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<Commission>{ENVI}Committee on the Environment, Public Health and Food Safety</Commission>

<RefProc>2016/0084</RefProc><RefTypeProc>(COD)</RefTypeProc>

<Date>{05/04/2017}5.4.2017</Date>

<TypeAM>AMENDMENTS</TypeAM>

<RangeAM>657 - 853</RangeAM>

<TitreType>Draft opinion</TitreType>

<Rapporteur>Elisabetta Gardini</Rapporteur>

<DocRefPE>(PE597.640v01-00)</DocRefPE>

<Titre>on the 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</Titre>

<DocAmend>Proposal for a regulation</DocAmend>

<DocRef>(COM(2016)0157 – C8‑0123/2016 – 2016/0084(COD))</DocRef>

(\*) Associated committee – Rule 54 of the Rules of Procedure

AM\_Com\_LegOpinion

<RepeatBlock-Amend><Amend>Amendment <NumAm>657

</NumAm>

<RepeatBlock-By><Members>Angélique Delahaye, Michel Dantin</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 1 – paragraph 1 – point b</Article>

|  |  |
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|  | |
| Text proposed by the Commission | Amendment |
| (b) by-products within the meaning of Directive 2008/98/EC, | (b) by-products within the meaning of Directive 2008/98/EC***, except by-products registered pursuant to Regulation 1907/2006 other than those covered by one of the registration obligation exemptions provided for by point 5 of Annex V to that Regulation***, |

Or. <Original>{FR}fr</Original>

<TitreJust>Justification</TitreJust>

To make products and by-products subject to the same safety standards, while permitting the use of by-products that are available on the market.

</Amend>

<Amend>Amendment <NumAm>658</NumAm>

<RepeatBlock-By><Members>Annie Schreijer-Pierik</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 1 – paragraph 1 – point b</Article>

|  |  |
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|  | |
| Text proposed by the Commission | Amendment |
| (b) by-products within the meaning of Directive 2008/98/EC, | (b) by-products within the meaning of Directive 2008/98/EC, ***hailing from a production process which makes use of waste (as defined by Directive 2008/98/EC) as a raw material.*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>659</NumAm>

<RepeatBlock-By><Members>Annie Schreijer-Pierik</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 1 – paragraph 1 – point c</Article>

|  |  |
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|  | |
| Text proposed by the Commission | Amendment |
| (c) materials formerly having constituted one of the materials mentioned in one of points a-b, | (c) materials formerly having constituted one of the materials mentioned in one of points a-b, ***with the exception of secondary raw materials from sewage sludge, such as struvite,*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>660</NumAm>

<RepeatBlock-By><Members>Sylvie Goddyn, Mireille D'Ornano, Jean-François Jalkh, Edouard Ferrand, Philippe Loiseau</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 1 – paragraph 2 – introductory part</Article>

|  |  |
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|  | |
| Text proposed by the Commission | Amendment |
| ***All*** the substances incorporated into the CE marked fertilising product, in their own or in a mixture, shall have been registered pursuant to Regulation (EC) No 1907/2006, in a dossier containing | ***Unless explicitly covered by one of the registration obligation exemptions provided for in Article 6 of Regulation (EC) No 1907/2006 or by Annexes IV or V to that Regulation, all*** the substances incorporated into the CE marked fertilising product, in their own or in a mixture, shall have been registered pursuant to Regulation (EC) No 1907/2006, in a dossier containing |

Or. <Original>{FR}fr</Original>

</Amend>

<Amend>Amendment <NumAm>661</NumAm>

<RepeatBlock-By><Members>Angélique Delahaye, Michel Dantin</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 1 – paragraph 2 – introductory part</Article>

|  |  |
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|  | |
| Text proposed by the Commission | Amendment |
| All the substances incorporated into the CE marked fertilising product, in their own or in a mixture, shall have been registered pursuant to Regulation (EC) No 1907/2006, ***in a dossier containing*** | All the substances incorporated into the CE marked EU fertilising product, in their own or in a mixture, shall have been registered pursuant to Regulation (EC) No 1907/2006, ***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 to it.*** |

Or. <Original>{FR}fr</Original>

<TitreJust>Justification</TitreJust>

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

</Amend>

<Amend>Amendment <NumAm>662</NumAm>

<RepeatBlock-By><Members>Angélique Delahaye, Michel Dantin</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 1 – paragraph 2 – point a</Article>

|  |  |
| --- | --- |
|  | |
| 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. <Original>{FR}fr</Original>

<TitreJust>Justification</TitreJust>

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

</Amend>

<Amend>Amendment <NumAm>663</NumAm>

<RepeatBlock-By><Members>Angélique Delahaye, Michel Dantin</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 1 – paragraph 2 – point b</Article>

|  |  |
| --- | --- |
|  | |
| 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. <Original>{FR}fr</Original>

<TitreJust>Justification</TitreJust>

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

</Amend>

<Amend>Amendment <NumAm>664</NumAm>

<RepeatBlock-By><Members>Angélique Delahaye, Michel Dantin</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 1 – paragraph 2 – subparagraph 2</Article>

|  |  |
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|  | |
| 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. <Original>{FR}fr</Original>

