



2016/0084(COD)

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AMENDMENTS

49 - 338

Draft opinion

Jan Huitema

(PE599.577v01-00)

Proposal for a Regulation of the European Parliament and of the Council laying down rules on the making available on the market of CE marked fertilising products and amending Regulations (EC) No 1069/2009 and (EC) No 1107/2009

Proposal for a regulation

(COM(2016)0157 – C8-0123/2016 – 2016/0084(COD))

Amendment 49

Clara Eugenia Aguilera García, Nicola Caputo, Marc Tarabella, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Title 1

Text proposed by the Commission

Proposal for a
REGULATION OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL
laying down rules on the making available
on the market of CE marked **fertilising**
products and amending Regulations (EC)
No 1069/2009 and (EC) No 1107/2009

(Text with EEA relevance)

Amendment

Proposal for a
REGULATION OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL
laying down rules on the making available
on the market of CE marked **fertilisers and
improving nutrition efficiency** products
(**INEP**) and amending Regulations (EC)
No 1069/2009 and (EC) No 1107/2009

(Text with EEA relevance)

*("fertiliser" should be removed throughout
the text for those products intended to
improve nutrition efficiency of plants.)*

Or. en

Justification

It is not appropriate to call fertiliser (implying an addition of nutrients) to some products included in this proposal and whose function is the improvement of the nutritional efficiency, as it is the case of micro-organisms.

Amendment 50

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso, Nuno Melo

Proposal for a regulation

Title 1

Text proposed by the Commission

Proposal for a
REGULATION OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL
laying down rules on the making available
on the market of CE marked **fertilising**

Amendment

Proposal for a
REGULATION OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL
laying down rules on the making available
on the market of CE marked **fertilizers and**

products and amending Regulations (EC)
No 1069/2009 and (EC) No 1107/2009

(Text with EEA relevance)

Improving Nutrition Efficiency Products
(***INEP***) and amending Regulations (EC)
No 1069/2009 and (EC) No 1107/2009

(Text with EEA relevance)

(This amendment from "Fertilising products" to "fertilisers and improving nutrition efficiency products (INEP)" applies throughout the text. Adopting it will necessitate corresponding changes throughout.)

Or. en

Justification

Liming material, soil improver, growing medium, agronomic additive and plant biostimulant are not fertilisers. These products are being used in combination with fertilisers for the purpose of improving nutrition efficiency, with the beneficial effect of reducing the amount of fertilisers used and hence their environmental impact. In order to facilitate their free movement on the internal market, they should be covered by the harmonization.

Amendment 51

Anthea McIntyre, Annie Schreijer-Pierik, Julie Girling

Proposal for a regulation

Title 1

Text proposed by the Commission

Proposal for a
REGULATION OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL
laying down rules on the making available
on the market of CE marked ***fertilising
products*** and amending Regulations (EC)
No 1069/2009 and (EC) No 1107/2009

(Text with EEA relevance)

Amendment

Proposal for a
REGULATION OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL
laying down rules on the making available
on the market of CE marked ***fertilisers,
growing media, soil improvers, limiting
materials, agronomic additives, and plant
biostimulants*** and amending Regulations
(EC) No 1069/2009 and (EC) No
1107/2009

(Text with EEA relevance)

Or. en

Amendment 52

Tom Vandenkendelaere, Annie Schreijer-Pierik

Proposal for a regulation

Title 1

Text proposed by the Commission

Amendment

Proposal for a

REGULATION OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL

laying down rules on the making available
on the market of CE marked fertilising
products and amending Regulations (EC)
No 1069/2009 *and (EC) No 1107/2009*

(Text with EEA relevance)

Proposal for a

REGULATION OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL

laying down rules on the making available
on the market of CE marked fertilising
products and amending Regulations (EC)
No 1069/2009, *(EC) No 1107/2009,*
Directive 91/676/EEC and Regulation
(EC) No 1907/2006

(Text with EEA relevance)

Or. en

Amendment 53

Esther Herranz García, Ramón Luis Valcárcel Siso, Gabriel Mato

Proposal for a regulation

Recital 1

Text proposed by the Commission

Amendment

(1) *The conditions for making
fertilisers available on the internal market
have been partially harmonised through
Regulation (EC) No 2003/2003 of the
European Parliament and of the
Council¹⁵, which almost exclusively
covers fertilisers from mined or
chemically produced, inorganic materials.
There is also a need to make use of
recycled or organic materials for
fertilising purposes. Harmonised
conditions for making fertilisers made
from such recycled or organic materials
available on the entire internal market
should be established in order to provide
an important incentive for their further
use. The scope of the harmonisation*

(1) *The Regulation must foster the
goals of the circular economy, provided it
ensures at the same time that farmers
have a secure supply of highly efficient
fertilisers. The European Commission
must present the European Parliament
and the Council with a report taking stock
of the application of this Regulation five
years after its entry into force.*

should therefore be extended in order to include recycled and organic materials.

¹⁵ *Regulation (EC) No 2003/2003 of the European Parliament and of the Council of 13 October 2003 relating to fertilisers (OJ L 304, 21.11.2003, p. 1).*

deleted

Or. es

Amendment 54

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Recital 1

Text proposed by the Commission

(1) The conditions for making fertilisers available on the internal market have been partially harmonised through Regulation (EC) No 2003/2003 of the European Parliament and of the Council¹⁵, which almost exclusively covers fertilisers from mined or chemically produced, inorganic materials. There is also a need to make use of recycled or organic materials for fertilising purposes. Harmonised conditions for making fertilisers made from such recycled or organic materials available on the entire internal market should be established in order to provide an important incentive for their further use. The scope of the harmonisation should therefore be extended in order to include recycled and organic materials.

Amendment

(1) The conditions for making fertilisers available on the internal market have been partially harmonised through Regulation (EC) No 2003/2003 of the European Parliament and of the Council¹⁵, which almost exclusively covers fertilisers from mined or chemically produced, inorganic materials. There is also a need to make use of recycled or organic materials for fertilising purposes. Harmonised conditions for making fertilisers made from such recycled or organic materials available on the entire internal market should be established in order to provide an important incentive for their further use. The scope of the harmonisation should therefore be extended in order to include recycled and organic materials. ***There must be clarity in the use of the term organic and a clear distinction made between organic as defined in Regulation (EC) no 834/2007 and organic as category of fertiliser which contains mainly organic material, not mineral components.***

¹⁵ Regulation (EC) No 2003/2003 of the

¹⁵ Regulation (EC) No 2003/2003 of the

European Parliament and of the Council of 13 October 2003 relating to fertilisers (OJ L 304, 21.11.2003, p. 1).

European Parliament and of the Council of 13 October 2003 relating to fertilisers (OJ L 304, 21.11.2003, p. 1).

Or. en

Amendment 55

Peter Jahr, Albert Deß

Proposal for a regulation

Recital 1

Text proposed by the Commission

(1) The conditions for making fertilisers available on the internal market have been partially harmonised through Regulation (EC) No 2003/2003 of the European Parliament and of the Council¹⁵, which almost exclusively covers fertilisers from mined or chemically produced, **inorganic** materials. There is also a need to make use of recycled or organic materials for fertilising purposes. Harmonised conditions for making fertilisers made from such recycled or organic materials available on the entire internal market should be established in order to provide an important incentive for their further use. The scope of the harmonisation should therefore be extended in order to include recycled and organic materials.

¹⁵ Regulation (EC) No 2003/2003 of the European Parliament and of the Council of 13 October 2003 relating to fertilisers (OJ L 304, 21.11.2003, p. 1).

Amendment

(1) The conditions for making fertilisers available on the internal market have been partially harmonised through Regulation (EC) No 2003/2003 of the European Parliament and of the Council¹⁵, which almost exclusively covers fertilisers from mined or chemically produced, **mineral** materials. There is also a need to make use of recycled or organic materials for fertilising purposes. Harmonised conditions for making fertilisers made from such recycled or organic materials available on the entire internal market should be established in order to provide an important incentive for their further use. The scope of the harmonisation should therefore be extended in order to include recycled and organic materials.

¹⁵ Regulation (EC) No 2003/2003 of the European Parliament and of the Council of 13 October 2003 relating to fertilisers (OJ L 304, 21.11.2003, p. 1).

Or. en

Amendment 56

Anja Hazekamp

Proposal for a regulation
Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) *In the context of the circular economy, the production and use of organic fertilisers and animal feed should be regional, in order to avoid unnecessary transport of organic fertilisers and animal feed.*

Or. nl

Amendment 57
Maria Lidia Senra Rodríguez

Proposal for a regulation
Recital 2

Text proposed by the Commission

Amendment

(2) Certain products are being used in combination with fertilisers for the purpose of improving nutrition efficiency, with the beneficial effect of reducing the amount of fertilisers used and hence their environmental impact. In order to facilitate their free movement on the internal market, not only fertilisers, i.e. products intended to provide plants with nutrient, but also products intended to improve plants' nutrition efficiency, should be covered by the harmonisation.

(2) Certain products are being used in combination with fertilisers for the purpose of improving nutrition efficiency, with the beneficial effect of reducing the amount of fertilisers used and hence their environmental impact. In order to facilitate their free movement on the internal market, not only fertilisers, i.e. products intended to provide plants with nutrient, but also products intended to improve plants' nutrition efficiency, should be covered by the harmonisation, ***excluding hormones and genetically manipulated products.***

Or. es

Amendment 58
Julie Girling, Anthea McIntyre

Proposal for a regulation
Recital 2 a (new)

(2a) Nutrients in our food originate from the soil; healthy and nutritious soil results in healthy and nutritious crops and food. Farmers need available a wide range of fertilisers, organic and synthetic in order to enhance their soil. When soil nutrients are missing, or depleted, plants will be nutrient deficient and may either stop growing or not contain nutritional value for human consumption.

Or. en

Amendment 59

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Recital 5 a (new)

(5a) Notes that since Directive (EC) no 91/676 was introduced all Member States have drawn up action plans to protect and improve water quality with 39.6% of the EU territory covered, implemented by some 300 action programs. Farmers are becoming increasingly positive about environmental protection realising that accurate placement and use of manures can have twin environmental and economic benefits. In this context it is important to ensure that the use of animal manure and farm produced compost not labelled with the CE mark remain outside the scope of this legislation and that the recycling of farm residues is not hindered by disproportionate administration burdens. To ensure effective use of animal manure cooperation between farmers is necessary, some farmers specialize in crop production importing animal manure from adjacent livestock

farms. This kind of cooperation should be stimulated and encouraged, not curtailed by unrealistic administration. Animal manures properly applied using modern technologies, governed by soil sampling, within the parameters of the Nitrates Directive is still the most cost effective way of using this valuable fertiliser.

Or. en

Amendment 60
Bronis Ropé

Proposal for a regulation
Recital 7

Text proposed by the Commission

(7) Similarly, different component materials warrant different process requirements and control mechanisms adapted to their different potential hazardousness and variability. Component materials for CE marked fertilising products should therefore be divided into different categories, which should each be subject to specific process requirements and control mechanisms. It should be possible to make available on the market a CE marked fertilising product composed of several component materials from various component material categories, where each material complies with the requirements of the category to which the material belongs.

Amendment

(7) Similarly, different component materials warrant different process requirements and control mechanisms adapted to their different potential hazardousness and variability. Component materials for CE marked fertilising products should therefore be divided into different categories, which should each be subject to specific process requirements and control mechanisms, ***and clear and easily intelligible user information measures should be established***. It should be possible to make available on the market a CE marked fertilising product composed of several component materials from various component material categories, where each material complies with the requirements of the category to which the material belongs.

Or. It

Amendment 61
Bronis Ropé

Proposal for a regulation
Recital 8

Text proposed by the Commission

(8) Contaminants in CE marked fertilising products, such as cadmium, can potentially pose a risk to human and animal health and the environment as they accumulate in the environment and enter the food chain. ***Their content*** should therefore be limited in such products. Furthermore, impurities in CE marked fertilising products derived from bio-waste, in particular polymers but also metal and glass, should be either prevented or limited to the extent technically feasible by detection of such impurities in separately collected bio-waste before processing.

Amendment

(8) Contaminants in CE marked fertilising products, such as cadmium, can potentially pose a risk to human and animal health and the environment as they accumulate in the environment and enter the food chain. ***Impurities*** should therefore be ***strictly*** limited in such products, ***and information on the presence of impurities in fertiliser should be clearly displayed on the packaging.*** Furthermore, impurities in CE marked fertilising products derived from bio-waste, in particular polymers but also metal and glass, should be either prevented or limited to the extent technically feasible by detection of such impurities in separately collected bio-waste before processing.

Or. It

Amendment 62
Julie Girling, Anthea McIntyre

Proposal for a regulation
Recital 8

Text proposed by the Commission

(8) Contaminants in CE marked fertilising products, such as cadmium, can potentially pose a risk to human and animal health and the environment as they accumulate in the environment and enter the food chain. Their content should therefore be limited in such products. Furthermore, impurities in CE marked fertilising products derived from bio-waste, in particular polymers but also metal and glass, should be either prevented or limited to the extent technically feasible by detection of such impurities in separately collected bio-waste before processing.

Amendment

(8) Contaminants in CE marked fertilising products, such as cadmium, ***if not used correctly,*** can potentially pose a risk to human and animal health and the environment as they accumulate in the environment and enter the food chain. Their content should therefore be limited in such products. Furthermore, impurities in CE marked fertilising products derived from bio-waste, in particular polymers but also metal and glass, should be either prevented or limited to the extent technically feasible by detection of such impurities in separately collected bio-waste

before processing.

Or. en

Amendment 63
Georgios Epitideios

Proposal for a regulation
Recital 8

Text proposed by the Commission

(8) Contaminants in CE marked fertilising products, such as cadmium, can potentially pose a risk to human and animal health and the environment as they accumulate in the environment and enter the food chain. Their content should therefore be limited in such products. Furthermore, impurities in CE marked fertilising products derived from bio-waste, in particular polymers but also metal and glass, should be *either* prevented *or limited* to the extent technically feasible by detection of such impurities in separately collected bio-waste before processing.

Amendment

(8) Contaminants in CE marked fertilising products, such as cadmium, can potentially pose a risk to human and animal health and the environment as they accumulate in the environment and enter the food chain. Their content should therefore be limited in such products. Furthermore, impurities in CE marked fertilising products derived from bio-waste, in particular polymers but also metal and glass, should be prevented to the extent technically feasible by detection of such impurities in separately collected bio-waste before processing.

Or. el

Amendment 64
Rosa D'Amato, Piernicola Pedicini, Eleonora Evi, Marco Zullo

Proposal for a regulation
Recital 8

Text proposed by the Commission

(8) Contaminants in CE marked fertilising products, such as cadmium, can *potentially* pose a risk to human and animal health and the environment as they accumulate in the environment and enter the food chain. Their content should therefore be limited in such products. Furthermore, impurities in CE marked

Amendment

(8) Contaminants in CE marked fertilising products, such as cadmium, can *likely* pose a risk to human and animal health and the environment as they accumulate in the environment and enter the food chain. Their content should therefore be limited in such products. Furthermore, impurities in CE marked

fertilising products derived from bio-waste, in particular polymers but also metal and glass, should be either prevented or limited to the extent technically feasible by detection of such impurities in separately collected bio-waste before processing.

fertilising products derived from bio-waste, in particular polymers but also metal and glass, should be either prevented or limited to the extent technically feasible by detection of such impurities in separately collected bio-waste before processing.

Or. en

Amendment 65

Maria Lidia Senra Rodríguez

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) Contaminants in CE marked fertilising products, such as cadmium, can potentially pose a risk to human and animal health and the environment as they accumulate in the environment and enter the food chain. Their content should therefore be limited in such products. Furthermore, impurities in CE marked fertilising products derived from bio-waste, in particular polymers but also metal and glass, should be either prevented or limited to the extent technically feasible by detection of such impurities in separately collected bio-waste before processing.

Amendment

(8) Contaminants in CE marked fertilising products, such as cadmium, can potentially pose a risk to human and animal health and the environment as they accumulate in the environment and enter the food chain. Their content should therefore be limited in such products. Furthermore, impurities in CE marked fertilising products derived from bio-waste, in particular polymers but also metal and glass, should be either prevented or limited to the extent technically feasible by detection of such impurities in separately collected bio-waste before processing, ***such as cadmium, drug residues, pesticide residues and industrial waste.***

Or. es

Amendment 66

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation

Recital 8 a (new)

Text proposed by the Commission

Amendment

(8a) Securing reliable and unhindered

access to raw materials is crucial to the European Union's economy and essential to maintaining and improving quality of life, industry and employment. The European Commission has created a list of Critical Raw Materials (CRMs) in order to identify raw materials with a high supply-risk and a high economic importance to the Union, and secure their reliable and unhindered access. The European Commission added phosphate rock to this list in 2014. The Regulation must take this into account when taking measures entailing restrictions on use of these materials.

Or. es

Justification

The purpose of the EU's raw materials initiative is to ensure sufficiency of supply. Excluding certain sources for raw material imports, thereby exacerbating the EU dependency on those remaining would therefore be contradictory to this policy.

Amendment 67

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation

Recital 8 b (new)

Text proposed by the Commission

Amendment

(8b) *The contaminant limits set out in the Regulation should not disqualify or give preference to certain sources of raw materials. The market and trade effects of such limits should be monitored therefore to safeguard the stable and affordable access to raw materials, ensuring effective competition and competitiveness of the EU fertiliser industry.*

Or. es

Amendment 68
Georgios Epitideios

Proposal for a regulation
Recital 9

Text proposed by the Commission

(9) Products complying with all the requirements of this Regulation should be allowed to move freely on the internal market. Where one or more of the component materials in a CE marked fertilising product falls within the scope of Regulation (EC) No 1069/2009 of the European Parliament and of the Council¹⁸, but reaches a point in the manufacturing chain beyond which it no longer poses any **significant** risk to public or animal health (the ‘end point in the manufacturing chain’), it would represent an unnecessary administrative burden to continue subjecting the product to the provisions of that Regulation. Such fertilising products should therefore be excluded from the requirements of that Regulation. Regulation (EC) No 1069/2009 should therefore be amended accordingly.

¹⁸ Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation) (OJ L 300, 14.11.2009, p. 1).

Amendment

(9) Products complying with all the requirements of this Regulation should be allowed to move freely on the internal market. Where one or more of the component materials in a CE marked fertilising product falls within the scope of Regulation (EC) No 1069/2009 of the European Parliament and of the Council¹⁸, but reaches a point in the manufacturing chain beyond which it no longer poses any risk to public or animal health (the ‘end point in the manufacturing chain’), it would represent an unnecessary administrative burden to continue subjecting the product to the provisions of that Regulation. Such fertilising products should therefore be excluded from the requirements of that Regulation. Regulation (EC) No 1069/2009 should therefore be amended accordingly.

¹⁸ Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation) (OJ L 300, 14.11.2009, p. 1).

Or. el

Amendment 69
Tom Vandenkendelaere, Annie Schreijer-Pierik

Proposal for a regulation
Recital 10

(10) The end point in the manufacturing chain should be determined for each relevant component material containing animal by-products in accordance with the procedures laid down in Regulation (EC) No 1069/2009. Where a manufacturing process regulated under this Regulation starts already before that end point has been reached, the process requirements of both Regulation (EC) No 1069/2009 and this Regulation should apply cumulatively to CE marked fertilising products, which means application of the stricter requirement in case both Regulations regulate the same parameter.

(10) The end point in the manufacturing chain should be determined for each relevant component material containing animal by-products in accordance with the procedures laid down in Regulation (EC) No 1069/2009. ***The setting of processing methods and recovery rules for animal by-products for which an end point in the manufacturing chain has been determined should start immediately after the entry into force of this Regulation. Accordingly, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of expanding or adding, without any unnecessary delay, certain animal by-products to the specific component material categories in order to increase opportunities and provide more legal certainty for producers and users by unlocking the circular potential of increased use of nutrients from animal by-products such as animal manure.*** Where a manufacturing process regulated under this Regulation starts already before that end point has been reached, the process requirements of both Regulation (EC) No 1069/2009 and this Regulation should apply cumulatively to CE marked fertilising products, which means application of the stricter requirement in case both Regulations regulate the same parameter.

Or. en

Amendment 70

Julie Girling, Anthea McIntyre

Proposal for a regulation

Recital 11

Text proposed by the Commission

(11) In the event of risks to **public** or animal health from CE marked fertilising products derived from animal by-products, recourse to safeguard measures in accordance with Regulation (EC) No 178/2002 of the European Parliament and of the Council¹⁹ should be possible, as is the case for other categories of products derived from animal by-products.

¹⁹ Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1).

Amendment

(11) In the event of **proportionate** risks to **human** or animal health from CE marked fertilising products derived from animal by-products, recourse to safeguard measures in accordance with Regulation (EC) No 178/2002 of the European Parliament and of the Council¹⁹ should be possible, as is the case for other categories of products derived from animal by-products.

¹⁹ Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1).

Or. en

Amendment 71
Annie Schreijer-Pierik

Proposal for a regulation
Recital 13

Text proposed by the Commission

(13) For certain recovered wastes within the meaning of Directive 2008/98/EC of the European Parliament and of the Council²⁰, a market demand for their use as fertilising products has been identified. Furthermore, certain requirements are necessary for the waste used as input in the recovery operation and for the treatment processes and techniques, as well as for fertilising products resulting from the recovery operation, in order to ensure that the use of those products does not lead to overall adverse environmental or human

Amendment

(13) For certain recovered wastes **such as struvite, biochar and ash-based products** within the meaning of Directive 2008/98/EC of the European Parliament and of the Council²⁰, a market demand for their use as fertilising products has been identified. Furthermore, certain requirements are necessary for the waste used as input in the recovery operation and for the treatment processes and techniques, as well as for fertilising products resulting from the recovery operation, in order to ensure that the use of those products does

health impacts. For CE marked fertilising products, those requirements should be laid down in this Regulation. Therefore, as of the moment of compliance with all the requirements of this Regulation, such products should cease to be regarded as waste within the meaning of Directive 2008/98/EC.

not lead to overall adverse environmental or human health impacts. For CE marked fertilising products, those requirements should be laid down in this Regulation. Therefore, as of the moment of compliance with all the requirements of this Regulation, such products should cease to be regarded as waste, within the meaning of Directive 2008/98/EC, ***and accordingly it should be possible for products containing or consisting of such recovered waste materials to access the internal market. To ensure legal clarity and to further incentivize producers to increase their use of valuable waste streams, the scientific analyses and the setting of process requirements on Union level for such products should start immediately after the entry into force of this Regulation. Accordingly, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of defining, without unnecessary delay, larger or additional categories of component materials eligible for the use in the production of CE marked fertilising products such as struvite, biochar and ash-based products.***

²⁰ Directive 2008/98/EC of the European Parliament and of the Council on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

²⁰ Directive 2008/98/EC of the European Parliament and of the Council on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

Or. en

Amendment 72

Bronis Ropé

Proposal for a regulation

Recital 13

Text proposed by the Commission

(13) For certain recovered wastes within

Amendment

(13) For certain recovered wastes within

the meaning of Directive 2008/98/EC of the European Parliament and of the Council²⁰, a market demand for their use as fertilising products has been identified. Furthermore, certain requirements are necessary for the waste used as input in the recovery operation and for the treatment processes and techniques, as well as for fertilising products resulting from the recovery operation, in order to ensure that the use of those products does not lead to overall adverse environmental or human health impacts. For CE marked fertilising products, those requirements should be laid down in this Regulation. Therefore, as of the moment of compliance with all the requirements of this Regulation, such products should cease to be regarded as waste within the meaning of Directive 2008/98/EC.

²⁰ Directive 2008/98/EC of the European Parliament and of the Council on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

the meaning of Directive 2008/98/EC of the European Parliament and of the Council²⁰, a market demand for their use as fertilising products has been identified. Furthermore, certain requirements are necessary for the waste used as input in the recovery operation and for the treatment processes and techniques, as well as for fertilising products resulting from the recovery operation, in order to ensure that the use of those products does not lead to overall adverse environmental or human health impacts, ***and clear information about potential adverse effects should be provided***. For CE marked fertilising products, those requirements should be laid down in this Regulation. Therefore, as of the moment of compliance with all the requirements of this Regulation, such products should cease to be regarded as waste within the meaning of Directive 2008/98/EC.

