chapter I of Annex V to Regulation (EU) No 142/2011; or
- (e) mesophilic anaerobic digestion at 37-40 °C followed by composting in: — 70 °C or more for at least 3 days, — 65 °C or more for at least 5 days, — 60 °C or more for at least 7 days, or — 55 °C or more for at least 14 days.

Post processes

- a) mechanical separation of solid and liquid fraction of digestate.
- b) all or part of the soluble ammonium and/or of the phosphate has been removed to recover nitrogen and/or phosphorus, without the intention to otherwise modify the digestate or the fraction.
- c) physical processing to remove water without the intention to otherwise modify the digestate or the fraction.

and some words on RENURE...

COMMISSION DIRECTIVE (EU) .../... amending Council Directive 91/676/EEC as regards the use of certain fertilising materials from livestock manure

Member States may authorise, above 170 kg N/he/year and up to an additional 100 kg N/he/year the use of certain mineral materials derived from livestock manure:

- (1) an ammonium salt (scrubbing salt), stemming from a gas purification or emission control process designed to remove ammonia from off-gases;
- (2) a mineral concentrate obtained through reverse osmosis;
- (3) a nitrogen-rich phosphate salt (struvite), precipitated out of livestock manure;

mineral N/ total N $\geq 90\%$ or Corg/N ≤ 3 ; Cu: 300 mg/kg dry matter; Zn: 800 mg/kg dry matter; limits for *Salmonella* spp. and *E.coli* or *Enterococcaceae*; +additional conditions for storage and use to be considered by MSs

Digital labelling for EU fertilising products: A done deal!

[Commission proposal](#) adopted on 27 February 2023

COUNCIL mandate adopted on 17 November

https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=consil:ST_15593_2023_INIT

EP mandate adopted on 9 November

https://www.europarl.europa.eu/doceo/document/A-9-2023-0330_EN.html

European Parliament and Council agreement at first reading

<https://data.consilium.europa.eu/doc/document/ST-6025-2024-INIT/en/pdf>

Digital labelling for EU fertilising products

The provisions in short:

digital labelling is not mandatory

digital label **only** for products traded between economic operators

digital label **only** for products sold to end users without a packaging (in bulk or in packaging above 1000 kg)

digital label **also** for products sold to end users with a packaging

- the digital label has full labelling information + obligation to post digital information at point of sales

-the physical label has most labelling information (except the ones marked with an *)

digital label needs to comply with general provisions; all complementing technical information will be set out via delegated acts

Further development of FPR...

- [delegated Regulation to include processed manure in CMC 10](#)
- delegated Regulations on biodegradability criteria for polymers
 - a) for certain [polymers covered by CMC 9](#) in EU fertilising products (proposed application date 17.09.2028; under scrutiny until 10/24)
 - b) [for mulch films](#) (under scrutiny until 16/10/24)
 - c) to align criteria for [polymers in CMC 1](#) to the ones included in REACH (proposed application date 17.09.2028; under scrutiny until 10/24)
 - d) to align criteria for [polymers in CMC 11](#) to the ones included in REACH restriction (proposed application date 17.09.2028; under scrutiny until 10/24)
- delegated Regulation on [other technical amendments](#)
 - e) tolerance rules for inhibiting compounds in products with >2% content; tolerance rules for macro-and micro-nutrients fertilisers quantity; *Enterococcaceae* → *Enterococcus* sp. (under scrutiny until 10/24)

Progress on technical studies...

- Study for the technical documentation for EU fertilising products

Final report soon on [CIRCA](#)

NMI “Nutriënten Management Instituut” , Wageningen, NL

- study related to CMC 10 -agronomic efficiency and safety criteria for [ABPs with an end-point determined](#)

Qlab -"Research, Analytical and Quality Control Lab“, Thessaloniki, GR Email fertilizers@q-lab.gr
Interim report circulated via [CIRCA](#)

- study for the inclusion of new materials and processes

NMI “Nutriënten Management Instituut” , Wageningen, NL Email: fertilising.products@nmi-agro.nl
interim report to be soon circulated

- study for the inclusion of new microorganisms in CMC 7

AIT “Austrian Institute of Technology GmbH”, Tulln, AT Email: AIT.FPR-Biostimulants@ait.ac.at

Standardisation work

The current standardisation request: M/564
(C(2020)162 amended by C(2022)47 + 2nd Amd)

A GROW F2 “home-made” consolidated version of M/564 on [CIRCA](#)

[April 2022](#) – all expected CEN/Technical specifications were published as planned



[4th quarter 2024](#) - harmonised standards for Plant biostimulants

[July 2027](#) – first harmonised standards for Soil improvers, Growing media

[July 2027](#) - first harmonised standards for Fertilisers, Liming materials, Inhibitors

- Finalisation of a proposal for a new standardisation request to cover all requirements related to the amendments adopted (STRUBIAS, high purity, by products and technical amendments)

Future evaluation of FPR...

According to Article 49 of FPR, COM to report to EP and Council on functioning of rules etc

ongoing call under the GROW FWC for a technical study on the evaluation of FPR

Available resources

DG GROW [website](#)

Info session organised by DG GROW - How to CE mark your fertilising product ; 23 May 2022; recording available [here](#)

Guidance Document on the labelling of EU Fertilising Products; available [here](#)

FAQs document on Fertilising Products Regulation; available [here](#)

Commission Expert Group on fertilising products (documents available [here](#))

Member States competent authorities [list](#)

Market Surveillance authorities responsible for controls of products [list](#)

Do you have questions?

GROW-FERTILISING-PRODUCTS@ec.europa.eu

Thank you



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Slides 4,5,6,7, 9, 11: pictures, source: [Fotolia.com](https://www.fotolia.com)