<TitreJust>Justification</TitreJust>

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

</Amend>

<Amend>Amendment <NumAm>665</NumAm>

<RepeatBlock-By><Members>Sylvie Goddyn, Mireille D'Ornano, Jean-François Jalkh, Edouard Ferrand, Philippe Loiseau</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 1 – paragraph 2 – subparagraph 2</Article>

|  |  |
| --- | --- |
|  | |
| 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. <Original>{FR}fr</Original>

</Amend>

<Amend>Amendment <NumAm>666</NumAm>

<RepeatBlock-By><Members>Sylvie Goddyn, Mireille D'Ornano, Jean-François Jalkh, Edouard Ferrand, Philippe Loiseau</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC2 – paragraph 1</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| 1. A CE marked fertilising product may contain plants, plant parts or plant extracts having undergone no other processing than cutting, grinding, centrifugation, pressing, drying, freeze-drying ***or*** extraction with water. | 1. A CE marked fertilising product may contain plants, plant parts or plant extracts having undergone no other processing than cutting, grinding, centrifugation, pressing, drying, freeze-drying***, distillation,*** extraction with water ***or any other type of processing that does not make the end-substance subject to the registration obligation under Regulation (EC) No 1907/2006***. |

Or. <Original>{FR}fr</Original>

</Amend>

<Amend>Amendment <NumAm>667</NumAm>

<RepeatBlock-By><Members>Elisabetta Gardini</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC2 – paragraph 1</Article>

|  |  |
| --- | --- |
|  | |
| *Text proposed by the Commission* | *Amendment* |
| 1. A CE marked fertilising product may contain plants, plant parts or plant extracts having undergone no other processing than cutting, grinding, centrifugation, pressing, drying, freeze-drying or extraction with water. | 1. A CE marked fertilising product may contain plants, plant parts or plant extracts having undergone no other processing than cutting, grinding, centrifugation, pressing, drying, freeze-drying, extraction with water ***or any other preparation/processing that does not render the final substance subject to registration under Regulation (EC) No. 1907/2006.*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>668</NumAm>

<RepeatBlock-By><Members>Fredrick Federley, Carolina Punset, Gerben-Jan Gerbrandy, Jan Huitema</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 2 – paragraph 1</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| 1. A CE marked fertilising product may contain plants, plant parts or plant extracts having undergone no other processing than cutting, grinding, centrifugation, pressing, drying, freeze-drying or extraction with water. | 1. A CE marked fertilising product may contain plants, plant parts or plant extracts having undergone no other processing than cutting, grinding, centrifugation, ***sieving, milling,*** pressing, drying, freeze-drying***, buffering, extrusion, radiation, frost-treatment, sanitation by using heat*** or extraction with water. |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>669</NumAm>

<RepeatBlock-By><Members>Sylvie Goddyn, Mireille D'Ornano, Jean-François Jalkh, Edouard Ferrand, Philippe Loiseau</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part II – CMC 2 – paragraph 1 a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***1a.*** ***Plants from the paper industry must not have been chemically processed, and in particular must not have been exposed to any of the chemical whitening processes used in that industry or to inks of chemical origin.*** |

Or. <Original>{FR}fr</Original>

</Amend>

<Amend>Amendment <NumAm>670</NumAm>

<RepeatBlock-By><Members>Elisabetta Gardini</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part II – CMC 2 – paragraph 2</Article>

|  |  |
| --- | --- |
|  | |
| *Text proposed by the Commission* | *Amendment* |
| 2. For the purpose of paragraph 1, plants are understood to include algae ***and exclude*** blue-green algae. | 2. For the purpose of paragraph 1, plants are understood to include algae***, except for those*** blue-green algae ***that produce sufficient toxins that would result in the fertilising product being classified as hazardous.*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>671</NumAm>

<RepeatBlock-By><Members>Martin Häusling</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part II – CMC 2 – paragraph 2</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***2. For the purpose of paragraph 1, plants are understood to include algae and exclude blue-green algae.*** | ***deleted*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

In order to ensure transparency for the users of the fertiliser, the definition of plants should not be confused with other materials such as algae.

</Amend>

<Amend>Amendment <NumAm>672</NumAm>

<RepeatBlock-By><Members>Sylvie Goddyn, Mireille D'Ornano, Jean-François Jalkh, Edouard Ferrand, Philippe Loiseau</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part II – CMC 2 – paragraph 2</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| 2. For the purpose of paragraph 1, plants are understood to include algae and exclude blue-green algae. | 2. For the purpose of paragraph 1, plants are understood to include algae and ***micro algae and*** exclude blue-green algae ***which produce mycotoxins likely to result in the fertilising products being classed as dangerous***. ***The plants used must not have undergone any form of genetic modification, whether within the meaning of Annex Ia to, and Article 2 of, Directive 2001/18/EC or through the use of any other technology.*** |

Or. <Original>{FR}fr</Original>

</Amend>

<Amend>Amendment <NumAm>673</NumAm>

<RepeatBlock-By><Members>Elisabetta Gardini</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part II – CMC 2 – paragraph 2 a (new)</Article>

|  |  |
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|  | |
| *Text proposed by the Commission* | *Amendment* |
|  | ***2a. Plant extracts and materials other than those specified in CMC 2 as well as components structurally similar and functionally identical to components found in plants would fall into CMC 1.*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>674</NumAm>