²⁰ Directive 2008/98/EC of the European Parliament and of the Council on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

Or. It

Amendment 73

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso, Nuno Melo

Proposal for a regulation

Recital 13 a (new)

Text proposed by the Commission

Amendment

(13a) Manufactures of Fertilizers and Improving Nutrition Efficiency Products (INEP) should prove their efficiency before placing them in the market in order to guarantee a high level of quality to consumers.

Or. en

Amendment 74
Annie Schreijer-Pierik

Proposal for a regulation
Recital 13 a (new)

Text proposed by the Commission

Amendment

(13a) Certain industry by-products, co-products or recycled products coming from specific industrial processes are currently used by manufacturers as a component of a CE marked fertilising product. For components of CE marked fertilising products, requirements related to component material categories should be laid down in this Regulation. If applicable, as of the moment of compliance with all the requirements of this Regulation, such products should cease to be regarded as waste within the meaning of Directive 2008/98/EC.

Or. en

Amendment 75
Franč Bogovič, Mairead McGuinness

Proposal for a regulation
Recital 14

Text proposed by the Commission

Amendment

(14) Certain substances and mixtures, commonly referred to as agronomic additives, improve the nutrient release pattern of a nutrient in a fertiliser. Substances and mixtures made available on the market with the intention of them being added to CE marked fertilising products for that purpose should fulfil certain efficacy criteria at the responsibility of the manufacturer of those substances or mixtures, and should therefore as such be considered as CE marked fertilising

(14) Certain substances and mixtures, commonly referred to as agronomic additives, improve the nutrient release pattern of a nutrient in a fertiliser. Substances and mixtures made available on the market with the intention of them being added to CE marked fertilising ***or organic farm based fertilising*** products for that purpose ***or intended to be used in separate application but with the same aim*** should fulfil certain efficacy criteria at the responsibility of the manufacturer of those

products under this Regulation. Furthermore, CE marked fertilising products containing such substances or mixtures should be subject to certain efficacy and safety criteria. Such substances and mixtures should therefore also be regulated as component materials for CE marked fertilising products.

substances or mixtures, and should therefore as such be considered as CE marked fertilising products under this Regulation. Furthermore, CE marked fertilising products containing such substances or mixtures should be subject to certain efficacy and safety criteria. Such substances and mixtures should therefore also be regulated as component materials for CE marked fertilising products.

Or. en

Justification

It is crucial to clearly define the limits between plant protection products according to Regulation 1107/2009 and this Regulation. Only materials, which provide nutrients or improve nutrient efficiency such as fertiliser, liming material, soil improver, growing medium, agronomic additive and plant biostimulants with no biocidal effect, should fall under the scope of the new Regulation.

Amendment 76

Bronis Ropé

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 14

Text proposed by the Commission

(14) Certain substances and mixtures, commonly referred to as agronomic additives, improve the nutrient release pattern of a nutrient in a fertiliser. Substances and mixtures made available on the market with the intention of them being added to CE marked fertilising products for that purpose should fulfil certain efficacy criteria at the responsibility of the manufacturer of those substances or mixtures, and should therefore as such be considered as CE marked fertilising products under this Regulation. Furthermore, CE marked fertilising products containing such substances or mixtures should be subject to certain

Amendment

(14) Certain substances and mixtures, commonly referred to as agronomic additives, improve the nutrient release pattern of a nutrient in a fertiliser. Substances and mixtures made available on the market with the intention of them being added to CE marked fertilising products for that purpose should fulfil certain efficacy, ***safety and environmental*** criteria at the responsibility of the manufacturer of those substances or mixtures, and should therefore as such be considered as CE marked fertilising products under this Regulation. Furthermore, CE marked fertilising products containing such substances or mixtures should be subject to

efficacy *and safety* criteria. Such substances and mixtures should therefore also be regulated as component materials for CE marked fertilising products.

certain efficacy, *safety and environmental* criteria. Such substances and mixtures should therefore also be regulated as component materials for CE marked fertilising products.

Or. en

Amendment 77

Bronis Ropé

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) As products made up of substances and mixtures in addition to the fertilising elements are intended to be added to soil and released in to the environment, conformity criteria should apply to all materials in the product, in particular where they are small or break down into small fragments that can be dispersed throughout soil and into water systems and carried to the wider environment.

Therefore biodegradability criteria and conformity testing should also be under realistic in-vivo conditions that take into consideration differential rates of decomposition under anaerobic conditions, in aquatic habitats or under water, in waterlogged conditions or in frozen soil.

Or. en

Amendment 78

Zbigniew Kuźmiuk, Czesław Adam Siekierski, Jarosław Kalinowski

Proposal for a regulation

Recital 15

(15) Certain substances, mixtures and micro-organisms, commonly referred to as plant biostimulants, are not as such nutrients, but nevertheless stimulate plants' nutrition processes. Where such products ***aim solely*** at improving the plants' nutrient use efficiency, tolerance to abiotic stress, or crop quality traits, they are by nature more similar to fertilising products than to most categories of plant protection products. Such products should therefore be eligible for CE marking under this Regulation and excluded from the scope of Regulation (EC) No 1107/2009 of the European Parliament and of the Council²¹. Regulation (EC) No 1107/2009 should therefore be amended accordingly.

(15) Certain substances, mixtures and micro-organisms, commonly referred to as plant biostimulants, are not as such nutrients, but nevertheless stimulate plants' nutrition processes. Where ***the dominant effect of*** such products ***aims*** at improving the plants' nutrient use efficiency, tolerance to abiotic stress, or crop quality traits, they are by nature more similar to fertilising products than to most categories of plant protection products. Such products should therefore be eligible for CE marking under this Regulation and excluded from the scope of Regulation (EC) No 1107/2009 of the European Parliament and of the Council²¹. Regulation (EC) No 1107/2009 should therefore be amended accordingly.

²¹ Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309, 24.11.2009, p. 1).

²¹ Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309, 24.11.2009, p. 1).

Or. pl

Amendment 79 **Beata Gosiewska**

Proposal for a regulation **Recital 15**

(15) Certain substances, mixtures and micro-organisms, commonly referred to as plant biostimulants, are not as such nutrients, but nevertheless stimulate plants' nutrition processes. Where such products ***aim solely*** at improving the plants' nutrient

(15) Certain substances, mixtures and micro-organisms, commonly referred to as plant biostimulants, are not as such nutrients, but nevertheless stimulate plants' nutrition processes. Where ***the dominant effect of*** such products ***aims*** at improving

use efficiency, tolerance to abiotic stress, or crop quality traits, they are by nature more similar to fertilising products than to most categories of plant protection products. Such products should therefore be eligible for CE marking under this Regulation and excluded from the scope of Regulation (EC) No 1107/2009 of the European Parliament and of the Council²¹. Regulation (EC) No 1107/2009 should therefore be amended accordingly.

the plants' nutrient use efficiency, tolerance to abiotic stress, or crop quality traits, they are by nature more similar to fertilising products than to most categories of plant protection products. Such products should therefore be eligible for CE marking under this Regulation and excluded from the scope of Regulation (EC) No 1107/2009 of the European Parliament and of the Council²¹. Regulation (EC) No 1107/2009 should therefore be amended accordingly.

²¹ Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309, 24.11.2009, p. 1).

²¹ Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309, 24.11.2009, p. 1).

Or. pl

Amendment 80

Jean-Paul Denanot, Eric Andrieu, Marc Tarabella

Proposal for a regulation

Recital 15

Text proposed by the Commission

(15) Certain substances, mixtures and micro-organisms, commonly referred to as plant biostimulants, **are** not as such **nutrients**, but nevertheless stimulate plants' nutrition processes. Where such products aim solely at improving the plants' nutrient use efficiency, tolerance to abiotic stress, or crop quality traits, they are by nature more similar to fertilising products than to most categories of plant protection products. Such products should therefore be eligible for CE marking under this Regulation and excluded from the scope of Regulation (EC) No 1107/2009 of the European Parliament and of the

Amendment

(15) Certain substances, mixtures and micro-organisms, commonly referred to as plant biostimulants, **do not provide nutrients** as such, but nevertheless stimulate plants' **natural** nutrition processes. Where such products aim solely at improving the plants' nutrient use efficiency, tolerance to abiotic stress, or crop quality traits, they are by nature more similar to fertilising products than to most categories of plant protection products. ***They therefore act as a complement to fertilisers, with a view to optimising the efficiency of fertilisers and reducing the amounts used. In addition to boosting***

Council²¹. Regulation (EC) No 1107/2009 should therefore be amended accordingly.

production capacity, these products are low-risk for humans and the environment, helping to support ecosystem services and make crops more resistant to the effects of climate change. Such products should therefore be eligible for CE marking under this Regulation and excluded from the scope of Regulation (EC) No 1107/2009 of the European Parliament and of the Council²¹. Regulation (EC) No 1107/2009 should therefore be amended accordingly.

²¹ Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309, 24.11.2009, p. 1).

²¹ Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309, 24.11.2009, p. 1).

Or. fr

Amendment 81

Jan Huitema

Proposal for a regulation

Recital 15

Text proposed by the Commission

(15) Certain substances, mixtures and micro-organisms, commonly referred to as plant biostimulants, are not as such nutrients, but nevertheless stimulate plants' nutrition processes. Where such products aim solely at improving the plants' nutrient use efficiency, tolerance to abiotic stress, or crop quality traits, they are by nature more similar to fertilising products than to most categories of plant protection products. Such products should therefore be eligible for CE marking under this Regulation and excluded from the scope of Regulation (EC) No 1107/2009 of the European Parliament and of the Council²¹. Regulation (EC) No 1107/2009 should

Amendment

(15) Certain substances, mixtures and micro-organisms, commonly referred to as plant biostimulants, are not as such nutrients, but nevertheless stimulate plants' nutrition processes. Where such products aim solely at improving the plants' nutrient use efficiency, tolerance to abiotic stress, or crop quality traits, ***degradation of soil organic compounds, or increasing the availability of confined nutrients in soil and rhizosphere***, they are by nature more similar to fertilising products than to most categories of plant protection products. Such products should therefore be eligible for CE marking under this Regulation and excluded from the scope of Regulation

therefore be amended accordingly.

(EC) No 1107/2009 of the European Parliament and of the Council²¹. Regulation (EC) No 1107/2009 should therefore be amended accordingly.

²¹ Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309, 24.11.2009, p. 1).

²¹ Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309, 24.11.2009, p. 1).

Or. en

Amendment 82

Franč Bogovič, Peter Jahr, Albert Deß, Mairead McGuinness

Proposal for a regulation

Recital 16

Text proposed by the Commission

(16) Products with one or more functions, one of which is covered by the scope of Regulation (EC) No 1107/2009, should remain under the control tailored for such products and provided for by that Regulation. Where such products also have the function of a fertilising product, it would be misleading to provide for their CE marking under this Regulation, since the making available on the market of a plant protection product is contingent on a product authorisation valid in the Member State in question. Therefore, such products should be excluded from the scope of this Regulation.

Amendment

(16) Products with one or more functions, one of which is covered by the scope of Regulation (EC) No 1107/2009, should remain under the control tailored for such products and provided for by that Regulation. Where such products also have the function of a fertilising product, it would be misleading to provide for their CE marking under this Regulation, since the making available on the market of a plant protection product is contingent on a product authorisation valid in the Member State in question. Therefore, such products should be excluded from the scope of this Regulation. ***Products containing components registered under Regulation (EC) No 1107/2009 can have one or more fertilising functions and therefore be covered by the scope of this Regulation.***

Or. en

Justification

This amendment would make the critical distinction between products and isolated components, a confusion which is rampant and is critical to get the balance right between providing clear boundaries while allowing for innovation and avoiding that the plant protection regulation prevents the use of any substance registered under Regulation (EC) 1107/2009 for any other purpose.

Amendment 83

Clara Eugenia Aguilera García, Nicola Caputo, Marc Tarabella, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Recital 16

Text proposed by the Commission

(16) Products ***with*** one or more functions, one of which is covered by the scope of Regulation (EC) No 1107/2009, ***should*** remain under the control tailored for such products and provided for by that Regulation. Where such products also have the function of a fertilising product, it would be misleading to provide for their CE marking under this Regulation, since the making available on the market of a plant protection product is contingent on a product authorisation valid in the Member State in question. Therefore, such products should be excluded from the scope of this Regulation.

Amendment

(16) Products ***placed on the market which have an intended use for*** one or more functions, ***at least*** one of which is covered by the scope of Regulation (EC) No 1107/2009, ***are plant protection products and*** remain under the control tailored for such products and provided for by that Regulation. Where such products also have the function of a fertilising product, it would be misleading to provide for their CE marking under this Regulation, since the making available on the market of a plant protection product is contingent on a product authorisation valid in the Member State in question. Therefore, such products should be excluded from the scope of this Regulation.

Or. en

Amendment 84

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Recital 17

(17) This Regulation should not prevent the application of existing Union legislation relating to aspects of protection of health, safety and the environment not covered by this Regulation. This Regulation should therefore apply without prejudice to Council Directive 86/278/EEC²², Council Directive 89/391/EEC²³, Regulation (EC) No 1907/2006 of the European Parliament and of the Council²⁴, Regulation (EC) No 1272/2008 of the European Parliament and of the Council²⁵, Commission Regulation (EC) No 1881/2006²⁶, Council Directive 2000/29/EC²⁷, Regulation (EU) No 98/2013 of the European Parliament and of the Council²⁸, and Regulation (EU) No 1143/2014 of the European Parliament and of the Council²⁹.

²² Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).

²³ Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (OJ L 183,

(17) This Regulation should not prevent the application of existing Union legislation relating to aspects of protection of health, safety and the environment not covered by this Regulation. This Regulation should therefore apply without prejudice to Council Directive 86/278/EEC²², **Council Directive 91/676/EEC^{22a}, Council Directive 2000/60/EC^{22b}** Council Directive 89/391/EEC²³, Regulation (EC) No 1907/2006 of the European Parliament and of the Council²⁴, Regulation (EC) No 1272/2008 of the European Parliament and of the Council²⁵, Commission Regulation (EC) No 1881/2006²⁶, Council Directive 2000/29/EC²⁷, Regulation (EU) No 98/2013 of the European Parliament and of the Council²⁸, and Regulation (EU) No 1143/2014 of the European Parliament and of the Council²⁹ **and Council Regulation (EC) No 834/2007^{29a}**.

²² Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).

^{22a} **Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources (OJ L 375, 31/12/1991 P. 0001 - 0008)**

^{22b} **22b Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22/12/2000 P. 0001 - 0073)**

²³ Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (OJ L 183,

29.6.1989, p. 1).

²⁴ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (OJ L 396, 30.12.2006, p. 1).

²⁵ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures (OJ L 353, 31.12.2008, p. 1).

²⁶ Commission Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants in foodstuffs (OJ L 364, 20.12.2006, p. 5).

²⁷ Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community (OJ L 169, 10.7.2000, p. 1).

²⁸ Regulation (EU) No 98/2013 of the European Parliament and of the Council of 15 January 2013 on the marketing and use of explosives precursors (OJ L 39, 9.2.2013, p. 1).

²⁹ Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species (OJ L 317, 4.11.2014, p. 35).

29.6.1989, p. 1).

²⁴ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (OJ L 396, 30.12.2006, p. 1).

²⁵ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures (OJ L 353, 31.12.2008, p. 1).

²⁶ Commission Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants in foodstuffs (OJ L 364, 20.12.2006, p. 5).

²⁷ Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community (OJ L 169, 10.7.2000, p. 1).

²⁸ Regulation (EU) No 98/2013 of the European Parliament and of the Council of 15 January 2013 on the marketing and use of explosives precursors (OJ L 39, 9.2.2013, p. 1).

²⁹ Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species (OJ L 317, 4.11.2014, p. 35).

^{29a} *Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products (OJ L*

Or. en

Amendment 85

Bronis Ropé

on behalf of the Verts/ALE Group

Proposal for a regulation
Recital 17

Text proposed by the Commission

(17) This Regulation should not prevent the application of existing Union legislation relating to aspects of protection of health, safety and the environment not covered by this Regulation. This Regulation should therefore apply without prejudice to Council Directive 86/278/EEC²², Council Directive 89/391/EEC²³, Regulation (EC) No 1907/2006 of the European Parliament and of the Council²⁴, Regulation (EC) No 1272/2008 of the European Parliament and of the Council²⁵, Commission Regulation (EC) No 1881/2006²⁶, Council Directive 2000/29/EC²⁷, Regulation (EU) No 98/2013 of the European Parliament and of the Council²⁸, **and** Regulation (EU) No 1143/2014 of the European Parliament and of the Council²⁹.

²² Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).

²³ Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety

Amendment

(17) This Regulation should not prevent the application of existing Union legislation relating to aspects of protection of health, safety and the environment not covered by this Regulation. This Regulation should therefore apply without prejudice to Council Directive 86/278/EEC²², Council Directive **91/676/EEC^{22a}, Council Directive 2000/60/EC^{22b}, Council Directive** 89/391/EEC²³, Regulation (EC) No 1907/2006 of the European Parliament and of the Council²⁴, Regulation (EC) No 1272/2008 of the European Parliament and of the Council²⁵, Commission Regulation (EC) No 1881/2006²⁶, Council Directive 2000/29/EC²⁷, Regulation (EU) No 98/2013 of the European Parliament and of the Council²⁸, Regulation (EU) No 1143/2014 of the European Parliament and of the Council²⁹ **and Council Regulation (EC) No 834/2007^{29a}**.

²² Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).

^{22a} **Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources (OJ L 375, 31/12/1991 P. 0001 - 0008).**

^{22b} **Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22/12/2000 P. 0001 - 0073).**

²³ Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety

and health of workers at work (OJ L 183, 29.6.1989, p. 1).

²⁴ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (OJ L 396, 30.12.2006, p. 1).

²⁵ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures (OJ L 353, 31.12.2008, p. 1).

²⁶ Commission Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants in foodstuffs (OJ L 364, 20.12.2006, p. 5).

²⁷ Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community (OJ L 169, 10.7.2000, p. 1).

²⁸ Regulation (EU) No 98/2013 of the European Parliament and of the Council of 15 January 2013 on the marketing and use of explosives precursors (OJ L 39, 9.2.2013, p. 1).

²⁹ Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species (OJ L 317, 4.11.2014, p. 35).

and health of workers at work (OJ L 183, 29.6.1989, p. 1).

²⁴ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (OJ L 396, 30.12.2006, p. 1).

²⁵ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures (OJ L 353, 31.12.2008, p. 1).

²⁶ Commission Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants in foodstuffs (OJ L 364, 20.12.2006, p. 5).

²⁷ Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community (OJ L 169, 10.7.2000, p. 1).

²⁸ Regulation (EU) No 98/2013 of the European Parliament and of the Council of 15 January 2013 on the marketing and use of explosives precursors (OJ L 39, 9.2.2013, p. 1).

²⁹ Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species (OJ L 317, 4.11.2014, p. 35).

^{29a} ***Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products (OJ L 189/1, 20.7.2007).***

Or. en

Amendment 86
Paul Brannen

Proposal for a regulation

Recital 17

Text proposed by the Commission

(17) This Regulation should not prevent the application of existing Union legislation relating to aspects of protection of health, safety and the environment not covered by this Regulation. This Regulation should therefore apply without prejudice to Council Directive 86/278/EEC²², Council Directive 89/391/EEC²³, Regulation (EC) No 1907/2006 of the European Parliament and of the Council²⁴, Regulation (EC) No 1272/2008 of the European Parliament and of the Council²⁵, Commission Regulation (EC) No 1881/2006²⁶, Council Directive 2000/29/EC²⁷, Regulation (EU) No 98/2013 of the European Parliament and of the Council²⁸, **and** Regulation (EU) No 1143/2014 of the European Parliament and of the Council²⁹.

²² Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).

²³ Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (OJ L 183, 29.6.1989, p. 1).

²⁴ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (OJ L 396, 30.12.2006, p. 1).

²⁵ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and

Amendment

(17) This Regulation should not prevent the application of existing Union legislation relating to aspects of protection of health, safety and the environment not covered by this Regulation. This Regulation should therefore apply without prejudice to Council Directive 86/278/EEC²², Council Directive 89/391/EEC²³, Regulation (EC) No 1907/2006 of the European Parliament and of the Council²⁴, Regulation (EC) No 1272/2008 of the European Parliament and of the Council²⁵, Commission Regulation (EC) No 1881/2006²⁶, Council Directive 2000/29/EC²⁷, Regulation (EU) No 98/2013 of the European Parliament and of the Council²⁸, Regulation (EU) No 1143/2014 of the European Parliament and of the Council²⁹ **and Council Directive 91/676/EEC^{30a}**.

²² Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).

²³ Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (OJ L 183, 29.6.1989, p. 1).

²⁴ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (OJ L 396, 30.12.2006, p. 1).

²⁵ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and

mixtures (OJ L 353, 31.12.2008, p. 1).

²⁶ Commission Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants in foodstuffs (OJ L 364, 20.12.2006, p. 5).

²⁷ Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community (OJ L 169, 10.7.2000, p. 1).

²⁸ Regulation (EU) No 98/2013 of the European Parliament and of the Council of 15 January 2013 on the marketing and use of explosives precursors (OJ L 39, 9.2.2013, p. 1).

²⁹ Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species (OJ L 317, 4.11.2014, p. 35).

mixtures (OJ L 353, 31.12.2008, p. 1).

²⁶ Commission Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants in foodstuffs (OJ L 364, 20.12.2006, p. 5).

²⁷ Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community (OJ L 169, 10.7.2000, p. 1).

²⁸ Regulation (EU) No 98/2013 of the European Parliament and of the Council of 15 January 2013 on the marketing and use of explosives precursors (OJ L 39, 9.2.2013, p. 1).

²⁹ Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species (OJ L 317, 4.11.2014, p. 35).

^{30a} ***Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources.***

Or. en

Justification

So far existing technologies in the field of manure processing do not reach the agronomic and environmental performance of chemical fertilisers and cannot be fully assimilated to the latter, in particular in a context of nitrate leaching and, hence, water pollution. Any level of leaching of processed manure would lead to additional pollution in nitrate vulnerable zones in case manure-based fertilizers fell out of the scope of Nitrates Directive. This Regulation should not weaken the existing rules and effectively allow higher concentration of livestock in already vulnerable areas.

Amendment 87

Rosa D'Amato, Piernicola Pedicini, Eleonora Evi, Marco Zullo

Proposal for a regulation

Recital 17

(17) This Regulation should not prevent the application of existing Union legislation relating to aspects of protection of health, safety and the environment not covered by this Regulation. This Regulation should therefore apply without prejudice to Council Directive 86/278/EEC²², Council Directive 89/391/EEC²³, Regulation (EC) No 1907/2006 of the European Parliament and of the Council²⁴, Regulation (EC) No 1272/2008 of the European Parliament and of the Council²⁵, Commission Regulation (EC) No 1881/2006²⁶, Council Directive 2000/29/EC²⁷, Regulation (EU) No 98/2013 of the European Parliament and of the Council²⁸, and Regulation (EU) No 1143/2014 of the European Parliament and of the Council²⁹.

(17) This Regulation should not prevent the application of existing Union legislation relating to aspects of protection of health, safety and the environment not covered by this Regulation. This Regulation should therefore apply without prejudice to Council Directive 86/278/EEC²², Council Directive 89/391/EEC²³, Regulation (EC) No 1907/2006 of the European Parliament and of the Council²⁴, Regulation (EC) No 1272/2008 of the European Parliament and of the Council²⁵, Commission Regulation (EC) No 1881/2006²⁶, Council Directive 2000/29/EC²⁷, Regulation (EU) No 98/2013 of the European Parliament and of the Council²⁸, and Regulation (EU) No 1143/2014 of the European Parliament and of the Council²⁹, ***and Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources, and Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy, and Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products.***

²² Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).

²³ Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (OJ L 183, 29.6.1989, p. 1).

²⁴ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the

²² Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).

²³ Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (OJ L 183, 29.6.1989, p. 1).

²⁴ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the

Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (OJ L 396, 30.12.2006, p. 1).

²⁵ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures (OJ L 353, 31.12.2008, p. 1).