<RepeatBlock-By><Members>Sylvie Goddyn, Mireille D'Ornano, Jean-François Jalkh, Edouard Ferrand, Philippe Loiseau</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part II – CMC 2 – paragraph 2 a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***2a.*** ***Plant extracts and materials other than those specified in paragraphs 1 and 2 of the CMC 2 category, as well as components structurally similar and functionally identical to components found in plants, shall fall under the CMC 1 category.*** |

Or. <Original>{FR}fr</Original>

</Amend>

<Amend>Amendment <NumAm>675</NumAm>

<RepeatBlock-By><Members>Jan Huitema</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part II – CMC 3 – paragraph 1 – introductory part</Article>

|  |  |
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|  | |
| Text proposed by the Commission | Amendment |
| 1. A CE marked fertilising product may contain compost obtained through aerobic composting of exclusively one or more of the following input materials: | 1. A CE marked fertilising product may contain compost ***and liquid and non-liquid extracts from compost,*** obtained through aerobic composting ***and the ensuing multiplication of the naturally occurring microbials*** of exclusively one or more of the following input materials: |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>676</NumAm>

<RepeatBlock-By><Members>Annie Schreijer-Pierik, Tom Vandenkendelaere, Ivo Belet</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part II – CMC 3 – paragraph 1 – point b – indent 2</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| - sewage sludge, industrial sludge or dredging sludge, and | - sewage sludge, industrial sludge ***(except sludge from food, feed and agrofuels processing plants not containing pollutants),*** or dredging sludge, and |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>677</NumAm>

<RepeatBlock-By><Members>Mark Demesmaeker</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 3 – paragraph 1 – point b – indent 2</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| - sewage sludge, industrial sludge or dredging sludge, and | - sewage sludge, industrial sludge ***(except sludge from food, feed and agrofuels processing plants not containing pollutants),*** or dredging sludge, and |

Or. <Original>{XM}xm</Original>

<TitreJust>Justification</TitreJust>

It is important to make the distinction between industrial sludge and sludge from sources including food and feed for human and animal consumption. In Flanders these waste streams are in fact currently used as an input for composting.

</Amend>

<Amend>Amendment <NumAm>678</NumAm>

<RepeatBlock-By><Members>Angélique Delahaye, Michel Dantin</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part II – CMC 3 – paragraph 1 – point d – indent 1 – introductory part</Article>

|  |  |
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|  | |
| Text proposed by the Commission | Amendment |
| - the additive is registered pursuant to Regulation (EC) No 1907/200640, ***in a dossier containing:*** | - the additive is registered pursuant to Regulation (EC) No 1907/200640, ***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 to it.*** |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| 40 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. | 40 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. <Original>{FR}fr</Original>

<TitreJust>Justification</TitreJust>

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

</Amend>

<Amend>Amendment <NumAm>679</NumAm>

<RepeatBlock-By><Members>Angélique Delahaye, Michel Dantin</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part II – CMC 3 – paragraph 1 – point d – indent 1 – indent 1</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***-*** ***the information provided for by Annex VI, VII and VIII of Regulation (EC) No 1907/2006, and*** | ***deleted*** |

Or. <Original>{FR}fr</Original>

<TitreJust>Justification</TitreJust>

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

</Amend>

<Amend>Amendment <NumAm>680</NumAm>

<RepeatBlock-By><Members>Angélique Delahaye, Michel Dantin</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part II – CMC 3 – paragraph 1 – point d – indent 1 – indent 2</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***-*** ***a chemical safety report pursuant to Article 14 of Regulation (EC) No 1907/2006 covering the use as fertilising product,*** | ***deleted*** |

Or. <Original>{FR}fr</Original>

<TitreJust>Justification</TitreJust>

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

</Amend>

<Amend>Amendment <NumAm>681</NumAm>

<RepeatBlock-By><Members>Angélique Delahaye, Michel Dantin</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part II – CMC 3 – paragraph 1 – point d – indent 1 – subparagraph 2</Article>

|  |  |
| --- | --- |
|  | |
| 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, and*** | ***deleted*** |
| ***- the total concentration of all additives does not exceed 5 % of the total input material weight; or*** |  |

Or. <Original>{FR}fr</Original>

<TitreJust>Justification</TitreJust>

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

</Amend>

<Amend>Amendment <NumAm>682</NumAm>

<RepeatBlock-By><Members>Annie Schreijer-Pierik, Tom Vandenkendelaere, Ivo Belet</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part II – CMC 3 – paragraph 1 – point e a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***(ea) Materials conforming to CMC2, CMC3, CMC4, CMC5, CMC6 and CMC11*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>683</NumAm>

<RepeatBlock-By><Members>Mark Demesmaeker</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part II – CMC 3 – paragraph 1 – point e a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***(ea)*** ***Materials conforming to CMC2, CMC3, CMC4, CMC5, CMC6, CMC11*** |

Or. <Original>{XM}xm</Original>

<TitreJust>Justification</TitreJust>

It is important to make clear that these products too can be used as an input for composting.

</Amend>

<Amend>Amendment <NumAm>684</NumAm>

<RepeatBlock-By><Members>Fredrick Federley, Jan Huitema, Carolina Punset</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part II – CMC 3 – paragraph 2 – indent 1</Article>

|  |  |
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| Text proposed by the Commission | Amendment |
| - which only processes input materials referred to in paragraph 1 above, and | - which only processes input materials referred to in paragraph 1 above, ***in productions lines that are clearly separated from production lines processing other input materials than referred to in paragraph 1,*** and |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>685</NumAm>

<RepeatBlock-By><Members>Martin Häusling</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part II – CMC 3 – paragraph 5</Article>

|  |  |
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| Text proposed by the Commission | Amendment |
| 5. As of [Publications office: Please insert the date occurring ***5*** years after the date of application of this Regulation], the compost shall contain no more than 2,5 g/kg dry matter of macroscopic impurities in the form of plastics above 2 mm. By [Publications office: Please insert the date occurring ***8*** years after the date of application of this Regulation] the limit-value of 2,5 g/kg dry matter shall be re-assessed in order to take into account the progress made with regards to separate collection of bio-waste. | 5. As of [Publications office: Please insert the date occurring ***2*** years after the date of application of this Regulation], the compost shall contain no more than 2,5 g/kg dry matter of macroscopic impurities in the form of plastics above 2 mm. By [Publications office: Please insert the date occurring ***5*** years after the date of application of this Regulation] the limit-value of 2,5 g/kg dry matter shall be re-assessed in order to take into account the progress made with regards to separate collection of bio-waste. |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

There is no reason to allow up to 5 g/kg of plastic in compost for five years. The level of 2,5 g/kg should be applicable two years after the date of application, and it should be reassessed after 5 years.

</Amend>

<Amend>Amendment <NumAm>686</NumAm>

<RepeatBlock-By><Members>Julie Girling, Anthea McIntyre</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 4 – heading</Article>

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| Text proposed by the Commission | Amendment |
| CMC 4: Energy crop digestate | CMC 4: Energy crop digestate ***and plant-based bio-waste*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>687</NumAm>

<RepeatBlock-By><Members>Angélique Delahaye, Michel Dantin</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part II – CMC 4 – paragraph 1 – point b – indent 1</Article>

|  |  |
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|  | |
| Text proposed by the Commission | Amendment |
| - the additive is registered pursuant to Regulation (EC) No 1907/200643, ***in a dossier containing:*** | - the additive is registered pursuant to Regulation (EC) No 1907/200643, ***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 to it.*** |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| 43 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. | 43 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. <Original>{FR}fr</Original>

<TitreJust>Justification</TitreJust>

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

</Amend>

<Amend>Amendment <NumAm>688</NumAm>

<RepeatBlock-By><Members>Angélique Delahaye, Michel Dantin</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article> Annex II – part II – CMC 4 – paragraph 1 – point b – indent 1– indent 1</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***-*** ***the information provided for by Annex VI, VII and VIII of Regulation (EC) No 1907/2006, and*** | ***deleted*** |

Or. <Original>{FR}fr</Original>

<TitreJust>Justification</TitreJust>

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

</Amend>

<Amend>Amendment <NumAm>689</NumAm>

<RepeatBlock-By><Members>Angélique Delahaye, Michel Dantin</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article> Annex II – part II – CMC 4 – paragraph 1 – point b – indent 1 – indent 2</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***-*** ***a chemical safety report pursuant to Article 14 of Regulation (EC) No 1907/2006 covering the use as fertilising product,*** | ***deleted*** |

Or. <Original>{FR}fr</Original>

<TitreJust>Justification</TitreJust>

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

</Amend>

<Amend>Amendment <NumAm>690</NumAm>

<RepeatBlock-By><Members>Angélique Delahaye, Michel Dantin</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part II – CMC 4 – paragraph 1 – point b – indent 1 – subparagraph 2</Article>

|  |  |
| --- | --- |
|  | |
| 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, and*** | ***deleted*** |

Or. <Original>{FR}fr</Original>

<TitreJust>Justification</TitreJust>

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

</Amend>

<Amend>Amendment <NumAm>691</NumAm>

<RepeatBlock-By><Members>Angélique Delahaye, Michel Dantin</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part II – CMC 4 – paragraph 1 – point b – indent 2</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***- the total concentration of all additives does not exceed 5 % of the total input material weight; or*** | ***deleted*** |

Or. <Original>{FR}fr</Original>

<TitreJust>Justification</TitreJust>

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

</Amend>

<Amend>Amendment <NumAm>692</NumAm>

<RepeatBlock-By><Members>Julie Girling, Anthea McIntyre</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part II – CMC 4 – paragraph 1 – point c a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***(ca) Bio-waste as defined by Directive 2008/98/EC which are plant-based and are a consequence of food processing plants.*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>693</NumAm>

<RepeatBlock-By><Members>Annie Schreijer-Pierik, Tom Vandenkendelaere, Ivo Belet</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article> Annex II – part II – CMC 4 – paragraph 3 – point b</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (b) Thermophilic anaerobic digestion at 55°C with a treatment process including a pasteurisation step ***(70°C – 1h)***; | (b) Thermophilic anaerobic digestion at 55°C with a treatment process including a pasteurisation step ***as defined in Commission Regulation No 142/2011 implementing Regulation No 1069/2009 Annex V Chapter 1 section 1, point 1***; |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>694</NumAm>

<RepeatBlock-By><Members>Annie Schreijer-Pierik, Tom Vandenkendelaere, Ivo Belet</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part II – CMC 4 – paragraph 3 – point d</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (d) Mesophilic anaerobic digestion at 37-40°C with a treatment process including a pasteurisation step ***(70°C – 1h)***; or | (d) Mesophilic anaerobic digestion at 37-40°C with a treatment process including a pasteurisation step ***as defined in Commission Regulation No 142/2011 implementing Regulation No 1069/2009 Annex V Chapter 1 section 1, point 1***; or |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>695</NumAm>