²⁶ Commission Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants in foodstuffs (OJ L 364, 20.12.2006, p. 5).

²⁷ Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community (OJ L 169, 10.7.2000, p. 1).

²⁸ Regulation (EU) No 98/2013 of the European Parliament and of the Council of 15 January 2013 on the marketing and use of explosives precursors (OJ L 39, 9.2.2013, p. 1).

²⁹ Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species (OJ L 317, 4.11.2014, p. 35).

Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (OJ L 396, 30.12.2006, p. 1).

²⁵ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures (OJ L 353, 31.12.2008, p. 1).

²⁶ Commission Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants in foodstuffs (OJ L 364, 20.12.2006, p. 5).

²⁷ Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community (OJ L 169, 10.7.2000, p. 1).

²⁸ Regulation (EU) No 98/2013 of the European Parliament and of the Council of 15 January 2013 on the marketing and use of explosives precursors (OJ L 39, 9.2.2013, p. 1).

²⁹ Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species (OJ L 317, 4.11.2014, p. 35).

Or. en

Amendment 88

Peter Jahr, Jan Huitema, Albert Deß

Proposal for a regulation

Recital 17 a (new)

Text proposed by the Commission

Amendment

(17a) The traceability of products which are vulnerable to organic pollution from certain potentially problematic sources (or perceived as such) should be ensured back to the source of the organic material.

This is necessary in order (a) to secure consumer confidence and (b) to limit damage if local contamination occurs. As a result, businesses which use fertiliser products containing organic material from these sources may be identified. This should be compulsory for products containing material from waste or from by-products which have not undergone any processing that destroys organic pollutants, pathogens and genetic material. The aim is not only to reduce risks to health and the environment but also to reassure public opinion and cater for the concerns of farmers regarding pathogens, organic pollutants and genetic material. In order to protect land owners against pollution for which they themselves are not to blame, Member States are called upon to establish appropriate liability rules.

Or. de

Amendment 89
Peter Jahr, Jan Huitema, Albert Deß

Proposal for a regulation
Recital 17 b (new)

Text proposed by the Commission

Amendment

(17b) Untreated by-products of animal production should not be subject to the Regulation.

Or. de

Amendment 90
Angélique Delahaye

Proposal for a regulation
Recital 18

Text proposed by the Commission

(18) Where a CE marked fertilising product contains a substance or mixture within the meaning of Regulation (EC) No 1907/2006, the safety of its constituent substances for the intended use should be established through registration pursuant to that Regulation. ***The information requirements should ensure that the safety of the intended use of the CE marked fertilising product is demonstrated in a manner comparable to that achieved through other regulatory regimes for products intended for use on arable soil or crops, notably Member States' national fertiliser legislation and Regulation (EC) No 1107/2009. Therefore, where the actual quantities placed on the market are lower than 10 tonnes per company per year, the information requirements determined by Regulation (EC) No 1907/2006 for the registration of substances in quantities of 10 to 100 tonnes should exceptionally apply as a condition for making available pursuant to this Regulation.***

Amendment

(18) Where a CE marked fertilising product contains a substance or mixture within the meaning of Regulation (EC) No 1907/2006, the safety of its constituent substances for the intended use should be established through registration pursuant to that Regulation.

Or. fr

Justification

It is important that the REACH Regulation should apply to fertilising products.

Amendment 91

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation

Recital 18

Text proposed by the Commission

(18) Where a CE marked fertilising product contains a substance or mixture within the meaning of Regulation (EC) No

Amendment

(18) Where a CE marked fertilising product contains a substance or mixture within the meaning of Regulation (EC) No

1907/2006, the safety of its constituent substances for the intended use should be established through registration pursuant to that Regulation. *The information requirements should ensure that the safety of the intended use of the CE marked fertilising product is demonstrated in a manner comparable to that achieved through other regulatory regimes for products intended for use on arable soil or crops, notably Member States' national fertiliser legislation and Regulation (EC) No 1107/2009. Therefore, where the actual quantities placed on the market are lower than 10 tonnes per company per year, the information requirements determined by Regulation (EC) No 1907/2006 for the registration of substances in quantities of 10 to 100 tonnes should exceptionally apply as a condition for making available pursuant to this Regulation.*

1907/2006, the safety of its constituent substances for the intended use should be established through registration pursuant to that Regulation.

Or. fr

Amendment 92
Maria Lidia Senra Rodríguez

Proposal for a regulation
Recital 20

Text proposed by the Commission

(20) A blend of different CE marked fertilising products, each of which has been subject to a successful assessment of conformity with the applicable requirements for that material, can itself be expected to be suitable for use as a CE marked fertilising product, *subject only to certain additional requirements warranted by the blending. Therefore, in order to avoid an unnecessary administrative burden, such blends should belong to a separate category, for which the conformity assessment should be limited to the additional requirements warranted*

Amendment

(20) A blend of different CE marked fertilising products, each of which has been subject to a successful assessment of conformity with the applicable requirements for that material, can itself be expected to be suitable for use as a CE marked fertilising product *only if it is ruled to be in conformity with the blending requirements.*

by the blending.

Or. es

Amendment 93
Maria Lidia Senra Rodríguez

Proposal for a regulation
Recital 23

Text proposed by the Commission

(23) The manufacturer, having detailed knowledge of the design and production process, *is best placed to carry out the conformity assessment procedure. Conformity assessment of CE marked fertilising products should therefore remain solely the obligation of the manufacturer.*

Amendment

(23) The manufacturer, having detailed knowledge of the design and production process, *shall provide all such information to the authority responsible for conformity assessment.*

Or. es

Amendment 94
Bronis Ropé

Proposal for a regulation
Recital 23

Text proposed by the Commission

(23) The manufacturer, having detailed knowledge of the design and production process, is best placed to carry out the conformity assessment procedure. Conformity assessment of CE marked fertilising products should therefore remain solely the obligation of the manufacturer.

Amendment

(23) The manufacturer, having detailed knowledge of the design and production process, is best placed to carry out the conformity assessment procedure. Conformity assessment of CE marked fertilising products should therefore remain solely the obligation of the manufacturer, *while in no way restricting the right of the competent national authorities to carry out control tests, publish their data and challenge the relevant information provided by the producer in accordance with the law;*

Amendment 95
Maria Lidia Senra Rodríguez

Proposal for a regulation
Recital 24

Text proposed by the Commission

Amendment

(24) It is necessary to ensure that CE marked fertilising products from third countries that enter the internal market comply with this Regulation, and in particular that the appropriate conformity assessment procedures have been carried out by manufacturers with regard to those fertilising products. Provision should therefore be made for importers to make sure that CE marked fertilising products which they place on the market comply with the requirements of this Regulation and that they do not place on the market CE marked fertilising products which do not comply with such requirements or present a risk to human, animal or plant health, safety or the environment. Provision should also be made for such importers to make sure that conformity assessment procedures have been carried out and that marking of CE marked fertilising products and documentation drawn up by manufacturers are available for inspection by the competent national authorities.

deleted

Or. es

Amendment 96
Maria Lidia Senra Rodríguez

Proposal for a regulation
Recital 24 a (new)

Text proposed by the Commission

Amendment

(24a) It will not be possible to introduce fertilizers with CE marking from third countries.

This marking will be reserved exclusively for European Union products.

Or. es

Amendment 97

Maria Lidia Senra Rodríguez

Proposal for a regulation

Recital 25

Text proposed by the Commission

Amendment

(25) When placing a CE marked fertilising product on the market, the importer should indicate on the packaging of the fertilising product his or her name, registered trade name or registered trade mark and the postal address at which he or she can be contacted, in order to enable market surveillance.

deleted

Or. es

Amendment 98

Maria Lidia Senra Rodríguez

Proposal for a regulation

Recital 26

Text proposed by the Commission

Amendment

(26) Since the distributor makes a CE marked fertilising product available on the market after it has been placed on the market by the manufacturer or the importer, he or she should act with due care to ensure that his or her handling of the fertilising product does not adversely

deleted

affect the compliance of that product with this Regulation.

Or. es

Amendment 99

Maria Lidia Senra Rodríguez

Proposal for a regulation

Recital 27

Text proposed by the Commission

Amendment

(27) An economic operator who either places a CE marked fertilising product on the market under his or her own name or trade mark or modifies a CE marked fertilising product in such a way that compliance with the provisions of this Regulation may be affected should be considered to be the manufacturer and should assume the obligations of the manufacturer. *deleted*

Or. es

Amendment 100

Maria Lidia Senra Rodríguez

Proposal for a regulation

Recital 28

Text proposed by the Commission

Amendment

(28) Since distributors and importers are close to the market place, they should be involved in market surveillance tasks carried out by competent national authorities, and should be required to participate actively and provide those authorities with all necessary information relating to the CE marked fertilising product. *deleted*

Or. es

Amendment 101

Bronis Ropé

Proposal for a regulation

Recital 33

Text proposed by the Commission

(33) In order to ensure that CE marked **ammonium** nitrate fertilisers of high nitrogen content do not endanger safety, and that such fertilisers are not used for purposes other than those for which they are intended, for example as explosives, such fertilisers should be subject to specific requirements relating to detonation resistance testing and to traceability.

Amendment

(33) In order to ensure that CE marked nitrate fertilisers of high nitrogen content do not endanger safety, and that such fertilisers are not used for purposes other than those for which they are intended, for example as explosives, such fertilisers should be subject to specific requirements relating to detonation resistance testing and to traceability.

Or. It

Justification

Nitrate fertilisers occupy a wider range on the spectrum of chemical compounds than ammonium nitrate alone.

Amendment 102

Maria Lidia Senra Rodríguez

Proposal for a regulation

Recital 39

Text proposed by the Commission

(39) In order to ensure a consistent level of quality in the performance of conformity assessment of CE marked fertilising products, it is also necessary to set requirements for notifying authorities and **other** bodies **involved in** the assessment, notification and monitoring of notified bodies.

Amendment

(39) In order to ensure a consistent level of quality in the performance of conformity assessment of CE marked fertilising products, it is also necessary to set requirements for notifying authorities and bodies **responsible for** the assessment, notification and monitoring of notified bodies.

Or. es

Amendment 103
Maria Lidia Senra Rodríguez

Proposal for a regulation
Recital 41

Text proposed by the Commission

(41) Due to the variable nature of certain fertilising product component materials, and the potentially irreversible nature of some of the damages to which soil and crop exposure to impurities could lead, ***transparent accreditation as provided for in Regulation (EC) No 765/2008, ensuring the necessary level of confidence in certificates of conformity of CE marked fertilising products containing such components, should be*** the only means of demonstrating the technical competence of conformity assessment bodies.

Amendment

(41) Due to the variable nature of certain fertilising product component materials, and the potentially irreversible nature of some of the damages to which soil and crop exposure to impurities could lead, the only means of demonstrating the technical competence of conformity assessment bodies ***is the fact that they are public.***

Or. es

Amendment 104
Maria Lidia Senra Rodríguez

Proposal for a regulation
Recital 42

Text proposed by the Commission

(42) ***Conformity assessment bodies frequently subcontract parts of their activities linked to the assessment of conformity or have recourse to a subsidiary.*** In order to safeguard the level of protection required for CE marked fertilising products to be placed on the market, it is essential that ***conformity assessment subcontractors and subsidiaries fulfil the same requirements as notified bodies in relation to the performance of conformity assessment tasks. Therefore, it is important that the***

Amendment

(42) In order to safeguard the level of protection required for CE marked fertilising products to be placed on the market, it is essential that ***conformity assessment bodies are public.***

assessment of the competence and the performance of bodies to be notified and the monitoring of bodies already notified cover also activities carried out by subcontractors and subsidiaries.

Or. es

Amendment 105
Georgios Eptideios

Proposal for a regulation
Recital 42

Text proposed by the Commission

(42) Conformity assessment bodies frequently subcontract parts of their activities linked to the assessment of conformity or have recourse to a subsidiary. In order to safeguard the level of protection required for CE marked fertilising products to be placed on the market, it is essential that conformity assessment subcontractors and subsidiaries fulfil the same requirements as notified bodies in relation to the performance of conformity assessment tasks. Therefore, it is important that the assessment of the competence and the performance of bodies to be notified and the monitoring of bodies already notified cover also activities carried out by subcontractors and subsidiaries.

Amendment

(42) Conformity assessment bodies frequently subcontract parts of their activities linked to the assessment of conformity or have recourse to a subsidiary. In order to safeguard the level of protection required for CE marked fertilising products to be placed on the market, it is essential that conformity assessment subcontractors and subsidiaries fulfil the same requirements as notified bodies in relation to the performance of conformity assessment tasks. Therefore, it is important that the assessment of the competence and the performance of bodies to be notified and the monitoring of bodies already notified cover also activities carried out by subcontractors and subsidiaries. ***This is the responsibility of the assessment body and also extends to penal aspects.***

Or. el

Amendment 106
Bronis Ropé

Proposal for a regulation
Recital 45

Text proposed by the Commission

(45) In the interest of easing market access, it is crucial that notified bodies apply the conformity assessment procedures without creating unnecessary burdens for economic operators. For the same reason, and to ensure equal treatment of economic operators, consistency in the technical application of the conformity assessment procedures needs to be ensured. That can best be achieved through appropriate coordination and cooperation between notified bodies.

Amendment

(45) In the interest of easing market access, it is crucial that notified bodies apply the conformity assessment procedures without creating unnecessary burdens for economic operators. For the same reason, and to ensure equal treatment of economic operators, consistency in the technical application of the conformity assessment procedures needs to be ensured. That can best be achieved through appropriate coordination and cooperation between notified bodies, ***as well as through providing proper access to information about the results of the notification procedure for all stakeholders, including market participants.***

Or. It

Amendment 107

Maria Lidia Senra Rodríguez

Proposal for a regulation

Recital 47

Text proposed by the Commission

(47) CE-marked fertilising products should be placed on the market only if they are sufficiently effective and do not present ***unacceptable*** risks to human, animal or plant health, to safety or to the environment when properly stored and used for their intended purpose, and under conditions of use which can be reasonably foreseen, that is when such use could result from lawful and readily predictable human behaviour. Therefore, requirements for safety and quality, as well as appropriate control mechanisms, should be established. Furthermore, the intended use of CE marked fertilising products should not lead to food or feed becoming unsafe.

Amendment

(47) CE-marked fertilising products should be placed on the market only if they are sufficiently effective and do not present risks to human, animal or plant health, to safety or to the environment when properly stored and used for their intended purpose, and under conditions of use which can be reasonably foreseen, that is when such use could result from lawful and readily predictable human behaviour. Therefore, requirements for safety and quality, as well as appropriate control mechanisms, should be established. Furthermore, the intended use of CE marked fertilising products should not lead to food or feed becoming unsafe.

Amendment 108**Maria Lidia Senra Rodríguez****Proposal for a regulation****Recital 49***Text proposed by the Commission*

(49) The existing system should be supplemented by a procedure under which interested parties are informed of measures intended to be taken with regard to CE marked fertilising products presenting ***an unacceptable*** risk to human, animal or plant health, to safety or to the environment. It should also allow market surveillance authorities, in cooperation with the relevant economic operators, to act at an early stage in respect of such fertilising products.

Amendment

(49) The existing system should be supplemented by a procedure under which interested parties are informed of measures intended to be taken with regard to CE marked fertilising products presenting ***a*** risk to human, animal or plant health, to safety or to the environment. It should also allow market surveillance authorities, in cooperation with the relevant economic operators, to act at an early stage in respect of such fertilising products.

Or. es

Amendment 109**Georgios Epitideios****Proposal for a regulation****Recital 49***Text proposed by the Commission*

(49) The existing system should be supplemented by a procedure under which interested parties are informed of measures intended to be taken with regard to CE marked fertilising products presenting an unacceptable risk to human, animal or plant health, to safety or to the environment. It should also allow market surveillance authorities, in cooperation with the relevant economic operators, to act at an early stage in respect of such fertilising products.

Amendment

(49) The existing system should be supplemented by a procedure under which interested parties are informed of ***requirements and*** measures intended to be taken with regard to CE marked fertilising products presenting an unacceptable risk to human, animal or plant health, to safety or to the environment. It should also allow market surveillance authorities, in cooperation with the relevant economic operators, to act at an early stage in respect of such fertilising products.

Amendment 110

Maria Lidia Senra Rodríguez

Proposal for a regulation

Recital 53

Text proposed by the Commission

(53) The examination procedure should be used for the adoption of implementing acts with respect to compliant CE marked fertilising products which present ***an unacceptable*** risk to human, animal or plant health, to safety or to the environment, since such acts fall within the ambit of Article 2(2) of Regulation (EU) No 182/2011. For the same reason, it should also be used for the adoption, amendment or repeal of common specifications.

Amendment

(53) The examination procedure should be used for the adoption of implementing acts with respect to compliant CE marked fertilising products which present ***a*** risk to human, animal or plant health, to safety or to the environment, since such acts fall within the ambit of Article 2(2) of Regulation (EU) No 182/2011. For the same reason, it should also be used for the adoption, amendment or repeal of common specifications.

Or. es

Amendment 111

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation

Recital 54

Text proposed by the Commission

(54) ***The Commission should, by means of implementing acts, determine whether measures taken by Member States in respect of non-compliant CE marked fertilising products are justified or not. Since those acts will relate to the question whether national measures are justified, there is no need for the acts to be subject to control by the Member States.***

Amendment

deleted

Or. fr

Amendment 112
Georgios Eptideios

Proposal for a regulation
Recital 55

Text proposed by the Commission

(55) Promising technical progress is being made in the field of recycling of waste, such as phosphorus recycling from sewage sludge, and fertilising product production from animal by-products, such as biochar. It should be possible for products containing or consisting of such materials to access the internal market without unnecessary delay when the manufacturing processes have been scientifically analysed and process requirements have been established at Union level. For that purpose, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of defining larger or additional categories of CE marked fertilising products or component materials eligible for use in the production of such products. For animal by-products, component material categories should be expanded or added only to the extent an end point in the manufacturing chain has been determined in accordance with the procedures laid down in Regulation (EC) No 1069/2009, since animal by-products for which no such end point has been determined are in any event excluded from the scope of this Regulation.

Amendment

(55) Promising technical progress is being made in the field of recycling of waste, such as phosphorus recycling from sewage sludge, and fertilising product production from animal by-products, such as biochar. It should be possible for products containing or consisting of such materials to access the internal market without unnecessary delay when the manufacturing processes have been scientifically analysed and process requirements have been established at Union level ***and any health hazards have been eliminated*** . For that purpose, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of defining larger or additional categories of CE marked fertilising products or component materials eligible for use in the production of such products. For animal by-products, component material categories should be expanded or added only to the extent an end point in the manufacturing chain has been determined in accordance with the procedures laid down in Regulation (EC) No 1069/2009, since animal by-products for which no such end point has been determined are in any event excluded from the scope of this Regulation.

Or. el

Amendment 113
Annie Schreijer-Pierik

Proposal for a regulation
Recital 55 a (new)

Text proposed by the Commission

Amendment

(55a) Current manufacturing practices using other industry by-products or recycled products as a component of a mineral fertilizer have to be secured through this Regulation, in order to maintain and support their contribution to the circular economy in the Union. It should be possible for those components to be eligible as a component according to the requirements set in this Regulation, without unnecessary delay, once the manufacturing processes have been scientifically analysed and process requirements have been established at Union level. For that purpose, the power to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of defining larger or additional component materials eligible for use in the production of such products.

Or. en

Amendment 114

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation
Recital 56

Text proposed by the Commission

Amendment

(56) Furthermore, it should be possible to react immediately to new findings regarding the conditions for CE marked fertilising products to be sufficiently effective and to new risk assessments regarding human, animal or plant health, safety or the environment. For that purpose, the ***power to adopt acts in***

(56) Furthermore, it should be possible to react immediately to new findings regarding the conditions for CE marked fertilising products to be sufficiently effective and to new risk assessments regarding human, animal or plant health, safety or the environment. For that purpose, the ***Commission*** should be ***able*** to

accordance with Article 290 of the Treaty should be delegated to the Commission to amend the requirements applicable to various categories of CE marked fertilising products.

take decisions in conjunction with the European Parliament and the Council;

Or. fr

Amendment 115
Daciana Octavia Sârbu

Proposal for a regulation
Recital 58

Text proposed by the Commission

(58) Member States should lay down rules on penalties applicable to infringements of this Regulation and ensure that those rules are enforced. The penalties provided for should be effective, proportionate and dissuasive.

Amendment

(58) Member States should ***be required to*** lay down rules on penalties applicable to infringements of this Regulation and ensure that those rules are enforced ***without exception***. The penalties provided for should be effective, proportionate and dissuasive.

Or. ro

Amendment 116
Elisabeth Köstinger

Proposal for a regulation
Recital 59 a (new)

Text proposed by the Commission

Amendment

(59a) Provision must be made for products to continue to be used which have been placed in circulation under the rules on mutual recognition under Regulation (EC) No 764/2008^{1a}.

^{1a} Regulation (EC) No 764/2008 of the European Parliament and of the Council of 9 July 2008 laying down procedures relating to the application of certain

*national technical rules to products
lawfully marketed in another Member
State and repealing Decision
No 3052/95/EC, OJ L 218, 13.8.2008, p.
21.*

Or. de

Amendment 117

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation

Recital 61

Text proposed by the Commission

(61) Since the objective of this Regulation, *namely* to guarantee the functioning of the internal market while ensuring that CE marked fertilising products on the market fulfil the requirements providing for a high level of protection of human, animal, and plant health, safety and the environment, *cannot be sufficiently achieved by the Member States but can rather, by reason of its scale and effects, be better achieved at Union level*, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective,

Amendment

(61) Since the objective of this Regulation *is* to guarantee the functioning of the internal market while ensuring that CE marked fertilising products on the market fulfil the requirements providing for a high level of protection of human, animal, and plant health, safety and the environment, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective,

Or. fr

Amendment 118

Georgios Epitideios

Proposal for a regulation

Recital 61

Text proposed by the Commission

Amendment

(61) Since the objective of this Regulation, namely to guarantee the functioning of the internal market while ensuring that CE marked fertilising products on the market fulfil the requirements providing for a high level of protection of human, animal, and plant health, safety and the environment, ***cannot be sufficiently achieved by the Member States but*** can, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective,

(61) Since the objective of this Regulation, namely to guarantee the functioning of the internal market while ensuring that CE marked fertilising products on the market fulfil the requirements providing for a high level of protection of human, animal, and plant health, safety and the environment, can, by reason of its scale and effects, be better achieved ***by cooperation between the Member States*** at Union level, the the Union may, ***in order to facilitate such cooperation,*** adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective,

Or. el

Amendment 119

Clara Eugenia Aguilera García, Nicola Caputo, Marc Tarabella, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Article 1 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Amendment

This Regulation shall apply to CE marked ***fertilising*** products.

This Regulation shall apply to CE marked ***Fertilisers and Improving Nutrition Efficiency*** Products (***INEP***).

Or. en

Amendment 120

Bronis Ropé

on behalf of the Verts/ALE Group

Proposal for a regulation
Article 1 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) Directive 91/676/EEC;

Or. en

Amendment 121
Luke Ming Flanagan
on behalf of the GUE/NGL Group

Proposal for a regulation
Article 1 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) Directive 91/676/EEC;

Or. en

Amendment 122
Luke Ming Flanagan
on behalf of the GUE/NGL Group

Proposal for a regulation
Article 1 – paragraph 2 – point b b (new)

Text proposed by the Commission

Amendment

(bb) Directive 2000/60/EC;

Or. en

Amendment 123
Bronis Ropè
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 1 – paragraph 2 – point b b (new)

Text proposed by the Commission

Amendment

(bb) Directive 2000/60/EC;

Or. en

Amendment 124

Rosa D'Amato, Eleonora Evi, Marco Zullo

Proposal for a regulation

Article 1 – paragraph 2 – point h a (new)

Text proposed by the Commission

Amendment

**(ha) Regulation (EC) No 834/2007 on
organic production and labelling of
organic products and repealing
Regulation (EEC) No 2092/91**

Or. en

Justification

Important to recognize organic agriculture and its particularities in the scope of fertiliser regulation.