<RepeatBlock-By><Members>Julie Girling, Anthea McIntyre</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 5 – paragraph 1 – point a</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (a) Bio-waste ***within the meaning of*** Directive 2008/98/EC resulting from separate bio-waste collection at source; | (a) Bio-waste ***as defined by*** Directive 2008/98/EC resulting from separate bio-waste collection at source ***excluding bio-waste that falls under Part II, CMC 4, paragraph 1 (d)***; |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

As it is proposed under the current CMC classifications, industrial food waste-based digestate is included within CMC 5 “Other Digestate than Energy Crop Digestate”, alongside municipal waste digestates. Given that agro-food industry waste is the result of a closed-loop process in which the materials entering the anaerobic digestors are clearly identifiable and traceable, CMC4 “Energy Crop Digestate” would be the more appropriate classification. Moreover, as the label will indicate the CMC, food waste-based digestate risk being misrepresented and users discouraged by such classification.

</Amend>

<Amend>Amendment <NumAm>696</NumAm>

<RepeatBlock-By><Members>Peter Jahr, Albert Deß</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 5 – paragraph 1 – point b</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (b) Animal by-products of categories 2 and 3 according to Regulation (EC) No 1069/2009; | (b) Animal by-products of categories 2 and 3 according to Regulation (EC) No 1069/2009 ***excluding manure and farm fertiliser***; |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>697</NumAm>

<RepeatBlock-By><Members>Mark Demesmaeker</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 5 – paragraph 1 – point c – indent 2</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| - sewage sludge, industrial sludge or dredging sludge, | - sewage sludge, industrial sludge ***(except sludge from food, feed and agrofuels processing plants not containing pollutants),*** or dredging sludge, |

Or. <Original>{XM}xm</Original>

<TitreJust>Justification</TitreJust>

It is important to make the distinction between industrial sludge and sludge from sources including food and feed for human and animal consumption. In Flanders these waste streams are in fact currently used as an input for composting.

</Amend>

<Amend>Amendment <NumAm>698</NumAm>

<RepeatBlock-By><Members>Angélique Delahaye, Michel Dantin</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 5 – paragraph 1 – point b – indent 1 – introductory part</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| - the additive is registered pursuant to Regulation (EC) No 1907/200644, ***in a dossier containing:*** | - the additive is registered pursuant to Regulation (EC) No 1907/200644, ***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 to it.*** |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| 44 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. | 44 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. <Original>{FR}fr</Original>

<TitreJust>Justification</TitreJust>

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

</Amend>

<Amend>Amendment <NumAm>699</NumAm>

<RepeatBlock-By><Members>Angélique Delahaye, Michel Dantin</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 5 – paragraph 1 – point d – indent 1 – indent 1</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***-*** ***the information provided for by Annex VI, VII and VIII of Regulation (EC) No 1907/2006, and*** | ***deleted*** |

Or. <Original>{FR}fr</Original>

<TitreJust>Justification</TitreJust>

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

</Amend>

<Amend>Amendment <NumAm>700</NumAm>

<RepeatBlock-By><Members>Angélique Delahaye, Michel Dantin</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article> Annex II – part 2 – CMC 5 – paragraph 1 – point d – indent 1 – indent 2</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***-*** ***a chemical safety report pursuant to Article 14 of Regulation (EC) No 1907/2006 covering the use as fertilising product,*** | ***deleted*** |

Or. <Original>{FR}fr</Original>

<TitreJust>Justification</TitreJust>

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

</Amend>

<Amend>Amendment <NumAm>701</NumAm>

<RepeatBlock-By><Members>Angélique Delahaye, Michel Dantin</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 5 – paragraph 1 – point d – indent 1 – subparagraph 2</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***unless it is covered by the registration obligation exemption provided for by Annex IV to that Regulation or by points 6, 7, 8, or 9 of Annex V to that Regulation, and*** | ***deleted*** |

Or. <Original>{FR}fr</Original>

<TitreJust>Justification</TitreJust>

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

</Amend>

<Amend>Amendment <NumAm>702</NumAm>

<RepeatBlock-By><Members>Angélique Delahaye, Michel Dantin</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 5 – paragraph 1 – point d – indent 2</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***-***  ***the total concentration of all additives does not exceed 5 % of the total input material weight; or*** | ***deleted*** |

Or. <Original>{FR}fr</Original>

<TitreJust>Justification</TitreJust>

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

</Amend>

<Amend>Amendment <NumAm>703</NumAm>

<RepeatBlock-By><Members>Annie Schreijer-Pierik, Tom Vandenkendelaere, Ivo Belet</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 5 – paragraph 1 – point e a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***(ea) Materials conforming to CMC2, CMC3, CMC4, CMC5, CMC6 and CMC11*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>704</NumAm>

<RepeatBlock-By><Members>Mark Demesmaeker</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 5 – paragraph 1 – point e a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***(ea)*** ***Materials conforming to CMC2, CMC3, CMC4, CMC5, CMC6, CMC11*** |

Or. <Original>{XM}xm</Original>

<TitreJust>Justification</TitreJust>

It is important to make clear that these products too can be used as an input for composting.

</Amend><Amend>Amendment <NumAm>705</NumAm>

<RepeatBlock-By><Members>Annie Schreijer-Pierik, Tom Vandenkendelaere, Ivo Belet</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 5 – paragraph 3 – point b</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (b) Thermophilic anaerobic digestion at 55°C with a treatment process including a pasteurisation step ***(70°C – 1h)***; | (b) Thermophilic anaerobic digestion at 55°C with a treatment process including a pasteurisation step ***as defined in Commission Regulation No 142/2011 implementing Regulation No 1069/2009 Annex V Chapter 1 section 1, point 1***; |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>706</NumAm>

<RepeatBlock-By><Members>Annie Schreijer-Pierik, Tom Vandenkendelaere, Ivo Belet</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 5 – paragraph 3 – point d</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (d) Mesophilic anaerobic digestion at 37-40°C with a treatment process including a pasteurisation step ***(70°C – 1h)***; or | (d) Mesophilic anaerobic digestion at 37-40°C with a treatment process including a pasteurisation step ***as defined in Commission Regulation No 142/2011 implementing Regulation No 1069/2009 Annex V Chapter 1 section 1, point 1***; or |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>707</NumAm>

<RepeatBlock-By><Members>Sylvie Goddyn, Mireille D'Ornano, Jean-François Jalkh, Edouard Ferrand, Philippe Loiseau</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 6 – heading</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| CMC 6: Food industry by-products | CMC 6: Food industry ***plant*** by-products |

Or. <Original>{FR}fr</Original>

</Amend>

<Amend>Amendment <NumAm>708</NumAm>

<RepeatBlock-By><Members>Annie Schreijer-Pierik</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 6 – heading</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| CMC 6: Food industry by-products | CMC 6: Food ***Chain*** industry by-products |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>709</NumAm>

<RepeatBlock-By><Members>Sylvie Goddyn, Mireille D'Ornano, Jean-François Jalkh, Edouard Ferrand, Philippe Loiseau</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 6 – paragraph 1 – point c</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (c) vinasse, i.e. a ***viscous*** by-product of the fermentation process of molasses ***into ethanol, ascorbic acid or other products***. | (c) vinasse, i.e. a by-product of the fermentation process of molasses. |

Or. <Original>{FR}fr</Original>

</Amend>

<Amend>Amendment <NumAm>710</NumAm>

<RepeatBlock-By><Members>Annie Schreijer-Pierik</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 6 – paragraph 1 – point c</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (c) vinasse, i.e. a ***viscous*** by-product of the fermentation process of molasses ***into ethanol, ascorbic acid or other products***. | (c) vinasse, i.e. a by-product of the fermentation process of molasses. |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>711</NumAm>

<RepeatBlock-By><Members>Annie Schreijer-Pierik</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 6 – paragraph 1 – point c a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***(ca) with the exception of animal by-products within the meaning of Regulation (EC) 1069/2009, any other material or substance that has been approved for use in food or animal feed, including food chain industrial by-products, provided that there is no known safety, health or hygiene issue associated with that substance or material used as a fertilising product according to the instructions for use.*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>712</NumAm>

<RepeatBlock-By><Members>Sylvie Goddyn, Mireille D'Ornano, Jean-François Jalkh, Edouard Ferrand, Philippe Loiseau</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – section 6 – point 1 – point c a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***(ca)*** ***any other plant material or substance that has been approved for incorporation in food or animal feed or for use in the cosmetics industry.*** |

Or. <Original>{FR}fr</Original>

</Amend>

<Amend>Amendment <NumAm>713</NumAm>

<RepeatBlock-By><Members>Angélique Delahaye, Michel Dantin</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 6 – paragraph 2 – introductory part</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| The substance shall have been registered pursuant to Regulation (EC) No 1907/200647, ***in a dossier containing*** | The substance shall have been registered pursuant to Regulation (EC) No 1907/200647, ***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 to it.*** |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| 47 In the case of a substance recovered in the European Union, this condition is fulfilled if the substance 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. | 47 In the case of a substance recovered in the European Union, this condition is fulfilled if the substance 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. <Original>{FR}fr</Original>

<TitreJust>Justification</TitreJust>

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

</Amend>

<Amend>Amendment <NumAm>714</NumAm>

<RepeatBlock-By><Members>Sylvie Goddyn, Mireille D'Ornano, Jean-François Jalkh, Edouard Ferrand, Philippe Loiseau</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 6 – paragraph 2 – introductory part</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| The substance shall have been registered pursuant to Regulation (EC) No 1907/200647, ***in a dossier containing:*** | The substance shall have been registered pursuant to Regulation (EC) No 1907/200647, ***unless explicitly covered by one of the registration obligation exemptions provided for in that Regulation.*** |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| 47 In the case of a substance recovered in the European Union, this condition is fulfilled if the substance 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. | 47 In the case of a substance recovered in the European Union, this condition is fulfilled if the substance 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. <Original>{FR}fr</Original>

</Amend>

<Amend>Amendment <NumAm>715</NumAm>

<RepeatBlock-By><Members>Annie Schreijer-Pierik</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 6 – paragraph 2 – introductory part</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| The substance shall have been registered pursuant to Regulation (EC) ***No 1907/2006,47*** ***in a dossier containing*** | The substance shall have been registered pursuant to Regulation (EC) ***No 1907/2006,47*** |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| 47 In the case of a substance recovered in the European Union, this condition is fulfilled if the substance 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. | 47 In the case of a substance recovered in the European Union, this condition is fulfilled if the substance 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. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>716</NumAm>