Amendment 125

Jean-Paul Denanot, Marc Tarabella, Eric Andrieu

Proposal for a regulation

Article 1 – paragraph 2 – point h a (new)

Text proposed by the Commission

Amendment

(ha) Regulation (EC) No 834/2007

Or. fr

Justification

Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products

Amendment 126

Bronis Ropé

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 2 – point h a (new)

Text proposed by the Commission

Amendment

(ha) Regulation (EC) No 834/2007

Or. en

Amendment 127

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Article 1 – paragraph 2 – point h a (new)

Text proposed by the Commission

Amendment

(ha) Regulation (EC) No 834/2007

Or. en

Amendment 128

Paul Brannen

Proposal for a regulation

Article 1 – paragraph 2 – point h a (new)

Text proposed by the Commission

Amendment

(ha) Council Directive 91/676/EEC

Or. en

Justification

So far existing technologies in the field of manure processing do not reach the agronomic and environmental performance of chemical fertilisers and cannot be fully assimilated to the

latter, in particular in a context of nitrate leaching and, hence, water pollution. Any level of leaching of processed manure would lead to additional pollution in nitrate vulnerable zones in case manure-based fertilizers fell out of the scope of Nitrates Directive. This Regulation should not weaken the existing rules and effectively allow higher concentration of livestock in already vulnerable areas.

Amendment 129
Vladimir Urutchev

Proposal for a regulation
Article 1 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Dual use products shall comply with this Regulation, when they are used within the concentration limits set forth in Annex I, Part II, PFC 1(C)(II)(a): Straight inorganic micronutrient fertiliser, point 3.

Or. en

Amendment 130
Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation
Article 2 – paragraph 1 – point 1

Text proposed by the Commission

Amendment

(1) ‘fertilising product’ means a substance, mixture, micro-organism or any other material, applied or intended to be applied, either on its own or mixed with another material, on plants or their rhizosphere for the purpose of providing plants with nutrient or improving their nutrition efficiency;

deleted

Or. en

Justification

As there are two different categories of products, there should be two definitions instead of one.

Amendment 131

Clara Eugenia Aguilera García, Nicola Caputo, Marc Tarabella, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Article 2 – paragraph 1 – point 1

Text proposed by the Commission

(1) ‘fertilising product’ means a substance, *mixture, micro-organism or any other material, applied or intended to be applied, either on its own or mixed with another material, on plants or their rhizosphere for the purpose of providing plants with nutrient or improving their nutrition efficiency*;

Amendment

(1) ‘fertilising product’ means a substance *or a mixture of substances* intended to *provide nutrients to the* plants;

Or. en

Amendment 132

Julie Girling, Anthea McIntyre

Proposal for a regulation

Article 2 – paragraph 1 – point 1

Text proposed by the Commission

(1) ‘fertilising product’ means a substance, mixture, micro-organism or any other material, applied or intended to be applied, either on its own or mixed with another material, on plants or their rhizosphere for the purpose of providing plants with nutrient or improving their nutrition efficiency;

Amendment

(1) ‘fertilising product’ means a substance, mixture, micro-organism or any other material, *organic or synthetic*, applied or intended to be applied, either on its own or mixed with another material, on plants or their rhizosphere for the purpose of providing plants with nutrient or improving their nutrition efficiency;

Or. en

Amendment 133

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso, Nuno Melo

Proposal for a regulation

Article 2 – paragraph 1 – point 1 a (new)

Text proposed by the Commission

Amendment

(1a) "Fertiliser" means a substance or a mixture of substances intended to provide nutrients to the plants;

Or. en

Justification

As there are two different categories of products, there should be two definitions instead of one.

Amendment 134

Clara Eugenia Aguilera García, Nicola Caputo, Marc Tarabella, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Article 2 – paragraph 1 – point 1 a (new)

Text proposed by the Commission

Amendment

(1a) "Improving Nutrition Efficiency Product (INEP)" means a substance or a mixture of substances, micro-organism or any other material to be applied on plants or their rhizosphere for the purpose of improving their nutrition efficiency;

Or. en

Amendment 135

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso, Nuno Melo

Proposal for a regulation

Article 2 – paragraph 1 – point 1 b (new)

Text proposed by the Commission

Amendment

(1b) "Improving Nutrition Efficiency Product (INEP)" means a substance or a mixture of substances, micro-organism or any other material to be applied on plants or their rhizosphere for the purpose of improving their nutrition efficiency;

Or. en

Justification

As there are two different categories of products, there should be two definitions instead of one.

Amendment 136

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso, Nuno Melo

Proposal for a regulation

Article 2 – paragraph 1 – point 1 c (new)

Text proposed by the Commission

Amendment

(1c) "Primary nutrient" means the elements nitrogen, phosphorus, and potassium only;

Or. en

Amendment 137

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso, Nuno Melo

Proposal for a regulation

Article 2 – paragraph 1 – point 1 d (new)

Text proposed by the Commission

Amendment

(1d) "Secondary nutrient" means the elements calcium, magnesium, sodium and sulphur;

Or. en

Amendment 138
Vladimir Urutchev

Proposal for a regulation
Article 2 – paragraph 1 – point 2 a (new)

Text proposed by the Commission

Amendment

(2a) “dual use” means the use of a fertiliser compound which when applied above the concentration limits set forth in Annex I, Part II, PFC 1(C)(II)(a): Straight inorganic micronutrient fertiliser, point 3, is used as a plant protection product for the purposes of Regulation (EC) No 1107/2009;

Or. en

Amendment 139
Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation
Article 2 – paragraph 1 – point 4

Text proposed by the Commission

Amendment

*(4) ‘mixture’ means a mixture **within the meaning of Article 3(2) of Regulation (EC) No 1907/2006;***

*(4) ‘mixture’ means a mixture **or solution composed of two or more substances;***

Or. en

Justification

This is the definition of substance in the Regulation (EC) No 1907/2006. For clarification, it is better to introduce the complete definition in the present Regulation.

Amendment 140
Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation
Article 2 – paragraph 1 – point 22 a (new)

Text proposed by the Commission

Amendment

(22a) ‘solid form’ means a form characterised by structural rigidity and resistance to changes of shape or volume and in which the atoms are tightly bound to each other, either in a regular geometric lattice (crystalline solids) or irregularly (an amorphous solid);

Or. fr

Amendment 141

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation

Article 2 – paragraph 1 – point 22 b (new)

Text proposed by the Commission

Amendment

(22b) ‘liquid form’ means any suspension or product in solution that is not admissible as a solid form.

Or. fr

Amendment 142

Tom Vandenkendelaere

Proposal for a regulation

Article 3 – paragraph 1

Text proposed by the Commission

Amendment

Member States shall not impede the making available on the market of CE marked fertilising products which comply with this Regulation.

Member States shall not impede the making available on the market of CE marked fertilising products which comply with this Regulation **for reasons of composition, labelling or other provisions contained in this Regulation. Concerning the use of CE marked fertilising products, Member States can maintain or adopt provisions for the purpose of protecting human health and the environment.**

However, these provisions cannot require modification of CE marked fertilising products which are in compliance with this Regulation. Also, these provisions cannot influence the conditions for making them available on the market.

Or. en

Amendment 143

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso, Nuno Melo

Proposal for a regulation

Article 4 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The Commission shall simultaneously with the publication of this Regulation in the Official Journal of the European Union publish a guidance document giving clarity and examples to manufacturers and market surveillance authorities about how the label should look like. This guidance document shall also specify the kind of relevant information as referred to in Annex III PART 1 paragraph 2d).

Or. en

Justification

In order to provide a clear information to the farmers and to avoid incorrect fertiliser applications with negative consequences for the environment, concrete requirements and visual aspects of labels for mineral fertilizers should be provided by the European Commission in a guidance document.

Amendment 144

Nuno Melo

Proposal for a regulation

Article 4 a (new)

Text proposed by the Commission

Amendment

Article 4a

List of most representative mineral fertilizing products

For inorganic fertilisers, the Commission shall, with the assistance of the Fertilisers Working Group, define a list of 30 mineral fertilising products which are most representative of the EU market.

Or. en

Amendment 145

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation

Article 6 – paragraph 3

Text proposed by the Commission

Amendment

3. Manufacturers shall keep the technical documentation and the EU declaration of conformity for **10** years after the CE marked fertilising product covered by those documents has been placed on the market.

3. Manufacturers shall keep the technical documentation and the EU declaration of conformity for **5** years after the CE marked fertilising product covered by those documents has been placed on the market.

Or. en

Justification

The proposed length of time is excessive. It should be aligned with tax requirements.

Amendment 146

Maria Lidia Senra Rodríguez

Proposal for a regulation

Article 6 – paragraph 8 – subparagraph 2

Text proposed by the Commission

Amendment

Furthermore, where manufacturers

Furthermore, where manufacturers

consider or have reason to believe that CE marked fertilising products which they have placed on the market present ***an unacceptable*** risk to human, animal or plant health, to safety or to the environment, they shall immediately inform the competent national authorities of the Member States in which they made the fertilising products available on the market to that effect, giving details, in particular, of any non-compliance and of any corrective measures taken.

consider or have reason to believe that CE marked fertilising products which they have placed on the market present ***a*** risk to human, animal or plant health, to safety or to the environment, they shall immediately inform the competent national authorities of the Member States in which they made the fertilising products available on the market to that effect, giving details, in particular, of any non-compliance and of any corrective measures taken.

Or. es

Amendment 147

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso, Nuno Melo

Proposal for a regulation

Article 6 – paragraph 10 – subparagraph 1 – point a

Text proposed by the Commission

(a) straight or compound solid ***inorganic*** macronutrient ammonium nitrate fertilisers of high nitrogen content, as specified in product function category 1(C)(I)(a)(i-ii)(A) in Annex I;

Amendment

(a) straight or compound solid ***mineral*** macronutrient ammonium nitrate fertilisers of high nitrogen content, as specified in product function category 1(C)(I)(a)(i-ii)(A) in Annex I;

(This amendment from “inorganic” to “mineral fertilisers” applies throughout the text. Adopting it will necessitate corresponding changes throughout.)

Or. en

Amendment 148

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation

Article 6 – paragraph 10 – subparagraph 1 – point b

Text proposed by the Commission

(b) ***fertilising*** product ***blends***, as specified in product function category 7 in

Amendment

(b) ***combination of*** product ***function categories***, as specified in product function

Annex I, containing a fertiliser referred to in point (a).

category 7 in Annex I, containing a fertiliser referred to in point (a).

(This amendment from “fertilising product blends” to “combination of product function categories” applies throughout the text. Adopting it will necessitate corresponding changes throughout.)

Or. en

Justification

The proposed name of PFC 7 “fertilising product blend” is confusing, and does not correspond to the realities of the global fertilisers market where “blended fertilisers” are obtained by dry mixing of several fertilisers, with no chemical reaction. To ensure clarity, the name of PFC 7 should be modified throughout the entire Regulation.

Amendment 149

Julie Girling, Anthea McIntyre

Proposal for a regulation

Article 6 – paragraph 10 – subparagraph 1 – point b

Text proposed by the Commission

(b) *fertilising product blends*, as specified in product function category 7 in Annex I, containing a fertiliser referred to in point (a).

Amendment

(b) *combinations of fertilising products*, as specified in product function category 7 in Annex I, containing a fertiliser referred to in point (a).

Or. en

Amendment 150

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation

Article 6 – paragraph 10 – subparagraph 2

Text proposed by the Commission

The *report* shall *be submitted at least five days* in advance of *placing* those products on the market.

Amendment

The *Member States* shall *decide upon the deadline for submission of the report* in advance of those products *being placed* on the market.

Amendment 151

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation

Article 7 – paragraph 2 – point a

Text proposed by the Commission

(a) keep the EU declaration of conformity and the technical documentation at the disposal of national market surveillance authorities for **10** years after the CE marked fertilising product covered by those documents has been placed on the market;

Amendment

(a) keep the EU declaration of conformity and the technical documentation at the disposal of national market surveillance authorities for **5** years after the CE marked fertilising product covered by those documents has been placed on the market;

Or. en

Justification

The proposed length of time keeping for the technical documentation and the EU declaration of conformity is excessive. Along tax requirements, it would make sense to shorten this period to 5 years.

Amendment 152

Maria Lidia Senra Rodríguez

Proposal for a regulation

Article 8 – paragraph 2

Text proposed by the Commission

2. Before placing a CE marked fertilising product on the market importers shall ensure that the appropriate conformity assessment procedure referred to in Article 14 has been carried out by the manufacturer. They shall ensure that the manufacturer has drawn up the technical documentation, that the CE marked fertilising product is accompanied by the EU declaration of conformity and the required documents, and that the

Amendment

2. Before placing a CE marked fertilising product on the market importers shall ensure that the appropriate conformity assessment procedure referred to in Article 14 has been carried out by the manufacturer. They shall ensure that the manufacturer has drawn up the technical documentation, that the CE marked fertilising product is accompanied by the EU declaration of conformity and the required documents, and that the

manufacturer has complied with the requirements set out in Article 6(5) and (6). Where an importer considers or has reason to believe that a CE marked fertilising product is not in conformity with the applicable requirements set out in Annex I, Annex II or Annex III, he or she shall not place the fertilising product on the market until it has been brought into conformity. Furthermore, where the CE marked fertilising product presents ***an unacceptable*** risk to human, animal or plant health, to safety or to the environment, the importer shall inform the manufacturer and the market surveillance authorities to that effect.

manufacturer has complied with the requirements set out in Article 6(5) and (6). Where an importer considers or has reason to believe that a CE marked fertilising product is not in conformity with the applicable requirements set out in Annex I, Annex II or Annex III, he or she shall not place the fertilising product on the market until it has been brought into conformity. Furthermore, where the CE marked fertilising product presents ***a*** risk to human, animal or plant health, to safety or to the environment, the importer shall inform the manufacturer and the market surveillance authorities to that effect.

Or. es

Amendment 153

Maria Lidia Senra Rodríguez

Proposal for a regulation

Article 8 – paragraph 7 – subparagraph 2

Text proposed by the Commission

Furthermore, where importers consider or have reason to believe that CE marked fertilising products which they have placed on the market present ***an unacceptable*** risk to human, animal or plant health, to safety or to the environment, they shall immediately inform the competent national authorities of the Member States in which they made the fertilising product available on the market to that effect, giving details, in particular, of any non-compliance and of any corrective measures taken.

Amendment

Furthermore, where importers consider or have reason to believe that CE marked fertilising products which they have placed on the market present ***a*** risk to human, animal or plant health, to safety or to the environment, they shall immediately inform the competent national authorities of the Member States in which they made the fertilising product available on the market to that effect, giving details, in particular, of any non-compliance and of any corrective measures taken.

Or. es

Amendment 154

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation
Article 8 – paragraph 10 – subparagraph 2

Text proposed by the Commission

The **report** shall ***be submitted at least five days*** in advance of ***placing*** those products on the market.

Amendment

The **Member States** shall ***decide upon the deadline for submission of the report*** in advance of those products ***being placed*** on the market.

Or. fr

Amendment 155
Maria Lidia Senra Rodríguez

Proposal for a regulation
Article 9 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Where a distributor considers or has reason to believe that a CE marked fertilising product is not in conformity with the applicable requirements set out in Annex I, Annex II or Annex III, he or she shall not make the fertilising product available on the market until it has been brought into conformity. Furthermore, where the CE marked fertilising product presents ***an unacceptable*** risk to human, animal or plant health, to safety or to the environment, the distributor shall inform the manufacturer or the importer to that effect as well as the market surveillance authorities.

Amendment

Where a distributor considers or has reason to believe that a CE marked fertilising product is not in conformity with the applicable requirements set out in Annex I, Annex II or Annex III, he or she shall not make the fertilising product available on the market until it has been brought into conformity. Furthermore, where the CE marked fertilising product presents ***a*** risk to human, animal or plant health, to safety or to the environment, the distributor shall inform the manufacturer or the importer to that effect as well as the market surveillance authorities.

Or. es

Amendment 156
Maria Lidia Senra Rodríguez

Proposal for a regulation
Article 9 – paragraph 4 – subparagraph 2

Text proposed by the Commission

Furthermore, where distributors consider or have reason to believe that CE marked fertilising products which they have made available on the market presents ***an unacceptable*** risk to human, animal or plant health, to safety or to the environment, they shall immediately inform the competent national authorities of the Member States in which they made the CE marked fertilising product available on the market to that effect, giving details, in particular, of any non-compliance and of any corrective measures taken.

Amendment

Furthermore, where distributors consider or have reason to believe that CE marked fertilising products which they have made available on the market presents ***a*** risk to human, animal or plant health, to safety or to the environment, they shall immediately inform the competent national authorities of the Member States in which they made the CE marked fertilising product available on the market to that effect, giving details, in particular, of any non-compliance and of any corrective measures taken.

Or. es

Amendment 157

Esther Herranz García, Ramón Luis Valcárcel Siso, Gabriel Mato

Proposal for a regulation

Article 11 – paragraph 2

Text proposed by the Commission

2. The economic operators shall be able to present the information referred to in the first paragraph for **10** years after they have been supplied with the CE marked fertilising product and for **10** years after they have supplied the CE marked fertilising product.

Amendment

2. The economic operators shall be able to present the information referred to in the first paragraph for **5** years after they have been supplied with the CE marked fertilising product and for **5** years after they have supplied the CE marked fertilising product.

Or. en

Justification

The proposed length of time is excessive. It should be aligned with tax requirements.

Amendment 158

Maria Lidia Senra Rodríguez

Proposal for a regulation
Article 14 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The precautionary principle shall always prevail in the conformity assessment procedure.

Or. es

Amendment 159
Maria Lidia Senra Rodríguez

Proposal for a regulation
Article 15 – paragraph 2

Text proposed by the Commission

Amendment

2. The EU declaration of conformity shall have the model structure set out in Annex V, shall contain the elements specified in the relevant modules set out in Annex IV and shall be continuously updated. It shall be translated into the ***language or*** languages ***required by*** the Member State in which the CE marked fertilising product is placed or made available on the market.

2. The EU declaration of conformity shall have the model structure set out in Annex V, shall contain the elements specified in the relevant modules set out in Annex IV and shall be continuously updated. It shall be translated into ***all the official*** languages ***in*** the Member State in which the CE marked fertilising product is placed or made available on the market.

Or. es

Amendment 160
Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation
Article 18 – paragraph 1

Text proposed by the Commission

Amendment

A ***CE marked fertilising product*** that has undergone a recovery operation and complies with the requirements laid down in this Regulation shall be considered to ***comply*** with the conditions laid down in

A ***material*** that has undergone a recovery operation and complies with the requirements laid down in this Regulation shall be considered to ***be a component material of a CE marked fertilising***

Article 6(1) of Directive 2008/98/EC and shall, therefore, be considered *as having* ceased *to be waste*.

product that complies with the conditions laid down in Article 6(1) of Directive 2008/98/EC and shall, therefore, be considered *to have* ceased *being waste*.

This component material may fall under the scope of this Regulation if it demonstrates an agronomic efficacy and if it meets the requirements laid down in the Annexes to this Regulation.

Or. en

Justification

The use of waste that poses risks to the environment and that does not serve agronomic purpose should be avoided. As more combinations of fertilizing materials will be possible, requirements towards contaminants and pathogens have to be levelled for all components covered by the new Regulation.

Amendment 161

Franco Bogovič, Angélique Delahaye, Michel Dantin, Peter Jahr, Albert Deß, Mairead McGuinness

Proposal for a regulation Article 18 – paragraph 1

Text proposed by the Commission

A ***CE marked fertilising product*** that has undergone a recovery operation and complies with the requirements laid down in this Regulation shall be considered ***to comply*** with the conditions laid down in Article 6(1) of Directive 2008/98/EC and shall, therefore, be considered as having ceased to be waste.

Amendment

A ***material*** that has undergone a recovery operation and complies with the requirements laid down in this Regulation shall be considered ***as a component material of a CE marked fertilising product that complies*** with the conditions laid down in Article 6(1) of Directive 2008/98/EC and shall, therefore, be considered as having ceased to be waste.

Or. en

Justification

As more combinations of fertilising materials will be possible, requirements towards contaminants and pathogens have to be levelled for all components covered by the new Regulation. The use of waste that poses risks to the environment and that does not serve

agronomic purpose should not be facilitated.

Amendment 162

Tom Vandenkendelaere, Annie Schreijer-Pierik

Proposal for a regulation

Article 18 – paragraph 1

Text proposed by the Commission

A CE marked fertilising product that has undergone a recovery operation ***and*** complies with the requirements laid down in this Regulation shall be considered ***to comply with the conditions laid down in Article 6(1) of Directive 2008/98/EC and shall, therefore, be considered as having ceased to be waste.***

Amendment

A CE marked fertilising product that ***contains or consists of waste that*** has undergone a recovery operation ***in accordance with Directive 2008/98/EC and that*** complies with the requirements laid down in this Regulation shall be considered ***as having ceased to be waste from the moment the EU declaration of conformity is drawn up.***

Or. en

Amendment 163

Jean-Paul Denanot, Eric Andrieu, Marc Tarabella

Proposal for a regulation

Article 18 – paragraph 1

Text proposed by the Commission

A CE marked fertilising product that has undergone a recovery operation and complies with the requirements laid down in this Regulation shall be considered to comply with the conditions laid down in Article 6(1) of Directive 2008/98/EC and shall, therefore, be considered as having ceased to be waste.

Amendment

A ***waste-based*** CE marked fertilising product that has undergone a recovery operation and complies with the requirements laid down in this Regulation shall be considered to comply with the conditions laid down in Article 6(1) of Directive 2008/98/EC and shall, therefore, be considered as having ceased to be waste ***once the declaration of conformity has been drawn up.***

Or. fr

Amendment 164
Maria Lidia Senra Rodríguez

Proposal for a regulation
Article 18 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

The production of fertilizers with sewage sludge shall not be authorised.

Or. es

Amendment 165
Maria Lidia Senra Rodríguez

Proposal for a regulation
Article 37 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Amendment

Where the market surveillance authorities of one Member State have sufficient reason to believe that a CE marked fertilising product presents ***an unacceptable*** risk to human, animal or plant health, to safety or to the environment, they shall carry out an evaluation in relation to the fertilising product concerned covering the requirements laid down in this Regulation. The relevant economic operators shall cooperate as necessary with the market surveillance authorities for that purpose.

Where the market surveillance authorities of one Member State have sufficient reason to believe that a CE marked fertilising product presents ***a*** risk to human, animal or plant health, to safety or to the environment, they shall carry out an evaluation in relation to the fertilising product concerned covering the requirements laid down in this Regulation. The relevant economic operators shall cooperate as necessary with the market surveillance authorities for that purpose.

Or. es

Amendment 166
Maria Lidia Senra Rodríguez

Proposal for a regulation
Article 39 – paragraph 1

Text proposed by the Commission

Amendment

1. Where, having carried out an

1. Where, having carried out an

evaluation under Article 37(1), a Member State finds that although a CE marked fertilising product is in compliance with this Regulation it presents ***an unacceptable*** risk to human, animal or plant health, to safety or to the environment, it shall require the relevant economic operator to take all appropriate measures within a reasonable period to ensure that the fertilising product concerned, when placed on the market, no longer presents that risk, to withdraw the fertilising product from the market or to recall it.

evaluation under Article 37(1), a Member State finds that although a CE marked fertilising product is in compliance with this Regulation it presents ***a*** risk to human, animal or plant health, to safety or to the environment, it shall require the relevant economic operator to take all appropriate measures within a reasonable period to ensure that the fertilising product concerned, when placed on the market, no longer presents that risk, to withdraw the fertilising product from the market or to recall it.

Or. es

Amendment 167

Daciana Octavia Sârbu

Proposal for a regulation

Article 39 – paragraph 1

Text proposed by the Commission

1. Where, having carried out an evaluation under Article 37(1), a Member State finds that although a CE marked fertilising product is in compliance with this Regulation it presents an unacceptable risk to human, animal or plant health, to safety or to the environment, it shall require the relevant economic operator to take all appropriate measures ***within a reasonable period*** to ensure that the fertilising product concerned, when placed on the market, no longer presents that risk, to withdraw the fertilising product from the market or to recall it.

Amendment

1. Where, having carried out an evaluation under Article 37(1), a Member State finds that although a CE marked fertilising product is in compliance with this Regulation it presents an unacceptable risk to human, animal or plant health, to safety or to the environment, it shall require the relevant economic operator to take all appropriate measures ***immediately*** to ensure that the fertilising product concerned, when placed on the market, no longer presents that risk, to withdraw the fertilising product from the market or to recall it.

Or. ro

Amendment 168

Rosa D'Amato, Piernicola Pedicini, Eleonora Evi, Marco Zullo

Proposal for a regulation

Article 39 – paragraph 1

Text proposed by the Commission

1. Where, having carried out an evaluation under Article 37(1), a Member State finds that although a CE marked fertilising product is in compliance with this Regulation it presents an unacceptable risk to human, animal or plant health, to safety or to the environment, it shall require the relevant economic operator to take all appropriate measures within a reasonable period to ensure that the fertilising product concerned, when placed on the market, no longer presents that risk, to withdraw the fertilising product from the market or to recall it.

Amendment

1. Where, having carried out an evaluation under Article 37(1), a Member State finds that although a CE marked fertilising product is in compliance with this Regulation it presents an unacceptable risk to human, animal or plant health, to safety or to the environment, it shall require the relevant economic operator to take all appropriate measures within a reasonable period ***not later than six months*** to ensure that the fertilising product concerned, when placed on the market, no longer presents that risk, to withdraw the fertilising product from the market or to recall it.

Or. en

Amendment 169

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation

Article 42 – paragraph 1 – introductory part

Text proposed by the Commission

1. ***The*** Commission shall be empowered to adopt delegated acts in accordance with Article 43 to amend Annexes ***I*** to IV for the purposes of adapting them to technical progress and facilitating internal market access and free movement for CE marked fertilising products

Amendment

1. ***Following approval by the European Parliament and the Council, the*** Commission shall be empowered to adopt delegated acts in accordance with Article 43 to amend Annexes ***II*** to IV for the purposes of adapting them to technical progress and facilitating internal market access and free movement for CE marked fertilising products

Or. fr

Amendment 170

Tom Vandenkendelaere, Annie Schreijer-Pierik

Proposal for a regulation

Article 42 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Commission shall be empowered to adopt delegated acts in accordance with Article 43 to amend Annexes I to IV for the purposes of adapting them to technical progress **and facilitating** internal market access and free movement for CE marked fertilising products

Amendment

1. The Commission shall be empowered to adopt delegated acts in accordance with Article 43 to amend Annexes I to IV for the purposes of adapting them to technical progress, **in particular as regards the production of fertilisers from animal by-products and waste recovery products and for the facilitation of** internal market access and free movement for CE marked fertilising products.

Or. en

Amendment 171

Daniel Buda, Viorica Dăncilă

Proposal for a regulation

Article 42 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Commission shall be empowered to adopt delegated acts in accordance with Article 43 to amend Annexes I to IV for the purposes of adapting them to technical progress and facilitating internal market access and free movement for CE marked fertilising products

Amendment

1. The Commission shall be empowered to adopt delegated acts in accordance with Article 43 **and taking into account the results of the report mentioned in para. 1a** to amend Annexes I to IV for the purposes of adapting them to technical progress and facilitating internal market access and free movement for CE marked fertilising products.

Or. en

Amendment 172

Julie Girling, Anthea McIntyre

Proposal for a regulation

Article 42 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Commission shall be empowered to adopt delegated acts in accordance with Article 43 to amend Annexes I to IV for the purposes of adapting them to technical progress and facilitating internal market access and free movement for CE marked fertilising products

Amendment

1. The Commission shall be empowered to adopt delegated acts in accordance with Article 43 to amend Annexes I to IV for the purposes of adapting them to technical ***and scientific*** progress ***only*** and facilitating internal market access and free movement for CE marked fertilising products.

Or. en

Amendment 173

Maria Lidia Senra Rodríguez

Proposal for a regulation

Article 42 – paragraph 1 – point b

Text proposed by the Commission

b) for which there is scientific evidence that they do not present ***an unacceptable*** risk to human, animal or plant health, to safety or to the environment, and that they are sufficiently effective.

Amendment

b) for which there is scientific evidence that they do not present ***a*** risk to human, animal or plant health, to safety or to the environment, and that they are sufficiently effective.

Or. es

Amendment 174

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation

Article 42 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) which have not been genetically modified in any way, either using the methods set out in Annex Ia to Directive 2001/18/EC or more recent technologies.

Or. fr

Amendment 175
Annie Schreijer-Pierik

Proposal for a regulation
Article 42 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) which are currently used by manufacturers as by-products from or co-products of other industrial and/or agricultural processes, as well as recycled products.

Or. en

Amendment 176
Annie Schreijer-Pierik

Proposal for a regulation
Article 42 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Within one year after the entry into force of this Regulation, the Commission shall adopt a delegated act, in accordance with the first paragraph, to amend, for the first time, the component material categories set out in Annex II, in particular to add animal by-products, struvite, ash-based products and biochar to those component material categories. In adopting that delegated act, the Commission shall specifically focus on all technological progress which is being made in the recovery of nutrients.

Or. en

Amendment 177
Franč Bogovič, Angélique Delahaye, Michel Dantin

Proposal for a regulation
Article 42 – paragraph 2 – point a

Text proposed by the Commission

(a) name of the micro-organism;

Amendment

(a) name of the micro-organism ***to the strain level;***

Or. en

Justification

What makes a micro-organism efficient is not the species but the strain (group of cells sharing the same DNA) and this is the differentiating factor between products and innovation claims. Unless the species is listed to the strain level, and therefore clearly identified, there will be no investment and no innovation, as any operator could place microbial plant biostimulants in the market as long as they use the same species of microbe, regardless of whether they use the single right strain (out of hundreds of strains within a same species) that makes the product efficient and safe.

Amendment 178

Clara Eugenia Aguilera García, Nicola Caputo, Marc Tarabella, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation
Article 42 – paragraph 2 – point d

Text proposed by the Commission

(d) taxonomic relation to micro-organism species fulfilling the requirements for a Qualified Presumption of Safety as established by the European Food Safety Agency;

Amendment

(d) taxonomic relation to micro-organism species fulfilling the requirements for a Qualified Presumption of Safety as established by the European Food Safety Agency, ***or reference of declared conformity to the relevant harmonised standards on safety of micro-organisms used which have been published in the Official Journal of the European Union, or conformity with the requirements for the safety evaluation of new micro-organisms as adopted by the Commission if such harmonised standards are not in place;***

Or. en

Amendment 179
Herbert Dorfmann

Proposal for a regulation
Article 42 – paragraph 2 – point g a (new)

Text proposed by the Commission

Amendment

(ga) reference of declared conformity to the relevant harmonised standards on safety of microorganisms used which have been published in the Official Journal of the European Union, or conformity with the relevant common specifications as adopted by the Commission, if such harmonised standards are not in place.

Or. en

Amendment 180
Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation
Article 42 – paragraph 4

Text proposed by the Commission

Amendment

4. The Commission shall also be empowered to adopt delegated acts in accordance with Article 43 to amend Annexes **I** to IV in the light of new scientific evidence. The Commission shall use this empowerment where, based on a risk assessment, an amendment proves necessary to ensure that any CE marked fertilising product complying with the requirements of this Regulation does not, under normal conditions of use, present an unacceptable risk to human, animal, or plant health, to safety or to the environment.

4. The Commission shall also be empowered to adopt delegated acts in accordance with Article 43 to amend Annexes **II** to IV in the light of new scientific evidence. The Commission shall use this empowerment where, based on a risk assessment, an amendment proves necessary to ensure that any CE marked fertilising product complying with the requirements of this Regulation does not, under normal conditions of use, present an unacceptable risk to human, animal, or plant health, to safety or to the environment.

Or. fr

Amendment 181
Julie Girling, Anthea McIntyre

Proposal for a regulation
Article 42 – paragraph 4

Text proposed by the Commission

4. The Commission shall also be empowered to adopt delegated acts in accordance with Article 43 to amend Annexes I to IV ***in the light of*** new scientific evidence. The Commission shall use this empowerment where, based on a risk assessment, an amendment proves necessary to ensure that any CE marked fertilising product complying with the requirements of this Regulation does not, under ***normal conditions of use***, present an unacceptable risk to human, animal, or plant health, to safety or to the environment.

Amendment

4. The Commission shall also be empowered to adopt delegated acts in accordance with Article 43 to amend Annexes I to IV ***after having examined*** new scientific evidence. The Commission shall use this empowerment where, based on a risk assessment, an amendment proves necessary to ensure that any CE marked fertilising product complying with the requirements of this Regulation does not, under ***correct usage***, present an unacceptable risk to human, animal, or plant health, to safety or to the environment.

Or. en

Amendment 182
Maria Lidia Senra Rodríguez

Proposal for a regulation
Article 42 – paragraph 4

Text proposed by the Commission

4. The Commission shall also be empowered to adopt delegated acts in accordance with Article 43 to amend Annexes I to IV in the light of new scientific evidence. The Commission shall use this empowerment where, based on a risk assessment, an amendment proves necessary to ensure that any CE marked fertilising product complying with the requirements of this Regulation does not, under normal conditions of use, present ***an unacceptable*** risk to human, animal, or plant health, to safety or to the environment.

Amendment

4. The Commission shall also be empowered to adopt delegated acts in accordance with Article 43 to amend Annexes I to IV in the light of new scientific evidence. The Commission shall use this empowerment where, based on a risk assessment, an amendment proves necessary to ensure that any CE marked fertilising product complying with the requirements of this Regulation does not, under normal conditions of use, present ***a*** risk to human, animal, or plant health, to safety or to the environment.

Amendment 183

Franč Bogovič, Mairead McGuinness

Proposal for a regulation

Article 42 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. For the purposes of CMC 10 in Annex II, the Commission shall be empowered to adopt delegated acts in accordance with Article 43 to define the requirements for the standard for the biodegradability criteria and the development of an appropriate testing method for biodegradation. These requirements and testing method shall be evaluated towards latest scientific evidence and shall be set out as of [Publications office, please insert the date occurring five years after the date of application of this Regulation].

Or. en

Justification

This amendment refers to a delegated act in order to create a biodegradation standard and test method for Controlled Release Fertilisers. A corresponding amendment of Annex II CMC 10 takes up this point.

Amendment 184

Clara Eugenia Aguilera García, Nicola Caputo, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Article 42 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. For the purposes of CMC 10 in Annex II, the Commission shall be empowered to adopt delegated acts in

accordance with Article 43 to define the requirements for the standard for the biodegradability criteria and the development of an appropriate testing method for biodegradation. These requirements and testing method shall be evaluated towards latest scientific evidence and shall be set out as of [Publications office, please insert the date occurring five years after the date of application of this Regulation].

Or. en

Amendment 185
Annie Schreijer-Pierik

Proposal for a regulation
Article 42 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. *For the purposes of CMC 10 in Annex II, the Commission shall be empowered to adopt delegated acts in accordance with Article 43 to define the requirements for the standard for the biodegradability criteria and the development of an appropriate testing method for biodegradation. These requirements and testing method shall be evaluated towards latest scientific evidence and shall be set out as of [Publications office, please insert the date occurring five years after the date of application of this Regulation].*

Or. en

Amendment 186
Luke Ming Flanagan
on behalf of the GUE/NGL Group

Proposal for a regulation
Article 46 – paragraph 1 – point 2

Text proposed by the Commission

(3) "34. "plant biostimulant" means **a product** stimulating plant nutrition processes independently of **the product's** nutrient content with the sole aim of improving one or more of the following characteristics of the plant:

Amendment

(3) "34. "plant biostimulant" means **any naturally occurring substance or microorganism** stimulating plant nutrition processes independently of **its** nutrient content, **or any combination of such substances and/or microorganisms**, with the sole aim of improving one or more of the following characteristics of the plant:

Or. en

Justification

Plant biostimulants should be naturally occurring substances or organisms, therefore avoiding the possibility of synthetic pesticides being classified as biostimulants.

Amendment 187

Bronis Ropé

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 46 – paragraph 1 – point 2

Regulation (EC) No 1107/2009

Article 3 – point 34 – introductory part

Text proposed by the Commission

(3) "34. "plant biostimulant" means **a product** stimulating plant nutrition processes independently of **the product's** nutrient content with the sole aim of improving one or more of the following characteristics of the plant:

Amendment

(3) "34. "plant biostimulant" means **any naturally occurring substance or microorganism** stimulating plant nutrition processes independently of **its** nutrient content, **or any combination of such substances and/or microorganisms**, with the sole aim of improving one or more of the following characteristics of the plant:

Or. en

Justification

Plant biostimulants should be naturally occurring substances or organisms, therefore

avoiding the possibility of synthetic pesticides being classified as biostimulants.

Amendment 188

Jean-Paul Denanot, Marc Tarabella, Eric Andrieu

Proposal for a regulation

Article 46 – paragraph 1 – point 2

Regulation (EC) No 1107/2009

Article 3 – point 34 – introductory part

Text proposed by the Commission

3) ‘34) “**plant biostimulant**” means **a product** stimulating plant nutrition processes independently of the **product’s nutrient content** with the sole aim of improving one or more of the following characteristics of the plant:

Amendment

3) ‘34) “**plant biostimulant**” means **any micro-organism or substance of natural origin** stimulating plant nutrition processes independently of the **nutrients therein**, with the sole aim of improving one or more of the following characteristics of the plant:

Or. fr

Amendment 189

Rosa D'Amato, Piernicola Pedicini, Eleonora Evi, Marco Zullo

Proposal for a regulation

Article 46 – paragraph 1 – point 2

Regulation (EC) No 1107/2009

Article 3 – point 34 – introductory part

Text proposed by the Commission

(3) "34. "plant biostimulant" means **a product** stimulating plant nutrition processes independently of the product's nutrient content with the sole aim of improving one or more of the following characteristics of the plant:

Amendment

(3) "34. "plant biostimulant" means **any microorganism or naturally occurring substance** stimulating plant nutrition processes independently of the product's nutrient content, **or any combination of such substances and/or microorganisms**, with the sole aim of improving one or more of the following characteristics of the plant:

Or. en

Amendment 190

Rosa D'Amato, Piernicola Pedicini, Eleonora Evi, Marco Zullo

Proposal for a regulation

Article 46 – paragraph 1 – point 2

Regulation (EC) No 1107/2009

Article 3 – point 34 – point b

Text proposed by the Commission

Amendment

(b) tolerance to abiotic **stress**;

(b) tolerance to **biotic and** abiotic stresses;

Or. en

Justification

The definition of a biostimulant should not be limited to "abiotic" stress, as it is not always clear if the main source of stress for a plant lies in biotic or abiotic factors. Plant biostimulants may also be important to strengthen the plants towards attacks of insects. If the definition would be limited to abiotic stress, many substances used today would disappear from the market.

Amendment 191

Jean-Paul Denanot, Marc Tarabella, Eric Andrieu

Proposal for a regulation

Article 46 – paragraph 1 – point 2

Regulation (EC) No 1107/2009

Article 3 – point 34 – point b

Text proposed by the Commission

Amendment

(b) tolerance to abiotic stress;

(b) tolerance to abiotic **and biotic** stress;

Or. fr

Justification

The definition of a biostimulant should not be limited to 'abiotic stress', because plants are subject to many different stress factors. If biotic factors are excluded, there is a risk that a whole range of products will disappear from the market.

Amendment 192

Bronis Ropé

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 46 – paragraph 1 – point 2

Regulation (EC) No 1107/2009

Article 3 – point 34 – point b

Text proposed by the Commission

Amendment

(b) tolerance to ***abiotic*** stress;

(b) tolerance to stress;

Or. en

Amendment 193

Jean-Paul Denanot, Eric Andrieu, Marc Tarabella

Proposal for a regulation

Article 46 – paragraph 1 – point 2

Regulation (EC) No 1107/2009

Article 3 – point 34 – point c

Text proposed by the Commission

Amendment

(c) ***crop*** quality traits.

(c) ***the*** quality traits ***of crops and related ecosystem services***.

Or. fr

Amendment 194

Bronis Ropé

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 46 – paragraph 1 – point 2

Regulation (EC) No 1107/2009

Article 3 – point 34 – point c

Text proposed by the Commission

Amendment

(c) crop quality ***traits***.

(c) crop quality.

Or. en

Amendment 195

Rosa D'Amato, Piernicola Pedicini, Eleonora Evi, Marco Zullo

Proposal for a regulation

Article 46 – paragraph 1 – point 2

Regulation (EC) No 1107/2009

Article 3 – point 34 – point c

Text proposed by the Commission

Amendment

(c) crop quality *traits*.

(c) crop quality.

Or. en

Amendment 196

Jan Huitema

Proposal for a regulation

Article 46 – paragraph 1 – point 2 a (new)

Regulation (EC) No 1107/2009

Article 3 – point 34 – point c a (new)

Text proposed by the Commission

Amendment

*(ca) increase the availability of
confined nutrients in soil and
rhizosphere.*

Or. en

Amendment 197

Annie Schreijer-Pierik

Proposal for a regulation

Article 46 a (new)

Text proposed by the Commission

Amendment

Article 46a

Amendments to Directive 91/676/EEC

***Directive 91/676/EEC is amended as
follows:***

"(1) Article 2(g) is replaced by the following:

"(g) 'livestock manure': means waste products excreted by livestock or a mixture of litter and waste products excreted by livestock, even in processed form, unless these products are CE marked in accordance with Regulation (EC) XXX^{1a} and have a declared N fertilizer replacement value (NFRV) of at least 76% for the application made;"

^{1a} Proposal for a Regulation of the European Parliament and the Council on laying down rules on the making available on the market of CE marked fertilising products and amending Regulations (EC) No 1069/2009 and (EC) No 1107/2009 .

Or. en

Amendment 198

Tom Vandenkendelaere, Annie Schreijer-Pierik

**Proposal for a regulation
Article 46 a (new)**

Text proposed by the Commission

Amendment

Article 46a

**Amendments to Regulation (EC) No
1907/2006**

In Annex V, point 12 is replaced by the following:

"12. Compost, biogas and digestate."

Or. en

Amendment 199

Franco Bogovič, Mairead McGuinness

Proposal for a regulation
Article 48 – paragraph 1

Text proposed by the Commission

Member States shall not impede the making available on the market of products which were placed on the market as fertilisers designated "EC fertiliser" in conformity with Regulation (EC) No 2003/2003 before [Publications office, please insert the date of application of this Regulation]. However, Chapter 5 shall apply mutatis mutandis to such products.

Amendment

Member States shall not impede the making available on the market of products which were placed on the market as fertilisers designated "EC fertiliser" in conformity with Regulation (EC) No 2003/2003 before [Publications office, please insert the date: ***twelve months after the date*** of application of this Regulation]. However, Chapter 5 shall apply mutatis mutandis to such products.

Or. en

Justification

The time foreseen in Article 48 for the transitional period seems unrealistic. Twelve months after the date of application would be more realistic.

Amendment 200
Norbert Erdős, György Hölvényi

Proposal for a regulation
Article 48 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

A Member State may maintain any existing and more stringent restrictions on the content of cadmium (Cd) in organo-mineral fertiliser and inorganic fertiliser, until this limit is equal or lower than the limits set out in Annex I, Part II, PFC 1 (B)(3)(a) and 1 (C)(I)(2)(a).

Or. en

Amendment 201
Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation
Article 48 a (new)

Text proposed by the Commission

Amendment

Article 48a

Reporting

The Commission shall present the European Parliament and the Council with a report taking stock of the application of this Regulation five years after it has entered into force.

The report shall include an assessment of the levels of contaminants as set out in Annex I, and their impact on human and animal health and on the environment in terms of reduction of cadmium accumulation levels. The report shall also analyse technological progress and innovation in the field of production and use of fertilising products, and all the possible alternatives to fulfil the objective of reducing cadmium accumulation, including technologies for its elimination, their viability and their impact and costs across the value chain, as well as the waste management of cadmium.

The report shall also consider the Regulation's impact on the fertiliser market, including an analysis of costs and of supply levels and security.

The report may be accompanied, if necessary, by appropriate legislative proposals.

Or. es

Amendment 202

Esther Herranz García, Ramón Luis Valcárcel Siso, Gabriel Mato

Proposal for a regulation
Article 49 – paragraph 2

Text proposed by the Commission

Amendment

It shall apply from 1 January 2018.

It shall apply from 1 January 2018, ***with the exception of the provisions in Annex I on cadmium, which shall only come into force once phosphate rock has been removed from the list of critical raw materials.***

Or. es

Justification

Given that the availability of sufficiently clean phosphate rock that comply with the limits in Annex I has not been studied or analysed by the European Commission in the impact assessment, and that phosphate rock is a critical raw material, the limits on certain contaminants should be delayed until supplies of phosphate rock are no longer subject to a high supply risk.

Amendment 203

Daniel Buda

Proposal for a regulation

Article 49 – paragraph 2

Text proposed by the Commission

Amendment

It shall apply from ***1 January 2018***.

It shall apply from ***[Publications office, please insert the date occurring five years after of the date of publication of this Regulation in the Official Journal of the European Union]***.

Or. en

Justification

Member States and economic operators need additional time to adapt their domestic legislation to the entry into force of this regulation.

Amendment 204

Clara Eugenia Aguilera García, Nicola Caputo, Marc Tarabella, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Annex I – part 1 – point 1 – point C – introductory part

Text proposed by the Commission

Amendment

C. ***Inorganic*** fertiliser

C. ***Mineral*** fertiliser

(This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout.)

Or. en

Justification

In order to align the Regulation with the market realities and the expectations of farmers, the name should be changed to better reflect the language used in the market. Using language accepted in the market is crucial for any legislation linked to market harmonization. This justification applies to all the following similar amendments in Annex I part I.

Amendment 205

Peter Jahr, Albert Deß

Proposal for a regulation

Annex I – part 1 – point 1 – point C – introductory part

Text proposed by the Commission

Amendment

C. ***Inorganic*** fertiliser

C. ***Mineral*** fertiliser

Or. en

Amendment 206

Clara Eugenia Aguilera García, Nicola Caputo, Marc Tarabella, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Annex I – part 1 – point 1 – point C – point I – introductory part

Text proposed by the Commission

Amendment

I. ***Inorganic*** macronutrient fertiliser

I. ***Mineral*** macronutrient fertiliser

(This amendment applies throughout the text. Adopting it will necessitate

corresponding changes throughout.)

Or. en

Amendment 207

Clara Eugenia Aguilera García, Nicola Caputo, Marc Tarabella, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Annex I – part 1 – point 1 – point C – point I – point a – introductory part

Text proposed by the Commission

Amendment

a) Solid ***inorganic*** macronutrient
fertiliser

a) Solid ***mineral*** macronutrient
fertiliser

*(This amendment applies throughout the
text. Adopting it will necessitate
corresponding changes throughout.)*

Or. en

Amendment 208

Clara Eugenia Aguilera García, Nicola Caputo, Marc Tarabella, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Annex I – part 1 – point 1 – point C – point I – point a – point i – introductory part

Text proposed by the Commission

Amendment

i) Straight solid ***inorganic***
macronutrient fertiliser

i) Straight solid ***mineral***
macronutrient fertiliser

*(This amendment applies throughout the
text. Adopting it will necessitate
corresponding changes throughout.)*

Or. en

Amendment 209

Clara Eugenia Aguilera García, Nicola Caputo, Marc Tarabella, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Annex I – part 1 – point 1 – point C – point I – point a – point i – point A

Text proposed by the Commission

A) Straight solid ***inorganic***
macronutrient ammonium nitrate fertiliser
of high nitrogen content

Amendment

A) Straight solid ***mineral***
macronutrient ammonium nitrate fertiliser
of high nitrogen content

(This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout.)

Or. en

Amendment 210

Clara Eugenia Aguilera García, Nicola Caputo, Marc Tarabella, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Annex I – part 1 – point 1 – point C – point I – point a – point ii – introductory part

Text proposed by the Commission

ii) Compound solid ***inorganic***
macronutrient fertiliser

Amendment

ii) Compound solid ***mineral***
macronutrient fertiliser

(This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout.)