<RepeatBlock-By><Members>Annie Schreijer-Pierik</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 6 – paragraph 2 – point a</Article>

|  |  |
| --- | --- |
|  | |
| 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. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>717</NumAm>

<RepeatBlock-By><Members>Angélique Delahaye, Michel Dantin</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 6 – paragraph 2 – point a</Article>

|  |  |
| --- | --- |
|  | |
| 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. <Original>{FR}fr</Original>

<TitreJust>Justification</TitreJust>

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

</Amend>

<Amend>Amendment <NumAm>718</NumAm>

<RepeatBlock-By><Members>Sylvie Goddyn, Mireille D'Ornano, Jean-François Jalkh, Edouard Ferrand, Philippe Loiseau</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 6 – paragraph 2 – point a</Article>

|  |  |
| --- | --- |
|  | |
| 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. <Original>{FR}fr</Original>

</Amend>

<Amend>Amendment <NumAm>719</NumAm>

<RepeatBlock-By><Members>Sylvie Goddyn, Mireille D'Ornano, Jean-François Jalkh, Edouard Ferrand, Philippe Loiseau</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 6 – paragraph 2 – point b</Article>

|  |  |
| --- | --- |
|  | |
| 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. <Original>{FR}fr</Original>

</Amend>

<Amend>Amendment <NumAm>720</NumAm>

<RepeatBlock-By><Members>Angélique Delahaye, Michel Dantin</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 6 – paragraph 2 – point b</Article>

|  |  |
| --- | --- |
|  | |
| 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. <Original>{FR}fr</Original>

<TitreJust>Justification</TitreJust>

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

</Amend>

<Amend>Amendment <NumAm>721</NumAm>

<RepeatBlock-By><Members>Annie Schreijer-Pierik</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 6 – paragraph 2 – point b</Article>

|  |  |
| --- | --- |
|  | |
| 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. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>722</NumAm>

<RepeatBlock-By><Members>Sylvie Goddyn, Mireille D'Ornano, Jean-François Jalkh, Edouard Ferrand, Philippe Loiseau</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 6 – paragraph 2 – subparagraph 2</Article>

|  |  |
| --- | --- |
|  | |
| 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. <Original>{FR}fr</Original>

</Amend>

<Amend>Amendment <NumAm>723</NumAm>

<RepeatBlock-By><Members>Angélique Delahaye, Michel Dantin</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 6 – paragraph 2 – subparagraph 2</Article>

|  |  |
| --- | --- |
|  | |
| 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. <Original>{FR}fr</Original>

<TitreJust>Justification</TitreJust>

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

</Amend>

<Amend>Amendment <NumAm>724</NumAm>

<RepeatBlock-By><Members>Annie Schreijer-Pierik</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 6 – paragraph 2 – subparagraph 2</Article>

|  |  |
| --- | --- |
|  | |
| 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. | unless explicitly covered by one of the registration obligation exemptions provided for by ***Article 2 of*** that Regulation. |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

Imposing the10t-100t data requirements that apply under REACH even if FCBP is produced in very small quantities would add at least 100,000 € to manufacturers’ costs; consequently, it would be difficult to find such suppliers willing to assume these additional costs. This means that it would become virtually impossible to develop and market products at a low volume, which is often the case with innovative products of SMEs before they gain traction in the market. This would effectively interrupt the innovation cycle in the Union.

</Amend>

<Amend>Amendment <NumAm>725</NumAm>

<RepeatBlock-By><Members>Merja Kyllönen</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 6 a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***CMC 6a (new)*** |
|  | ***Pulp and paper industry by-products:*** |
|  | ***1. A CE marked fertilising product may contain component material consisting of one of the following substances:*** |
|  | ***(a) pulp industry excess lime, i.e. a material from the pulp processing industry only if that substance’s or mixture’s compliance with the requirements of this Regulation for a product in PFC 2 of Annex I has been demonstrated in accordance with the conformity assessment procedure applicable to such an agronomic additive;*** |
|  | ***(b) pulp and paper industry biosolids, i.e. sludges from pulp and paper production processes containing cellulose, hemicelllulose and lignin, as major components, as well as nutrients including N, P, K, Ca and Mg.*** |
|  | ***2. The substance shall have been registered pursuant to Regulation (EC) No 1907/20061a, in a dossier containing*** |
|  | ***(c) the information provided for by Annex VI, VII and VIII of Regulation (EC) No 1907/2006, and*** |
|  | ***(d) a chemical safety report pursuant to Article 14 of Regulation (EC) No 1907/2006 covering the use as fertilising product, 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.*** |
|  | ***\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*** |
|  | ***1a*** ***In the case of a substance recovered in the European Union, this condition is fulfilled if the substance 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. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>726</NumAm>

<RepeatBlock-By><Members>Eleonora Evi, Piernicola Pedicini, Marco Zullo, Rosa D'Amato</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 7 – introductory part</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| A CE marked fertilising product may contain micro-organisms, including dead or empty-cell micro-organisms and non-harmful residual elements of the media on which they were produced***,*** which | A CE marked fertilising product may contain micro-organisms, including dead or empty-cell micro-organisms and non-harmful residual elements of the media on which they were produced***. It may be composed of :*** |
|  | ***- each micro-organism or a consortium of different micro-organisms*** which ***is authorised to be added to food according to Art.2 of the Regulation 178/2002 CE;*** |
|  | ***- each micro-organism or a consortium of different micro-organisms included in the EU Register of feed additives according to Regulation 1831/2003 CE;*** |
|  | ***- each micro-organism or a consortium of different micro-organisms deemed safe by ECHA on the base of information provided according to article 42 second point of this Regulation.*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>727</NumAm>