Or. en

Amendment 211

Clara Eugenia Aguilera García, Nicola Caputo, Marc Tarabella, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Annex I – part 1 – point 1 – point C – point I – point a – point ii – point A

Text proposed by the Commission

A) Compound solid ***inorganic***
macronutrient ammonium nitrate fertiliser
of high nitrogen content

Amendment

A) Compound solid ***mineral***
macronutrient ammonium nitrate fertiliser
of high nitrogen content

(This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout.)

Or. en

Amendment 212

Clara Eugenia Aguilera García, Nicola Caputo, Marc Tarabella, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Annex I – part 1 – point 1 – point C – point I – point b – introductory part

Text proposed by the Commission

Amendment

b) Liquid ***inorganic*** macronutrient fertiliser

b) Liquid ***mineral*** macronutrient fertiliser

(This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout.)

Or. en

Amendment 213

Clara Eugenia Aguilera García, Nicola Caputo, Marc Tarabella, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Annex I – part 1 – point 1 – point C – point I – point b – point i

Text proposed by the Commission

Amendment

i) Straight liquid ***inorganic*** macronutrient fertiliser

i) Straight liquid ***mineral*** macronutrient fertiliser

(This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout.)

Or. en

Amendment 214

Clara Eugenia Aguilera García, Nicola Caputo, Marc Tarabella, Tibor Szanyi, Paolo De

Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Annex I – part 1 – point 1 – point C – point I – point b – point ii

Text proposed by the Commission

Amendment

ii) Compound liquid ***inorganic*** macronutrient fertiliser

ii) Compound liquid ***mineral*** macronutrient fertiliser

(This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout.)

Or. en

Amendment 215

Clara Eugenia Aguilera García, Nicola Caputo, Marc Tarabella, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Annex I – part 1 – point 1 – point C – point II – introductory part

Text proposed by the Commission

Amendment

II. ***Inorganic*** micronutrient fertiliser

II. ***Mineral*** micronutrient fertiliser

(This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout.)

Or. en

Amendment 216

Clara Eugenia Aguilera García, Nicola Caputo, Marc Tarabella, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Annex I – part 1 – point 1 – point C – point II – point a

Text proposed by the Commission

Amendment

a) Straight ***inorganic*** micronutrient fertiliser

a) Straight ***mineral*** micronutrient fertiliser

(This amendment applies throughout the text. Adopting it will necessitate

corresponding changes throughout.)

Or. en

Amendment 217

Clara Eugenia Aguilera García, Nicola Caputo, Marc Tarabella, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Annex I – part 1 – point 1 – point C – point II – point b

Text proposed by the Commission

Amendment

b) Compound ***inorganic*** micronutrient
fertiliser

b) Compound ***mineral*** micronutrient
fertiliser

*(This amendment applies throughout the
text. Adopting it will necessitate
corresponding changes throughout.)*

Or. en

Amendment 218

Clara Eugenia Aguilera García, Nicola Caputo, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Annex I – part 1 – point 7

Text proposed by the Commission

Amendment

7. ***Fertilising*** product ***blend***

7. ***Mixture of*** product ***function
categories***

Or. en

Justification

"Mixture manure" or "blend" is used generally to designate the physical mixture of two fertilisers. If used to call several products categories, it might cause confusion among farmers.

Amendment 219
Franč Bogovič, Mairead McGuinness

Proposal for a regulation
Annex I – part 2 – point 4 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Ingredients submitted for approval or re-approval under Regulation (EC) No 1107/2009 but not included in Implementing Regulation EU (N°) 540/2011, shall not be used in fertilising products when non-inclusion is justified by Article 1, point 4 of Regulation EC(N°) 1107/2009.

Or. en

Justification

Where components have been refused approval as components under Regulation (EC) No 1107/2009 for reasons of safety, it would not be appropriate for them to be allowed in fertilising products.

Amendment 220
Tom Vandenkendelaere

Proposal for a regulation
Annex I – part 2 – PFC 1(A) – point 1 – indent 1

Text proposed by the Commission

Amendment

- carbon (C) and

- ***organic*** carbon (***Corg***) and

Or. en

Amendment 221
Franč Bogovič, Angélique Delahaye, Michel Dantin

Proposal for a regulation
Annex I – part 2 – PFC 1(A) – point 1 – indent 1

Text proposed by the Commission

Amendment

- carbon (C) and

- **organic** carbon (C) and

Or. en

Justification

The reference to materials in geological formations makes no sense because it would exclude leonardite, lignite and peat, all of which are common components of organic fertilisers.

Amendment 222

Anja Hazekamp

Proposal for a regulation

Annex I – part 2 – PFC 1(A) – point 1 – paragraph 2

Text proposed by the Commission

Amendment

of solely biological origin, excluding material which is fossilized or embedded in geological formations.

of solely biological origin, excluding material which ***is derived from intensive livestock farming, is produced at the expense of the requisite grazing or*** is fossilized or embedded in geological formations.

Or. nl

Amendment 223

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation

Annex I – part 2 – PFC 1(A) – point 2 – indent 1

Text proposed by the Commission

Amendment

- Cadmium (Cd) **1,5** mg/kg dry matter,

- Cadmium (Cd)

(1) Where the product has phosphorus (P) content: 75 mg/kg P₂O₅;

(2) Where the product does not have phosphorus (P) content: 3 mg/kg dry matter.

Justification

The progressive decrease of cadmium limits is too restrictive. A recent study (Revisiting and updating the effect of phosphorus fertilisers on cadmium accumulation in European Agricultural Soils – -International Fertiliser Society - E. Smolders. – May 2013), demonstrates that there is no cadmium accumulation in the soil if the quantity does not exceed 80 mg/kg. Furthermore, decadmiation technology is not sufficiently developed yet. A limit of 75 mg/kg should be set for the time being.

Amendment 224

Tom Vandenkendelaere, Annie Schreijer-Pierik

Proposal for a regulation

Annex I – part 2 – PFC 1(A) – point 3

Text proposed by the Commission

3. *Salmonella spp. shall be absent in a 25 g sample of the CE marked fertilising product.*

Amendment

3. *The absence of Salmonella spp. and the maximum presence of Escherichia coli and Enterococcaceae has to be proven in accordance to Regulation No 142/2011 and implementing Regulation No 1069/2009 Annex XI, Chapter I, section 2(d).*

Amendment 225

Tom Vandenkendelaere

Proposal for a regulation

Annex I – part 2 – PFC 1(A)(I) – point 2 a (new)

Text proposed by the Commission

Amendment

2a. *Where the product contains more than one nutrient, the following minimum quantities shall be present:*

- *1% by mass of total nitrogen (N),*
- *1% by mass of total phosphorus pentoxide (P₂O₅),*

– 1% by mass of total potassium oxide (K₂O),
where the sum of the nutrients is minimum 4%.

Or. en

Amendment 226
Tom Vandenkendelaere

Proposal for a regulation
Annex I – part 2 – PFC 1(A)(I) – point 3

Text proposed by the Commission

3. Organic carbon (C) shall be present in the CE marked fertilising product by at least **15%** by mass.

Amendment

3. Organic carbon (C) shall be present in the CE marked fertilising product by at least **7,5%** by mass.

Or. en

Amendment 227
Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation
Annex I – part 2 – PFC 1(A)(II) – point 2 – introductory part

Text proposed by the Commission

2. The CE marked fertilising product shall contain at least one of the following declared nutrients in the minimum quantities stated:

Amendment

2. The CE marked fertilising product shall contain at least one of the following declared **primary** nutrients in the minimum quantities stated:

Or. en

Amendment 228
Annie Schreijer-Pierik

Proposal for a regulation
Annex I – part 2 – PFC 1(A)(II) – point 2 – indent 1

Text proposed by the Commission

Amendment

- 2% by mass of total nitrogen (N),

- 1% by mass of total nitrogen (N),

Or. en

Amendment 229

Annie Schreijer-Pierik

Proposal for a regulation

Annex I – part 2 – PFC 1(A)(II) – point 2 – indent 3

Text proposed by the Commission

Amendment

- 2% by mass of total potassium oxide (K₂O).

- 1% by mass of total potassium oxide (K₂O).

Or. en

Amendment 230

Tom Vandenkendelaere

Proposal for a regulation

Annex I – part 2 – PFC 1(A)(II) – point 2 a (new)

Text proposed by the Commission

Amendment

2a. Where the product contains more than one nutrient, the following minimum quantities shall be present:

– 1% by mass of total nitrogen (N),

– 1% by mass of total phosphorus pentoxide (P₂O₅),

– 1% by mass of total potassium oxide (K₂O),

where the sum of the nutrients is minimum 4%.

Or. en

Amendment 231

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation

Annex I – part 2 – PFC 1(B) – point 3 – point a – point 1

Text proposed by the Commission

Amendment

(1) Where the **CE marked fertilising** product **has a total** phosphorus (P) content **of less than 5 % phosphorus pentoxide (P₂O₅)-equivalent by mass**: 3 mg/kg dry matter, or

(1) Where the product **does not have** phosphorus (P) content: 3 mg/kg dry matter, or

Or. en

Justification

The progressive decrease of cadmium limits is too restrictive. A recent study (Revisiting and updating the effect of phosphorus fertilisers on cadmium accumulation in European Agricultural Soils – -International Fertiliser Society - E. Smolders. – May 2013), demonstrates that there is no cadmium accumulation in the soil if the quantity does not exceed 80 mg/kg. Furthermore, decadmiation technology is not sufficiently developed yet. A limit of 75 mg/kg should be set for the time being.

Amendment 232

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation

Annex I – part 2 – PFC 1(B) – point 3 – point a – point 2 – introductory part

Text proposed by the Commission

Amendment

(2) Where the **CE marked fertilising** product has **a total** phosphorus (P) content **of 5 % phosphorus pentoxide (P₂O₅)-equivalent or more by mass ('phosphate fertiliser')**:

(2) Where the product has phosphorus (P) content: **75 mg/kg P₂O₅**.

Or. en

Justification

The progressive decrease of cadmium limits is too restrictive. A recent study (Revisiting and updating the effect of phosphorus fertilisers on cadmium accumulation in European Agricultural Soils – -International Fertiliser Society - E. Smolders. – May 2013),

demonstrates that there is no cadmium accumulation in the soil if the quantity does not exceed 80 mg/kg. Furthermore, decadmiation technology is not sufficiently developed yet. A limit of 75 mg/kg should be set for the time being.

Amendment 233

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation

Annex I – part 2 – PFC 1(B) – point 3 – point a – point 2 – indent 1

Text proposed by the Commission

Amendment

- *As of [Publications office, please insert the date of application of this Regulation]: 60 mg/kg phosphorus pentoxide (P2O5),* *deleted*

Or. en

Justification

The progressive decrease of cadmium limits is too restrictive. A recent study (Revisiting and updating the effect of phosphorus fertilisers on cadmium accumulation in European Agricultural Soils – -International Fertiliser Society - E. Smolders. – May 2013), demonstrates that there is no cadmium accumulation in the soil if the quantity does not exceed 80 mg/kg. Furthermore, decadmiation technology is not sufficiently developed yet. A limit of 75 mg/kg should be set for the time being.

Amendment 234

Nuno Melo

Proposal for a regulation

Annex I – part 2 – PFC 1(B) – point 3 – point a – point 2 – indent 2

Text proposed by the Commission

Amendment

- *As of [Publications office, please insert the date occurring three years after the date of application of this Regulation]: 40 mg/kg phosphorus pentoxide (P2O5), and* *deleted*

Or. en

Amendment 235

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation

Annex I – part 2 – PFC 1(B) – point 3 – point a – point 2 – indent 2

Text proposed by the Commission

Amendment

- As of [Publications office, please *deleted*
insert the date occurring three years after
the date of application of this
Regulation]: 40 mg/kg phosphorus
pentoxide (P₂O₅), and

Or. en

Justification

The progressive decrease of cadmium limits is too restrictive. A recent study (Revisiting and updating the effect of phosphorus fertilisers on cadmium accumulation in European Agricultural Soils – -International Fertiliser Society - E. Smolders. – May 2013), demonstrates that there is no cadmium accumulation in the soil if the quantity does not exceed 80 mg/kg. Furthermore, decadmiation technology is not sufficiently developed yet. So, a limit of 75 mg/kg should be set for the time being

Amendment 236

Norbert Erdős, György Hölvényi

Proposal for a regulation

Annex I – part 2 – PFC 1(B) – point 3 – point a – point 2 – indent 2

Text proposed by the Commission

Amendment

- As of [Publications office, please
insert the date occurring *three* years after
the date of application of this Regulation]:
40 mg/kg phosphorus pentoxide (P₂O₅),
and

- As of [Publications office, please
insert the date occurring *five* years after the
date of application of this Regulation]: 40
mg/kg phosphorus pentoxide (P₂O₅), and

Or. en

Amendment 237

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation

Annex I – part 2 – PFC 1(B) – point 3 – point a – point 2 – indent 3

Text proposed by the Commission

Amendment

- *As of [Publications office, please insert the date occurring twelve years after the date of application of this Regulation]: 20 mg/kg phosphorus pentoxide (P2O5),* *deleted*

Or. en

Justification

The progressive decrease of cadmium limits is too restrictive. A recent study (Revisiting and updating the effect of phosphorus fertilisers on cadmium accumulation in European Agricultural Soils – -International Fertiliser Society - E. Smolders. – May 2013), demonstrates that there is no cadmium accumulation in the soil if the quantity does not exceed 80 mg/kg. Furthermore, decadmiation technology is not sufficiently developed yet. So, a limit of 75 mg/kg should be set for the time being.

Amendment 238

Nuno Melo

Proposal for a regulation

Annex I – part 2 – PFC 1(B) – point 3 – point a – point 2 – indent 3

Text proposed by the Commission

Amendment

- *As of [Publications office, please insert the date occurring twelve years after the date of application of this Regulation]: 20 mg/kg phosphorus pentoxide (P2O5),* *deleted*

Or. en

Amendment 239

Norbert Erdős, György Hölvényi

Proposal for a regulation

Annex I – part 2 – PFC 1(B) – point 3 – point a – point 2 – indent 3

Text proposed by the Commission

- As of [Publications office, please insert the date occurring *twelve* years after the date of application of this Regulation]: 20 mg/kg phosphorus pentoxide (P₂O₅),

Amendment

- As of [Publications office, please insert the date occurring *sixteen* years after the date of application of this Regulation]: 20 mg/kg phosphorus pentoxide (P₂O₅),

Or. en

Amendment 240

Clara Eugenia Aguilera García, Nicola Caputo, Marc Tarabella, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Annex I – part 2 – PFC 1(B)(I) – point 2 – indent 2

Text proposed by the Commission

- 2 % by mass *of total* phosphorus pentoxide (P₂O₅), or

Amendment

- 2 % by mass Phosphorus pentoxide (P₂O₅) *soluble in neutral ammonium citrate and water*, or

Or. en

Justification

“Total” is not valid from the agronomic point of view, especially in high and neutral pH and low precipitations. Soluble in ammonium citrate and in water is the available fraction for the plants.

Amendment 241

Tom Vandenkendelaere

Proposal for a regulation

Annex I – part 2 – PFC 1(B)(I) – point 2 a (new)

Text proposed by the Commission

Amendment

2a. Where the product contains more than one nutrient, the following minimum quantities shall be present:

- **1% by mass of total nitrogen (N),**

- *1% by mass of total phosphorus pentoxide (P₂O₅),*
 - *1% by mass of total potassium oxide (K₂O),*
- where the sum of the nutrients is minimum 4%.*

Or. en

Amendment 242

Franc Bogovič

Proposal for a regulation

Annex I – part 2 – PFC 1(B)(I) – point 4

Text proposed by the Commission

4. In the CE marked fertilising product, each unit shall contain *the* organic ***matter and*** the nutrients in their declared content.

Amendment

4. In the CE marked fertilising product, each unit shall contain organic ***carbon and all*** the nutrients in their declared content. *A unit refers to one of the component pieces of product such as granules, pellets, etc.*

Or. en

Justification

It is impossible to guarantee the exact proportions of the contents in each unit of the product.

Amendment 243

Annie Schreijer-Pierik

Proposal for a regulation

Annex I – part 2 – PFC 1(B)(II) – point 2 – indent 1

Text proposed by the Commission

- 2 % by mass of total nitrogen (N), out of which 0,5 % by mass of the CE marked fertilising product shall be organic nitrogen (N), or

Amendment

- 1 % by mass of total nitrogen (N), out of which 0,5 % by mass of the CE marked fertilising product shall be organic nitrogen (N), or

Amendment 244

Clara Eugenia Aguilera García, Nicola Caputo, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Annex I – part 2 – PFC 1(B)(II) – point 2 – indent 2

Text proposed by the Commission

- 2 % by mass of **total** phosphorus pentoxide (P₂O₅), or

Amendment

- 2 % by mass of phosphorus pentoxide (P₂O₅) **soluble in neutral ammonium citrate and water**, or

Or. en

Justification

“Total” is not valid from the agronomic point of view, especially in high and neutral pH and low precipitations. Soluble in ammonium citrate and in water is the available fraction for the plants

Amendment 245

Zbigniew Kuźmiuk, Czesław Adam Siekierski, Jarosław Kalinowski

Proposal for a regulation

Annex I – part 2 – PFC 1(B)(II) – point 2 – indent 2

Text proposed by the Commission

- 2% by mass of total phosphorus pentoxide (P₂O₅), or

Amendment

- 1% by mass of total phosphorus pentoxide (P₂O₅), or

Or. pl

Amendment 246

Annie Schreijer-Pierik

Proposal for a regulation

Annex I – part 2 – PFC 1(B)(II) – point 2 – indent 3

Text proposed by the Commission

- 2 % by mass of total potassium oxide (K_2O).

Amendment

- 1 % by mass of total potassium oxide (K_2O).

Or. en

Amendment 247

Annie Schreijer-Pierik

Proposal for a regulation

Annex I – part 2 – PFC 1(B)(II) – point 2 a (new)

Text proposed by the Commission

Amendment

2a. Where the CE-marked fertilising product contains more than one nutrient the product shall contain the following declared nutrients in the minimum quantities stated below:

- 1.0% by mass of total nitrogen, of which 0.5% by mass of the CE-marked fertilising product shall be organic (N), or
- 1.0% by mass of total phosphorus pentoxide (P_2O_5), or
- 1.0% by mass of total potassium oxide (K_2O), and
- 3.0% by mass of total sum of nutrients.

Or. en

Amendment 248

Daniel Buda, Viorica Dăncilă

Proposal for a regulation

Annex I – part 2 – PFC 1(B)(II) – point 2 a (new)

Text proposed by the Commission

Amendment

2a. Where the CE marked fertilizing product contains more than one nutrient

the product shall contain the primary declared nutrients in the minimum quantities stated below:

2% by mass of total nitrogen, of which 0,5% by mass of the CE marked fertilizing product shall be organic (N), or

2% by mass of total phosphorus pentoxide (P

2O5), or

2% by mass of total potassium oxide (K 2O), and

6% by mass of total sum of nutrients.

Or. en

Justification

Multi-nutrient organo-mineral fertilizers contain at least a certain total amount of nutrients. However, the values of nutrients have to be increased to levels ensuring a sufficient level of nutrients. Otherwise, the fertilizer is misleading to the farmer, there is no parity with mineral fertilizers and such low-nutrient fertilizer contributes to CO2 emissions through transportation of low-nutrient material.

Amendment 249

Tom Vandenkendelaere

Proposal for a regulation

Annex I – part 2 – PFC 1(B)(II) – point 2 a (new)

Text proposed by the Commission

Amendment

2a. Where the product contains more than one nutrient, the following minimum quantities shall be present:

- **1% by mass of total nitrogen (N),**
- **1% by mass of total phosphorus pentoxide (P2O5),**
- **1% by mass of total potassium oxide (K2O),**

where the sum of the nutrients is minimum 4%.

Amendment 250

Clara Eugenia Aguilera García, Nicola Caputo, Marc Tarabella, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Annex I – part 2 – subheading 8 – PFC 1(C)

Text proposed by the Commission

Amendment

PFC 1(C): ***Inorganic*** fertiliser

PFC 1(C): ***Mineral*** fertiliser

Or. en

Amendment 251

Franc Bogovič, Angélique Delahaye, Michel Dantin

Proposal for a regulation

Annex I – part 2 – subheading 8 – PFC 1(C)

Text proposed by the Commission

Amendment

PFC 1(C): ***Inorganic*** fertiliser

PFC 1(C): ***Mineral*** fertiliser

Or. en

Amendment 252

Clara Eugenia Aguilera García, Nicola Caputo, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Annex I – part 2 – PFC 1(C) - paragraph 1

Text proposed by the Commission

Amendment

An inorganic fertiliser shall be a fertiliser ***other than an organic or organo-mineral fertiliser.***

A mineral fertiliser shall be a ***fertiliser containing nutrients in a mineral form, or processed into a mineral form, from animal or plant origin. Calcium cyanamide, urea and its condensation and association products shall be considered as containing nutrients in a mineral form.***

Organic carbon (Corg) in the CE marked fertilising product shall not exceed 1% by mass. That excludes, by convention, carbon which comes from coatings and technical agents.

Or. en

Justification

Mineral fertilizers need to be clearly defined to ensure that they meet farmers' expectations and to guarantee a high level of quality.

Amendment 253

Daniel Buda

Proposal for a regulation

Annex I – part 2 – PFC 1(C) - paragraph 1

Text proposed by the Commission

An inorganic fertiliser shall be a fertiliser other than an organic or organo-mineral fertiliser.

Amendment

A mineral fertiliser shall be a fertiliser containing nutrients in a mineral form or processed into a mineral form from animal or plant origin. Urea and its condensation and association products shall be considered to contain nutrients in a mineral form.

Or. en

Justification

The inorganic fertiliser definition is too generic. It is preferable to use the definition coming from the text of current Regulation (EC) No 2003/2003.

Amendment 254

Franco Bogovič, Angélique Delahaye, Michel Dantin, Peter Jahr, Albert Deß

Proposal for a regulation

Annex I – part 2 – PFC 1(C) - paragraph 1

Text proposed by the Commission

Amendment

An inorganic fertiliser shall be a fertiliser ***other than an organic or organo-mineral fertiliser.***

A mineral fertiliser shall be a fertiliser ***containing nutrients in a mineral form or processed into a mineral form. Urea and its condensation and association products shall be considered to contain nutrients in a mineral form.***

Or. en

Justification

Mineral fertilisers need to be clearly defined to ensure that they meet farmers' expectations and to guarantee a high level of quality. This is all the more important since type designations (according to 2003/2003 Regulation) will be phased out.

Amendment 255

Esther Herranz García, Ramón Luis Valcárcel Siso, Gabriel Mato

Proposal for a regulation

Annex I – part 2 – PFC 1(C) - paragraph 1

Text proposed by the Commission

Amendment

An inorganic fertiliser shall be a fertiliser ***other than an organic or organo-mineral fertiliser.***

A mineral fertiliser shall be a fertiliser ***containing nutrients in a mineral form or processed into a mineral form. Urea and its condensation and association products shall be considered to contain nutrients in a mineral form.***

Or. en

Justification

Mineral fertilisers need to be clearly defined to ensure that they meet farmers' expectations and to guarantee a high level of quality.

Amendment 256

Julie Girling, Anthea McIntyre

Proposal for a regulation
Annex I – part 2 – PFC 1(C) - paragraph 1

Text proposed by the Commission

An inorganic fertiliser shall be a fertiliser *other than an organic or organo-mineral fertiliser*.

Amendment

An inorganic fertiliser shall be a fertiliser *that contains nutrients in a mineral form or that is processed into a mineral form. Urea, including its condensation and association products, shall be considered to contain nutrients in a mineral form.*

Or. en

Amendment 257
Nicola Caputo, Marc Tarabella, Angélique Delahaye

Proposal for a regulation
Annex I – part 2 – PFC 1(C) – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Phosphorus fertilisers have to fulfil at least one of the following minimum solubility levels to be plant-available, otherwise they cannot be declared as phosphorus fertiliser:

- Water solubility: minimum level 40% of total P, or*
- Solubility in neutral ammonium citrate: minimum level 75% of total P, or*
- Solubility in formic acid (only for soft rock phosphate): minimum level 55% of total P.*

Or. en

Justification

For phosphorus fertilisation, the P should have a minimum solubility level in order to be recognized as a P fertiliser. Otherwise it would bring in agricultural soils additional unusable sources of phosphorus forms, which will affect the environment in the very long term. A minimum P solubility also guarantees plant availability and the agronomic efficacy of a mineral fertiliser. This is especially true for basic and neutral pH soil conditions and in conditions of low rainfall.

Amendment 258

Clara Eugenia Aguilera García, Marc Tarabella, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Annex I – part 2 – PFC 1(C) - paragraph 1 a (new)

Text proposed by the Commission

Amendment

Phosphorus fertilisers have to fulfil at least one of the following minimum solubility levels to be plant-available, otherwise they cannot be declared as phosphorus fertiliser:

- Water solubility: minimum level 40% of total P, or***
- Solubility in neutral ammonium citrate: minimum level 75% of total P, or***
- Solubility in formic acid (only for soft rock phosphate): minimum level 55% of total P.***

Or. en

Justification

Solubility levels to be plant-available provides to farmers an essential information..

Amendment 259

Franc Bogovič

Proposal for a regulation

Annex I – part 2 – PFC 1(C) - paragraph 1 a (new)

Text proposed by the Commission

Amendment

Organic carbon (Corg) in the CE marked fertilising product shall not exceed 1% by mass. This excludes by convention carbon coming from coatings, agronomic additives and technical agents.

Or. en

Justification

Mineral fertilisers need to be clearly defined to ensure that they meet farmers' expectations. A key characteristic of mineral fertilisers is that they contain very limited carbon of bio-origin. Lack of a clear definition for this category could however lead to the inclusion of poor quality products with up to 7.5% organic carbon from biomaterials, raising concerns related to pathogens.

Amendment 260

Franco Bogovič, Angélique Delahaye, Michel Dantin

Proposal for a regulation

Annex I – part 2 – PFC 1(C) - paragraph 1 b (new)

Text proposed by the Commission

Amendment

Phosphorus fertilisers shall fulfil at least one of the following minimum solubility levels to be plant-available, otherwise they cannot be declared as phosphorus fertiliser:

- Water solubility: minimum level 40% of total P, or*
- Solubility in neutral ammonium citrate: minimum level 75% of total P, or*
- Solubility in formic acid (only for soft rock phosphate): minimum level 55% of total P.*

Or. en

Amendment 261

Nicola Caputo, Marc Tarabella, Angélique Delahaye

Proposal for a regulation

Annex I – part 2 – PFC 1(C) - paragraph 1 b (new)

Text proposed by the Commission

Amendment

The total declarable nitrogen content is given by the sum of ammoniacal N, nitric N, ureic N, N from methylene-urea, N from isobutylidene diurea, N from crotonylidene diurea. The declarable

phosphorus content is given by the phosphatic P form. New forms can be added after a scientific examination in accordance with Article 42 (1).

Or. en

Justification

The EU Commission proposes that the total declarable nutrient content includes by default all forms of nutrients, even those that will not be available to the plants. Only plant available nutrients should be declared and labelled because other forms of nitrogen and phosphorus have no proven contribution to plant nutrition. Otherwise farmers would not bring to their crops the nutrient quantity they were expecting to apply according to the proposal, and thus would be misled by the declaration of the total nutrient content.

Amendment 262

Franco Bogovič, Angélique Delahaye, Michel Dantin

Proposal for a regulation

Annex I – part 2 – PFC 1(C) - paragraph 1 c (new)

Text proposed by the Commission

Amendment

The total declarable nitrogen content is given by the sum of ammoniacal N, nitric N, ureic N, N from methylene-urea, N from isobutylidene diurea, N from crotonylidene diurea. The declarable phosphorus content is given by the phosphatic P form. New forms can be added after a scientific examination in accordance with Article 42 (1).

Or. en

Justification

The EU Commission proposes that the total declarable nutrient content includes by default all forms of nutrients, even those that will not be available to the plants. Only plant available nutrients should be declared and labelled because other forms of nitrogen and phosphorus have no proven contribution to plant nutrition. Otherwise farmers would not bring to their crops the nutrient quantity they were expecting to apply according to the proposal, and thus would be misled by the declaration of the total nutrient content.

Amendment 263

Nicola Caputo, Marc Tarabella, Angélique Delahaye, Clara Eugenia Aguilera García, Paolo De Castro, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Annex I – part 2 – PFC 1(C)(I) – point 1 a (new)

Text proposed by the Commission

Amendment

1a. The total declared nitrogen content is given by the sum of ammoniacal N, nitric N, ureic N, N from methylene-urea, N from isobutylidene diurea, N from crotonylidene diurea and N from cyanamide.

Or. en

Justification

The EU Commission proposes that the total declarable nutrient content includes by default all forms of nutrients, even those that will not be available to the plants. Only plant available nutrients should be declared and labelled because other forms of nitrogen and phosphorus have no proven contribution to plant nutrition. Otherwise farmers would not bring to their crops the nutrient quantity they were expecting to apply according to the proposal, and thus would be misled by the declaration of the total nutrient content.

Amendment 264

Esther Herranz García, Ramón Luis Valcárcel Siso, Gabriel Mato

Proposal for a regulation

Annex I – part 2 – PFC 1(C)(I) – point 2 – point a – point 1

Text proposed by the Commission

Amendment

(1) Where the ***CE marked fertilising*** product ***has a total*** phosphorus (P) content ***of less than 5 % phosphorus pentoxide (P2O5)-equivalent by mass***: 3 mg/kg dry matter, or

(1) Where the product ***does not have*** phosphorus (P) content: 3 mg/kg dry matter, or

Or. en

Justification

The progressive decrease of cadmium limits is too restrictive. A recent study (Revisiting and

updating the effect of phosphorus fertilisers on cadmium accumulation in European Agricultural Soils – -International Fertiliser Society - E. Smolders. – May 2013), demonstrates that there is no cadmium accumulation in the soil if the quantity does not exceed 80 mg/kg. Furthermore, decadmiation technology is not sufficiently developed yet. A limit of 75 mg/kg should be set for the time being.

Amendment 265

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation

Annex I – part 2 – PFC 1(C)(I) – point 2 – point a – point 2 – introductory part

Text proposed by the Commission

Amendment

(2) Where *the CE marked fertilising* product has *a total* phosphorus (P) content *of 5 % phosphorus pentoxide (P2O5)-equivalent or more by mass ('phosphate fertiliser')*:

(2) Where product has phosphorus (P) content: **75 mg/kg P2O5**

Or. en

Justification

The progressive decrease of cadmium limits is too restrictive. A recent study (Revisiting and updating the effect of phosphorus fertilisers on cadmium accumulation in European Agricultural Soils – -International Fertiliser Society - E. Smolders. – May 2013), demonstrates that there is no cadmium accumulation in the soil if the quantity does not exceed 80 mg/kg. Furthermore, decadmiation technology is not sufficiently developed yet. A limit of 75 mg/kg should be set for the time being.

Amendment 266

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation

Annex I – part 2 – PFC 1(C)(I) – point 2 – point a – point 2 – indent 1

Text proposed by the Commission

Amendment

- *As of [Publications office, please insert the date of application of this Regulation]: 60 mg/kg phosphorus pentoxide (P2O5),*

deleted

Justification

The progressive decrease of cadmium limits is too restrictive. A recent study (Revisiting and updating the effect of phosphorus fertilisers on cadmium accumulation in European Agricultural Soils – -International Fertiliser Society - E. Smolders. – May 2013), demonstrates that there is no cadmium accumulation in the soil if the quantity does not exceed 80 mg/kg. Furthermore, decadmiation technology is not sufficiently developed yet. A limit of 75 mg/kg should be set for the time being.

Amendment 267 **Nuno Melo**

Proposal for a regulation

Annex I – part 2 – PFC 1(C)(I) – point 2 – point a – point 2 – indent 2

Text proposed by the Commission

Amendment

- *As of [Publications office, please insert the date occurring three years after the date of application of this Regulation]: 40 mg/kg phosphorus pentoxide (P2O5), and* *deleted*

Or. en

Amendment 268

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation

Annex I – part 2 – PFC 1(C)(I) – point 2 – point a – point 2 – indent 2

Text proposed by the Commission

Amendment

- *As of [Publications office, please insert the date occurring three years after the date of application of this Regulation]: 40 mg/kg phosphorus pentoxide (P2O5), and* *deleted*

Or. en

Justification

The progressive decrease of cadmium limits is too restrictive. A recent study (Revisiting and updating the effect of phosphorus fertilisers on cadmium accumulation in European Agricultural Soils – -International Fertiliser Society - E. Smolders. – May 2013), demonstrates that there is no cadmium accumulation in the soil if the quantity does not exceed 80 mg/kg. Furthermore, decadmiation technology is not sufficiently developed yet. A limit of 75 mg/kg should be set for the time being.

Amendment 269

Norbert Erdős, György Hölvényi

Proposal for a regulation

Annex I – part 2 – PFC 1(C)(I) – point 2 – point a – point 2 – indent 2

Text proposed by the Commission

- As of [Publications office, please insert the date occurring *three* years after the date of application of this Regulation]: 40 mg/kg phosphorus pentoxide (P₂O₅), and

Amendment

- As of [Publications office, please insert the date occurring *five* years after the date of application of this Regulation]: 40 mg/kg phosphorus pentoxide (P₂O₅), and

Or. en

Amendment 270

Nuno Melo

Proposal for a regulation

Annex I – part 2 – PFC 1(C)(I) – point 2 – point a – point 2 – indent 3

Text proposed by the Commission

- *As of [Publications office, please insert the date occurring twelve years after the date of application of this Regulation]: 20 mg/kg phosphorus pentoxide (P₂O₅),*

Amendment

deleted

Or. en

Amendment 271

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation

Annex I – part 2 – PFC 1(C)(I) – point 2 – point a – point 2 – indent 3

Text proposed by the Commission

Amendment

- *As of [Publications office, please insert the date occurring twelve years after the date of application of this Regulation]: 20 mg/kg phosphorus pentoxide (P2O5),* *deleted*

Or. en

Justification

The progressive decrease of cadmium limits is too restrictive. A recent study (Revisiting and updating the effect of phosphorus fertilisers on cadmium accumulation in European Agricultural Soils – -International Fertiliser Society - E. Smolders – May 2013), demonstrates that there is no cadmium accumulation in the soil if the quantity does not exceed 80 mg/kg. Furthermore, decadmiation technology is not sufficiently developed yet. A limit of 75 mg/kg should be set for the time being.

Amendment 272

Norbert Erdős, György Hölvényi

Proposal for a regulation

Annex I – part 2 – PFC 1(C)(I) – point 2 – point a – point 2 – indent 3

Text proposed by the Commission

Amendment

- As of [Publications office, please insert the date occurring *twelve* years after the date of application of this Regulation]: 20 mg/kg phosphorus pentoxide (P2O5),

- As of [Publications office, please insert the date occurring *sixteen* years after the date of application of this Regulation]: 20 mg/kg phosphorus pentoxide (P2O5),

Or. en

Amendment 273

Tom Vandenkendelaere

Proposal for a regulation

Annex I – part 2 – PFC 1(C)(I) – point 2 – point h

Text proposed by the Commission

Amendment

(h) Perchlorate (ClO_4^-) **50** mg/kg dry matter.

(h) Perchlorate (ClO_4^-) **1** mg/kg dry matter.

Or. en

Amendment 274

Esther Herranz García, Ramón Luis Valcárcel Siso, Gabriel Mato

Proposal for a regulation

Annex I – part 2 – PFC 1(C)(I)(a)(i) – point 1

Text proposed by the Commission

Amendment

1. A straight solid inorganic macronutrient fertiliser shall have a declared content of not more than one nutrient.

1. A straight solid inorganic macronutrient fertiliser shall have a declared content of not more than one ***primary or secondary*** nutrient. ***Straight solid mineral primary nutrients can have also secondary nutrients.***

Or. en

Justification

According to the definition of the Commission proposal, "CAN 27 with S" would become part of the group "PFC 1 (C) (I) (a) (ii) Compound solid inorganic macronutrient fertiliser. This goes against tradition and against what is correct from the agronomic point of view. It also goes against what is understood in the scientific, technical and agricultural worlds. □

Amendment 275

Clara Eugenia Aguilera García, Nicola Caputo, Marc Tarabella, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Annex I – part 2 – PFC 1(C)(I)(a)(i) – point 2 – indent 2

Text proposed by the Commission

Amendment

- 12% by mass of ***total*** phosphorus pentoxide (P_2O_5),

- 12% by mass of phosphorus pentoxide (P_2O_5) ***soluble in neutral ammonium citrate and water,***

Justification

“Total” is not valid from the agronomic point of view especially in high and neutral pH and low precipitations. Soluble in ammonium citrate and in water is the available fraction for the plants.

Amendment 276

Daniel Buda, Viorica Dăncilă

Proposal for a regulation

Annex I – part 2 – PFC 1(C)(I)(a)(i) – point 2 – introductory part

Text proposed by the Commission

2. The CE marked fertilising product shall contain more than one of the ***following*** declared nutrients in the minimum quantities stated:

Amendment

2. The CE marked fertilising product shall contain more than one of the ***primary*** declared nutrients in the minimum quantities stated:

Or. en

Amendment 277

Clara Eugenia Aguilera García, Nicola Caputo, Marc Tarabella, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Annex I – part 2 – PFC 1(C)(I)(a)(ii) – point 2 – indent 2

Text proposed by the Commission

- 3% by mass of ***total*** phosphorus pentoxide (P₂O₅),

Amendment

- 3% by mass of phosphorus pentoxide (P₂O₅) ***soluble in neutral ammonium citrate and water***,

Or. en

Justification

“Total” is not valid from the agronomic point of view especially in high and neutral pH and low precipitations. Soluble in ammonium citrate and in water is the available fraction for the plants.

Amendment 278
Daniel Buda, Viorica Dăncilă

Proposal for a regulation
Annex I – part 2 – PFC 1(C)(I)(a)(ii) – point 2 – indent 2

Text proposed by the Commission

- 3% by mass of total phosphorus pentoxide (P₂O₅),

Amendment

- 5% by mass of total phosphorus pentoxide (P₂O₅),

Or. en

Amendment 279
Daniel Buda, Viorica Dăncilă

Proposal for a regulation
Annex I – part 2 – PFC 1(C)(I)(a)(ii) – point 2 – indent 3

Text proposed by the Commission

- 3% by mass of total potassium oxide (K₂O),

Amendment

- 5% by mass of total potassium oxide (K₂O),

Or. en

Amendment 280
Daniel Buda, Viorica Dăncilă

Proposal for a regulation
Annex I – part 2 – PFC 1(C)(I)(a)(ii) – point 2 – indent 3 a (new)

Text proposed by the Commission

Amendment

– *and can contain one or more secondary nutrients in the minimum quantity stated:*

Or. en

Amendment 281
Daniel Buda, Viorica Dăncilă

Proposal for a regulation
Annex I – part 2 – PFC 1(C)(I)(a)(ii) – point 2 – indent 4

Text proposed by the Commission

Amendment

- **1,5%** by mass of total magnesium oxide (MgO),

- **2%** by mass of total magnesium oxide (MgO),

Or. en

Amendment 282
Daniel Buda, Viorica Dăncilă

Proposal for a regulation
Annex I – part 2 – PFC 1(C)(I)(a)(ii) – point 2 – indent 5

Text proposed by the Commission

Amendment

- **1,5%** by mass of total calcium oxide (CaO),

- **2%** by mass of total calcium oxide (CaO),

Or. en

Amendment 283
Daniel Buda, Viorica Dăncilă

Proposal for a regulation
Annex I – part 2 – PFC 1(C)(I)(a)(ii) – point 2 – indent 6

Text proposed by the Commission

Amendment

- **1,5%** by mass of total sulphur trioxide (SO₃), **or**

- **5%** by mass of total sulphur trioxide (SO₃),

Or. en

Amendment 284
Daniel Buda, Viorica Dăncilă

Proposal for a regulation

Annex I – part 2 – PFC 1(C)(I)(a)(ii) – point 2 – indent 7

Text proposed by the Commission

- **1%** by mass of total sodium oxide (Na₂O).

Amendment

- ***between 1% to 10%*** by mass of total sodium oxide (Na₂O).

Or. en

Justification

Primary nutrients N, P₂O₅, and K₂O are main elements required for efficient plant growing, while secondary nutrients MgO, CaO, SO₃, and Na₂O only support functions of primary elements. Eliminating the division between the two nutrient groups would confuse the farmer. Formula for compound solid macronutrient fertilisers should, thus, consist of more than one primary nutrient and possibly one or more secondary nutrients. Provisions for labelling indirectly recognize division between primary and secondary nutrients by requiring primary nutrient information to be provided first.

Amendment 285

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation

Annex I – part 2 – PFC 1(C)(I)(b)(i) – point 1

Text proposed by the Commission

1. A straight liquid inorganic macronutrient fertiliser shall have a declared content of not more than one nutrient.

Amendment

1. A straight liquid inorganic macronutrient fertiliser shall have a declared content of not more than one ***primary or secondary*** nutrient. ***Straight liquid mineral primary nutrients can have also secondary nutrients.***

Or. en

Amendment 286

Daniel Buda, Viorica Dăncilă

Proposal for a regulation

Annex I – part 2 – PFC 1(C)(I)(b)(i) – point 2 – introductory part

Text proposed by the Commission

2. The CE marked fertilising product shall contain one of the ***following*** declared nutrients in the minimum quantity stated:

Amendment

2. The CE marked fertilising product shall contain one of the ***primary*** declared nutrients in the minimum quantity stated:

Or. en

Amendment 287

Clara Eugenia Aguilera García, Nicola Caputo, Marc Tarabella, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Annex I – part 2 – PFC 1(C)(I)(b)(i) – point 2 – indent 2

Text proposed by the Commission

- 5% by mass of ***total*** phosphorus pentoxide (P₂O₅),

Amendment

- 5% by mass of phosphorus pentoxide (P₂O₅) ***soluble in neutral ammonium citrate and water,***

Or. en

Justification

“Total” is not valid from the agronomic point of view specially in high and neutral pH and low precipitations. Soluble in ammonium citrate and in water is the available fraction for the plants.

Amendment 288

Daniel Buda, Viorica Dăncilă

Proposal for a regulation

Annex I – part 2 – PFC 1(C)(I)(b)(i) – point 2 – indent 3 a (new)

Text proposed by the Commission

Amendment

- ***and can contain one or more secondary nutrients in the minimum quantity stated:***

Or. en

Amendment 289

Daniel Buda, Viorica Dăncilă

Proposal for a regulation

Annex I – part 2 – PFC 1(C)(I)(b)(i) – point 2 – indent 6

Text proposed by the Commission

- 5% by mass of total sulphur trioxide (SO₃), *or*

Amendment

- 5% by mass of total sulphur trioxide (SO₃),

Or. en

Amendment 290

Daniel Buda, Viorica Dăncilă

Proposal for a regulation

Annex I – part 2 – PFC 1(C)(I)(b)(i) – point 2 – indent 7

Text proposed by the Commission

- 1% by mass of total sodium oxide (Na₂O).

Amendment

- *from 0,5% to 5%* by mass of total sodium oxide (Na₂O).

Or. en

Justification

Primary nutrients N, P₂O₅, and K₂O are main elements required for efficient plant growing, while secondary nutrients MgO, CaO, SO₃, and Na₂O only support functions of primary elements. Eliminating the division between the two nutrient groups would confuse the farmer. Formula for compound solid macronutrient fertilisers should, thus, consist of more than one primary nutrient and possibly one or more secondary nutrients. Provisions for labelling indirectly recognize division between primary and secondary nutrients by requiring primary nutrient information to be provided first.

Amendment 291

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation

Annex I – part 2 – PFC 1(C)(I)(b)(ii) – point 1

Text proposed by the Commission

Amendment

1. A compound liquid inorganic macronutrient fertiliser shall have a declared content of more than one nutrient.

1. A compound liquid inorganic macronutrient fertiliser shall have a declared content of more than one **primary** nutrient.

Or. en

Amendment 292

Franč Bogovič

Proposal for a regulation

Annex I – part 2 – PFC 1(C)(I)(b)(ii) – point 2 – indent 1

Text proposed by the Commission

Amendment

- 1,5% by mass of total nitrogen (N),

- 3% by mass of total nitrogen (N),
or

Or. en

Justification

Mineral fertilisers, and especially compound liquid mineral macronutrient fertilisers, need to contain a minimum level of nutrients in order to be efficient in agronomic terms and help farmers to boost crop yields. Fertilising products with a very low content of nutrients would not be efficient. Farmers would have to apply large amounts of products to accomplish the needs of the crops, which would make the transportation, the storage and the application more expensive and less resource-efficient.

Amendment 293

Clara Eugenia Aguilera García, Nicola Caputo, Marc Tarabella, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Annex I – part 2 – PFC 1(C)(I)(b)(ii) – point 2 – indent 2

Text proposed by the Commission

Amendment

- 1,5% by mass of **total** phosphorus pentoxide (P₂O₅),

- 1,5% by mass of phosphorus pentoxide (P₂O₅) **soluble in neutral ammonium citrate and water**,

Justification

“Total” is not valid from the agronomic point of view specially in high and neutral pH and low precipitations. Soluble in ammonium citrate and in water is the available fraction for the plants.

Amendment 294**Franc Bogovič****Proposal for a regulation****Annex I – part 2 – PFC 1(C)(I)(b)(ii) – point 2 – indent 2***Text proposed by the Commission*

- **1,5%** by mass of total phosphorus pentoxide (P₂O₅),

Amendment

- **3%** by mass of total phosphorus pentoxide (P₂O₅), **or**

Or. en

Justification

Mineral fertilisers, and especially compound liquid mineral macronutrient fertilisers, need to contain a minimum level of nutrients in order to be efficient in agronomic terms and help farmers to boost crop yields. Fertilising products with a very low content of nutrients would not be efficient. Farmers would have to apply large amounts of products to accomplish the needs of the crops, which would make the transportation, the storage and the application more expensive and less resource-efficient.

Amendment 295**Franc Bogovič****Proposal for a regulation****Annex I – part 2 – PFC 1(C)(I)(b)(ii) – point 2 – indent 3***Text proposed by the Commission*

- **1,5%** by mass of total potassium oxide (K₂O),

Amendment

- **3%** by mass of total potassium oxide (K₂O), **or**

Or. en

Justification

Mineral fertilisers, and especially compound liquid mineral macronutrient fertilisers, need to contain a minimum level of nutrients in order to be efficient in agronomic terms and help farmers to boost crop yields. Fertilising products with a very low content of nutrients would not be efficient. Farmers would have to apply large amounts of products to accomplish the needs of the crops, which would make the transportation, the storage and the application more expensive and less resource-efficient.

Amendment 296

Franc Bogovič

Proposal for a regulation

Annex I – part 2 – PFC 1(C)(I)(b)(ii) – point 2 – indent 4

Text proposed by the Commission

- **0,75%** by mass of total magnesium oxide (MgO),

Amendment

- **1,5%** by mass of total magnesium oxide (MgO), **or**

Or. en

Justification

Mineral fertilisers, and especially compound liquid mineral macronutrient fertilisers, need to contain a minimum level of nutrients in order to be efficient in agronomic terms and help farmers to boost crop yields. Fertilising products with a very low content of nutrients would not be efficient. Farmers would have to apply large amounts of products to accomplish the needs of the crops, which would make the transportation, the storage and the application more expensive and less resource-efficient.

Amendment 297

Franc Bogovič

Proposal for a regulation

Annex I – part 2 – PFC 1(C)(I)(b)(ii) – point 2 – indent 5

Text proposed by the Commission

- **0,75%** by mass of total calcium oxide (CaO),

Amendment

- **1,5%** by mass of total calcium oxide (CaO), **or**

Or. en

Justification

Mineral fertilisers, and especially compound liquid mineral macronutrient fertilisers, need to contain a minimum level of nutrients in order to be efficient in agronomic terms and help farmers to boost crop yields. Fertilising products with a very low content of nutrients would not be efficient. Farmers would have to apply large amounts of products to accomplish the needs of the crops, which would make the transportation, the storage and the application more expensive and less resource-efficient.

Amendment 298

Franc Bogovič

Proposal for a regulation

Annex I – part 2 – PFC 1(C)(I)(b)(ii) – point 2 – indent 6

Text proposed by the Commission

- **0,75%** by mass of total sulphur trioxide (SO₃), or

Amendment

- **1,5%** by mass of total sulphur trioxide (SO₃), or

Or. en

Justification

Mineral fertilisers, and especially compound liquid mineral macronutrient fertilisers, need to contain a minimum level of nutrients in order to be efficient in agronomic terms and help farmers to boost crop yields. Fertilising products with a very low content of nutrients would not be efficient. Farmers would have to apply large amounts of products to accomplish the needs of the crops, which would make the transportation, the storage and the application more expensive and less resource-efficient.

Amendment 299

Vladimir Urutchev

Proposal for a regulation

Annex I – part 2 – PFC 1(C)(II) – point 2 a (new)

Text proposed by the Commission

Amendment

2a. In the case of dual use, the content of copper for the purposes of this Regulation shall not be below 2% and not exceed of 5% by mass of the fertiliser.

Or. en

Amendment 300

Czesław Adam Siekierski, Zbigniew Kuźmiuk, Jarosław Kalinowski, Beata Gosiewska

Proposal for a regulation

Annex I – part 2 – PFC 1(C)(II)(b) – point 2 a (new)

Text proposed by the Commission

Amendment

2a. Where the CE marked fertilizing product contains more than one nutrient the product shall contain the primary declared nutrients in the minimum quantities stated below:

- 2% by mass of total nitrogen, of which 0,5% by mass of the CE marked fertilizing product shall be organic (N),**
- or 2% by mass of total phosphorus pentoxide (P₂O₅),**
- or 2% by mass of total potassium oxide (K₂O),**
- and 6% by mass of total sum of nutrients.**

Or. en

Justification

We support the rapporteur's proposal to ensure that multi-nutrient organo-mineral fertilizers contain at least a certain total amount of nutrients. However, the values of nutrients have to be increased to levels ensuring a sufficient level of nutrients. Otherwise, the fertilizer is misleading to the farmer, there is no parity with mineral fertilizers and such low-nutrient fertilizer contributes to CO₂ emissions through transportation of low-nutrient material.

Amendment 301

Clara Eugenia Aguilera García, Nicola Caputo, Marc Tarabella, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Annex I – part 2 – PFC 2 – point 1

Text proposed by the Commission

Amendment

1. A liming material shall be a CE

1. A liming material shall be a CE

marked **fertilising** product aimed at correcting soil acidity, and containing oxides, hydroxides, carbonates or silicates of the nutrients calcium (Ca) or magnesium (Mg).

marked product aimed at correcting soil acidity, and containing oxides, hydroxides, carbonates or silicates of the nutrients calcium (Ca) or magnesium (Mg).

Or. en

Justification

It is necessary to distinguish products that improve the nutritional efficiency of fertilisers from fertilisers themselves (which add nutrients). This amendment should be made for all products included in this Regulation, whose function is to improve the nutritional efficiency of plants.

Amendment 302

Anthea McIntyre, Annie Schreijer-Pierik, Julie Girling

Proposal for a regulation

Annex I – part 2 – PFC 3 – paragraph 1

Text proposed by the Commission

A soil improver shall be a ***CE marked fertilising product aimed at being*** added to ***the soil for the purpose of maintaining, improving or protecting the*** physical or chemical properties, the structure or the biological activity of soil.

Amendment

A soil improver shall be a ***material (including mulch)*** added to ***soil in situ primarily to maintain or improve its*** physical properties, and which may improve its chemical and/or biological properties or activity.

Or. en

Amendment 303

Clara Eugenia Aguilera García, Nicola Caputo, Marc Tarabella, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Annex I – part 2 – PFC 3 – paragraph 1

Text proposed by the Commission

A soil improver shall be a CE marked ***fertilising*** product aimed at being added to the soil for the purpose of maintaining,

Amendment

A soil improver shall be a CE marked product aimed at being added to the soil for the purpose of maintaining, improving or

improving or protecting the physical or chemical properties, the structure or the biological activity of soil.

protecting the physical or chemical properties, the structure or the biological activity of soil.

Or. en

Justification

It is necessary to distinguish between products that improve the nutritional efficiency (liming) than those that add nutrients (fertilizers)

Amendment 304

Franc Bogovič, Mairead McGuinness

Proposal for a regulation

Annex I – part 2 – PFC 3 – paragraph 1

Text proposed by the Commission

A soil improver shall be a CE marked fertilising product aimed at being added to the soil for the purpose of maintaining, improving or protecting the physical or chemical properties, the structure or the biological activity of soil.

Amendment

A soil improver shall be a CE marked fertilising product aimed at being added to the soil for the purpose of maintaining, improving or protecting the physical or chemical properties, the structure or the biological activity of soil. *A soil improver can also be a material added to soil in situ in order to maintain or improve its physical properties, and which may improve its chemical and/or biological properties or activity.*

Or. en

Justification

Soil improvers are also added on the top of the soil (as mulches) to reduce evaporation, reduce weeds and increase biological activity in the sublayers. Unless, the definition is changed, these soil improvers would not be covered by the legislation.

Amendment 305

Anthea McIntyre, Annie Schreijer-Pierik, Julie Girling

Proposal for a regulation

Annex I – part 2 – PFC 3 – paragraph 1a (new)

Text proposed by the Commission

Amendment

The CE marked fertilising product shall contain 15% or more material of biological origin.

Or. en

Amendment 306

Anthea McIntyre, Annie Schreijer-Pierik, Julie Girling

Proposal for a regulation

Annex I – part 2 – PFC 3(A) – point 1

Text proposed by the Commission

Amendment

1. An organic soil improver shall ***consist exclusively of*** material of ***solely*** biological origin, ***excluding material which is fossilized or embedded in geological formations.***

1. An organic soil improver shall ***contain*** material of biological origin.

Or. en

Amendment 307

Clara Eugenia Aguilera García, Nicola Caputo, Marc Tarabella, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Annex I – part 2 – PFC 3(A) – point 2 – introductory part

Text proposed by the Commission

Amendment

2. Contaminants must not be present in the CE marked ***fertilising product*** by more than the following quantities:

2. Contaminants must not be present in the CE marked ***organic soil improver*** by more than the following quantities:

Or. en

Justification

It is necessary to distinguish between products that improve the nutritional efficiency (liming) than those that add nutrients (fertilizers)

Amendment 308

Clara Eugenia Aguilera García, Nicola Caputo, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Annex I – part 2 – PFC 3(B) – point 1 a (new)

Text proposed by the Commission

Amendment

1a. A biodegradable mulch film shall be a biodegradable polymer film complying with the requirements of points 2a and 3 of CMC 10 in Annex II and intended to be placed on the soil in situ to protect its structure, suppress weed growth, reduce soil moisture loss, or prevent erosion.

Or. en

Justification

This amendment establishes a sub-category for mulch films made from biodegradable polymers and its relative function to protect the soil's structure, suppress weed growth, reduce soil moisture loss, or prevent erosion.

Amendment 309

Franč Bogovič, Mairead McGuinness

Proposal for a regulation

Annex I – part 2 – PFC 3(B) – point 1 a (new)

Text proposed by the Commission

Amendment

1a. A biodegradable mulch film shall be a biodegradable polymer film complying with the requirements of points 2a and 3 of CMC 10 in Annex II and intended to be placed on the soil in situ to protect its structure, suppress weed growth, reduce soil moisture loss, or prevent erosion.

Or. en

Justification

Biodegradable mulch films are included in the general definition of soil improver and fall into the category of inorganic soil improvers. Nevertheless, it would be necessary to create a sub-category for mulch films made from biodegradable polymers and its relative function to protect the soil's structure, suppress weed growth, reduce soil moisture loss, or prevent erosion.

Amendment 310

Franc Bogovič

Proposal for a regulation

Annex I – part 2 – PFC 4 – point 1

Text proposed by the Commission

1. A growing medium shall be a material other than soil *intended for use as a substrate for root development*.

Amendment

1. A growing medium shall be a material other than soil ***in situ in which plants and mushrooms are grown***.

Or. en

Justification

The term “...in which plants are grown” gives a much more accurate description of these products’ purpose. Without the addition of “soil in situ”, the text may lead to legal uncertainty and difficulties during implementation.

Amendment 311

Anthea McIntyre, Annie Schreijer-Pierik, Julie Girling

Proposal for a regulation

Annex I – part 2 – PFC 4 – point 1

Text proposed by the Commission

1. A growing medium shall be a material other than soil *intended for use as a substrate for root development*.

Amendment

1. A growing medium shall be a material other than soil ***in situ in which plants and mushrooms are grown***.

Or. en

Amendment 312

Franč Bogovič

Proposal for a regulation

Annex I – part 2 – PFC 5 – paragraph 1

Text proposed by the Commission

An agronomic additive shall be a CE marked fertilising product intended to be added to a product ***providing plants with nutrient***, with the intention to improve that ***product's nutrient release patterns***.

Amendment

An agronomic additive shall be a CE marked fertilising product intended to be added to a product, ***which has a proven effect on the transformation and/or plant-availability of different forms of mineral or mineralized nutrients, or to be added to the soil*** with the intention to improve that ***nutrient uptake by plants or to reduce nutrient losses***.

Or. en

Justification

Agronomic additives contribute to increasing efficiently crop nutrition and to minimising environmental impacts of fertilisation. The definition foreseen both in Annex I Part II PFC 5 should be improved in order to reflect current products on the market as well as future potential of innovative products.

Amendment 313

Angélique Delahaye, Michel Dantin

Proposal for a regulation

Annex I – part 2 – PFC 5(A) – point 2 – introductory part

Text proposed by the Commission

Each substance shall have been registered pursuant to Regulation (EC) No 1907/2006,³⁶ ***in a dossier containing***

Amendment

Each substance shall have been registered pursuant to Regulation (EC) No 1907/2006,³⁶ ***unless explicitly covered by one of the registration obligation exemptions provided for in Article 6 of that Regulation or in Annex IV or Annex V thereto.***

³⁶ In the case of an additive recovered in the European Union, this condition is fulfilled if the additive is the same, within

³⁶ In the case of an additive recovered in the European Union, this condition is fulfilled if the additive is the same, within

the meaning of Article 2(7)(d)(i) of Regulation (EC) No 1907/2006, as a substance registered in a dossier containing the information here indicated, and if information is available to the fertilising product manufacturer within the meaning of Article 2(7)(d)(ii) of Regulation (EC) No 1907/2006.

the meaning of Article 2(7)(d)(i) of Regulation (EC) No 1907/2006, as a substance registered in a dossier containing the information here indicated, and if information is available to the fertilising product manufacturer within the meaning of Article 2(7)(d)(ii) of Regulation (EC) No 1907/2006.

Or. fr

Justification

It is important that the REACH Regulation should apply to fertilising products.

Amendment 314

Angélique Delahaye, Michel Dantin

Proposal for a regulation

Annex I – part 2 – PFC 5(A) – point 2 – point a

Text proposed by the Commission

Amendment

(a) the information provided for by Annex VI, VII and VIII of Regulation (EC) No 1907/2006, and *deleted*

Or. fr

Justification

It is important that the REACH Regulation should apply to fertilising products.

Amendment 315

Angélique Delahaye, Michel Dantin

Proposal for a regulation

Annex I – part 2 – PFC 5(A) – point 2 – point b

Text proposed by the Commission

Amendment

(b) a chemical safety report pursuant to Article 14 of Regulation (EC) No 1907/2006 covering the use as fertilising *deleted*

product,

Or. fr

Justification

It is important that the REACH Regulation should apply to fertilising products.

Amendment 316

Angélique Delahaye, Michel Dantin

Proposal for a regulation

Annex I – part 2 – PFC 5(A) – point 2 – paragraph 2

Text proposed by the Commission

Amendment

<i>unless explicitly covered by one of the registration obligation exemptions provided for by Annex IV to that Regulation or by points 6, 7, 8, or 9 of Annex V to that Regulation.</i>	<i>deleted</i>
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Or. fr

Justification

It is important that the REACH Regulation should apply to fertilising products.

Amendment 317

Angélique Delahaye, Michel Dantin

Proposal for a regulation

Annex I – part 2 – PFC 5(B) – point 2 – introductory part

Text proposed by the Commission

Amendment

The substance shall have been registered
pursuant to Regulation (EC) No
1907/2006,³⁷ *in a dossier containing*

The substance shall have been registered
pursuant to Regulation
(EC) No 1907/2006,³⁷ *unless explicitly
covered by one of the registration
obligation exemptions provided for in
Article 6 of that Regulation or in
Annex IV or Annex V thereto.*

³⁷ In the case of an additive recovered in the European Union, this condition is fulfilled if the additive is the same, within the meaning of Article 2(7)(d)(i) of Regulation (EC) No 1907/2006, as a substance registered in a dossier containing the information here indicated, and if information is available to the fertilising product manufacturer within the meaning of Article 2(7)(d)(ii) of Regulation (EC) No 1907/2006.

³⁷ In the case of an additive recovered in the European Union, this condition is fulfilled if the additive is the same, within the meaning of Article 2(7)(d)(i) of Regulation (EC) No 1907/2006, as a substance registered in a dossier containing the information here indicated, and if information is available to the fertilising product manufacturer within the meaning of Article 2(7)(d)(ii) of Regulation (EC) No 1907/2006.

Or. fr

Justification

It is important that the REACH Regulation should apply to fertilising products.

Amendment 318

Angélique Delahaye, Michel Dantin

Proposal for a regulation

Annex I – part 2 – PFC 5(B) – point 2 – point a

Text proposed by the Commission

Amendment

(a) the information provided for by Annex VI, VII and VIII of Regulation (EC) No 1907/2006, and

deleted

Or. fr

Justification

It is important that the REACH Regulation should apply to fertilising products.

Amendment 319

Angélique Delahaye, Michel Dantin

Proposal for a regulation

Annex I – part 2 – PFC 5(B) – point 2 – point b

Text proposed by the Commission

Amendment

(b) a chemical safety report pursuant to Article 14 of Regulation (EC) No 1907/2006 covering the use as fertilising product, *deleted*

Or. fr

Justification

It is important that the REACH Regulation should apply to fertilising products.

Amendment 320

Angélique Delahaye, Michel Dantin

Proposal for a regulation

Annex I – part 2 – PFC 5(B) – point 2 – paragraph 2

Text proposed by the Commission

Amendment

unless explicitly covered by one of the registration obligation exemptions provided for by Annex IV to that Regulation or by points 6, 7, 8, or 9 of Annex V to that Regulation. *deleted*

Or. fr

Justification

It is important that the REACH Regulation should apply to fertilising products.

Amendment 321

Angélique Delahaye, Michel Dantin

Proposal for a regulation

Annex I – part 2 – PFC 5(C) – point 2 – introductory part

Text proposed by the Commission

Amendment

The substance shall have been registered pursuant to Regulation (EC) No

The substance shall have been registered pursuant to Regulation

1907/2006,³⁸ in *a dossier containing*

(EC) No 1907/2006,³⁸ *unless explicitly covered by one of the registration obligation exemptions provided for in Article 6 of that Regulation or in Annex IV or Annex V thereto.*

³⁸ In the case of an additive recovered in the European Union, this condition is fulfilled if the additive is the same, within the meaning of Article 2(7)(d)(i) of Regulation (EC) No 1907/2006, as a substance registered in a dossier containing the information here indicated, and if information is available to the fertilising product manufacturer within the meaning of Article 2(7)(d)(ii) of Regulation (EC) No 1907/2006.

³⁸ In the case of an additive recovered in the European Union, this condition is fulfilled if the additive is the same, within the meaning of Article 2(7)(d)(i) of Regulation (EC) No 1907/2006, as a substance registered in a dossier containing the information here indicated, and if information is available to the fertilising product manufacturer within the meaning of Article 2(7)(d)(ii) of Regulation (EC) No 1907/2006.

Or. fr

Justification

It is important that the REACH Regulation should apply to fertilising products.

Amendment 322

Angélique Delahaye, Michel Dantin

Proposal for a regulation

Annex I – part 2 – PFC 5(C) – point 2 – point a

Text proposed by the Commission

Amendment

(a) the information provided for by Annex VI, VII and VIII of Regulation (EC) No 1907/2006, and

deleted

Or. fr

Justification

It is important that the REACH Regulation should apply to fertilising products.

Amendment 323
Angélique Delahaye, Michel Dantin

Proposal for a regulation
Annex I – part 2 – PFC 5(C) – point 2 – point b

Text proposed by the Commission

Amendment

(b) a chemical safety report pursuant to Article 14 of Regulation (EC) No 1907/2006 covering the use as fertilising product, *deleted*

Or. fr

Justification

It is important that the REACH Regulation should apply to fertilising products.

Amendment 324
Angélique Delahaye, Michel Dantin

Proposal for a regulation
Annex I – part 2 – PFC 5(C) – point 2 – paragraph 2

Text proposed by the Commission

Amendment

unless explicitly covered by one of the registration obligation exemptions provided for by Annex IV to that Regulation or by points 6, 7, 8, or 9 of Annex V to that Regulation. *deleted*

Or. fr

Justification

It is important that the REACH Regulation should apply to fertilising products.

Amendment 325
Bronis Ropé
on behalf of the Verts/ALE Group

Proposal for a regulation

Annex I – part 2 – PFC 6 – point 1 – introductory part

Text proposed by the Commission

1. A plant biostimulant shall be a CE marked fertilising product stimulating plant nutrition processes independently of the product's nutrient content with the sole aim of improving one or more of the following characteristics of the plant:

Amendment

1. A plant biostimulant shall be a CE marked fertilising product ***containing any naturally occurring substance or microorganism*** stimulating plant nutrition processes independently of the product's nutrient content, ***or any combination of such substances and/or microorganisms***, with the sole aim of improving one or more of the following characteristics of the plant:

Or. en

Justification

Plant biostimulants should be naturally occurring substances or organisms, therefore avoiding the possibility of synthetic pesticides being classified as biostimulants.

Amendment 326

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Annex I – part 2 – PFC 6 – point 1 – introductory part

Text proposed by the Commission

1. A plant biostimulant shall be a CE marked fertilising product stimulating plant nutrition processes independently of the product's nutrient content with the sole aim of improving one or more of the following characteristics of the plant:

Amendment

1. A plant biostimulant shall be a CE marked fertilising product ***containing any naturally occurring substance or microorganism***, stimulating plant nutrition processes independently of the product's nutrient content, ***or any combination of such substances and/or microorganisms***, with the sole aim of improving one or more of the following characteristics of the plant:

Or. en

Amendment 327

Bronis Ropé

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex I – part 2 – PFC 6 – point 1 – point b

Text proposed by the Commission

Amendment

(b) tolerance to ***abiotic*** stress, or

(b) tolerance to stress, or

Or. en

Amendment 328

Bronis Ropé

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex I – part 2 – PFC 6 – point 1 – point c

Text proposed by the Commission

Amendment

(c) crop quality ***traits***.

(c) crop quality.

Or. en

Amendment 329

Jan Huitema

Proposal for a regulation

Annex I – part 2 – PFC 6 – point 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) increase the availability of confined nutrients in the soil and rhizosphere.

Or. en

Amendment 330

Franč Bogovič, Mairead McGuinness

Proposal for a regulation
Annex I – part 2 – PFC 6 – point 3

Text proposed by the Commission

3. The plant biostimulant shall have the effects that are claimed on the label for the crops specified thereon.

Amendment

3. The plant biostimulant shall have the effects that are claimed on the label for the crops specified thereon. ***Where the plant biostimulant contains one or more ingredients that have been approved under Regulation (EC) No 1107/2009, the information provided during conformity assessment will provide compelling empirical evidence of the biostimulant effect, taking into account relevant parameters, e.g. relative concentrations of components, application rate, timing, plant growth stage, target crop, etc.***

Or. en

Justification

While the conformity assessment process is expected to look for empirical evidence of the justified biostimulant claim in any case, specifying its importance in case the case of the product containing a component registered under Regulation (EC) 1107/2009, should help prevent abuse of people attempting to circumvent appropriate authorization as a plant protection product while preventing the presence of such a component from being an obstacle to recognizing legitimate biostimulant products.

Amendment 331
Herbert Dorfmann, Paolo De Castro

Proposal for a regulation
Annex I – part 2 – PFC 6(A) – point 1 – introductory part

Text proposed by the Commission

1. A microbial plant biostimulant shall consist ***solely of a micro-organism or a consortium of micro-organisms referred to in Component Material Category 7 of Annex II.***

Amendment

1. A microbial plant biostimulant shall consist:

Or. en

Amendment 332

Herbert Dorfmann, Paolo De Castro

Proposal for a regulation

Annex I – part 2 – PFC 6(A) – point 1 – point a (new)

Text proposed by the Commission

Amendment

a) of a micro-organism or a consortium of microorganisms referred to in Component Material Category 7 of Annex II;

Or. en

Amendment 333

Herbert Dorfmann, Paolo De Castro

Proposal for a regulation

Annex I – part 2 – PFC 6(A) – point 1 – point b (new)

Text proposed by the Commission

Amendment

b) of microorganisms or a consortium of microorganisms different from those provided under point a), can be used as component material categories as long as they comply with the requirements set out in the CMC 7 category of Annex II.

Or. en

Amendment 334

Clara Eugenia Aguilera García, Nicola Caputo, Marc Tarabella, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Annex I – part 2 – PFC 6 (A) – point 2 – introductory part

Text proposed by the Commission

Amendment

2. Contaminants must not be present

2. Contaminants must not be present

in the CE marked **fertilising** product by more than the following quantities:

in the CE marked **liming** product by more than the following quantities:

Or. en

Justification

It is necessary to distinguish between products that improve the nutritional efficiency (liming) than those that add nutrients (fertilisers).

Amendment 335

Clara Eugenia Aguilera García, Nicola Caputo, Marc Tarabella, Tibor Szanyi, Paolo De Castro, Sergio Gutiérrez Prieto, Michela Giuffrida, Viorica Dăncilă

Proposal for a regulation

Annex I – part 2 – PFC 6(B)(II) – point 2 – introductory part

Text proposed by the Commission

2. Contaminants must not be present in the CE marked **fertilising** product by more than the following quantities:

Amendment

2. Contaminants must not be present in the CE marked **liming** product by more than the following quantities:

Or. en

Justification

It is necessary to distinguish between products that improve the nutritional efficiency (liming) than those that add nutrients (fertilisers).

Amendment 336

Angélique Delahaye, Michel Dantin

Proposal for a regulation

Annex I – part 2 – PFC 7 – point 3 – introductory part

Text proposed by the Commission

3. The blending shall not change the **nature** of each component fertilising product

Amendment

3. The blending shall not change the **function** of each component fertilising product **and shall not have an adverse effect on human, animal or plant health, on safety, or on the environment, under reasonably foreseeable conditions of storage or use of the CE marked**

fertilising product blend.

Or. fr

Justification

The aim of this amendment is to ensure that the blending carefully preserves the functionality of the product.

Amendment 337
Angélique Delahaye

Proposal for a regulation
Annex I – part 2 – PFC 7 – point 3 – indent 1

Text proposed by the Commission

Amendment

– *in a manner having an adverse effect on human, animal or plant health, on safety, or on the environment, under reasonably foreseeable conditions of storage or use of the CE marked fertilising product blend, or* *deleted*

Or. fr

Amendment 338
Angélique Delahaye

Proposal for a regulation
Annex I – part 2 – PFC 7 – point 3 – indent 2

Text proposed by the Commission

Amendment

– *in any other significant manner.* *deleted*

Or. fr