<RepeatBlock-By><Members>Eleonora Evi, Piernicola Pedicini, Marco Zullo, Rosa D'Amato</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 7 – indent 1</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***- have undergone no other processing than drying or freeze-drying and*** | ***deleted*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>728</NumAm>

<RepeatBlock-By><Members>Martin Häusling</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 7 – indent 2</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***- are listed in the table below:*** | ***deleted*** |
| ***Azotobacter spp.*** |  |
| ***Mycorrhizal fungi*** |  |
| ***Rhizobium spp.*** |  |
| ***Azospirillum spp.*** |  |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

There are already many other species and their microbial consortia used and of interest to farmers and which are already recognised on the national level.

</Amend>

<Amend>Amendment <NumAm>729</NumAm>

<RepeatBlock-By><Members>Eleonora Evi, Marco Zullo, Piernicola Pedicini</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 7 – indent 2</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***- are listed in the table below:*** | ***deleted*** |
| ***Azotobacter spp.*** |  |
| ***Mycorrhizal fungi*** |  |
| ***Rhizobium spp.*** |  |
| ***Azospirillum spp.*** |  |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>730</NumAm>

<RepeatBlock-By><Members>Dariusz Rosati, Elżbieta Katarzyna Łukacijewska, Jarosław Wałęsa, Janusz Lewandowski</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 8 – paragraph 3</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| 3. A CE marked fertilising product may contain a compliant nitrification inhibitor, as referred to in PFC 5(A)(I) of Annex I, only if at least 50% of the total nitrogen (N) content of the fertilising product consists of the nitrogen (N) ***forms*** ammonium (NH4+) and urea (CH4N2O). | 3. A CE marked fertilising product may contain a compliant nitrification inhibitor, as referred to in PFC 5(A)(I) of Annex I, only if at least 50% of the total nitrogen (N) content of the fertilising product consists of the nitrogen (N) ***form ammonium (NH4+) or*** ammonium (NH4+) and urea (CH4N2O). |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

It is important to clarify that N content can be met either by ammonia alone or ammonia and urea together.

</Amend>

<Amend>Amendment <NumAm>731</NumAm>

<RepeatBlock-By><Members>James Nicholson, Jadwiga Wiśniewska, Bolesław G. Piecha, Urszula Krupa, Zbigniew Kuźmiuk, Beata Gosiewska, Kosma Złotowski, Edward Czesak, Czesław Hoc</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 8 – paragraph 3</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| 3. A CE marked fertilising product may contain a compliant nitrification inhibitor, as referred to in PFC 5(A)(I) of Annex I, only if at least 50% of the total nitrogen (N) content of the fertilising product consists of the nitrogen (N) forms ammonium (NH4+) ***and*** urea (CH4N2O). | 3. A CE marked fertilising product may contain a compliant nitrification inhibitor, as referred to in PFC 5(A)(I) of Annex I, only if at least 50% of the total nitrogen (N) content of the fertilising product consists of the nitrogen (N) forms ammonium (NH4+) ***and/or*** urea (CH4N2O). |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

N content may be met by ammonia and urea together.

</Amend>

<Amend>Amendment <NumAm>732</NumAm>

<RepeatBlock-By><Members>James Nicholson, Jadwiga Wiśniewska, Bolesław G. Piecha, Urszula Krupa, Zbigniew Kuźmiuk, Beata Gosiewska, Kosma Złotowski, Edward Czesak, Czesław Hoc</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 9 – paragraph 3</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| 3. The polymers shall ***not contain*** formaldehyde. | 3. The polymers shall ***contain a maximum of 600 ppm free*** formaldehyde. |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

The 0 limit is impossible to achieve for methylene-urea which is a widely used fertiliser.

</Amend>

<Amend>Amendment <NumAm>733</NumAm>

<RepeatBlock-By><Members>Annie Schreijer-Pierik</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 1 – point b</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (b) increasing the water retention capacity of the CE marked fertilising product***.*** | (b) increasing the water retention capacity of the CE marked fertilising product***, or*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>734</NumAm>

<RepeatBlock-By><Members>Elisabetta Gardini</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 1 – point b a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***(ba) being converted into biodegradable mulch film, which complies with the requirements of points 2a and 3 of CMC10.*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>735</NumAm>

<RepeatBlock-By><Members>Annie Schreijer-Pierik</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 1 – point b a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***(ba) improving the stability of the CE marked fertilising products; or*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>736</NumAm>

<RepeatBlock-By><Members>Annie Schreijer-Pierik</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 1 – point b b (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***(bb) to be converted into mulch film complying with the requirements of points 2 and 3 of CMC10.*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>737</NumAm>

<RepeatBlock-By><Members>Elisabetta Gardini</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 2 – introductory part</Article>

|  |  |
| --- | --- |
|  | |
| *Text proposed by the Commission* | *Amendment* |
| 2. As of [Publications office, please insert the date occurring ***three*** years after the date of application of this Regulation], the ***following criterion shall be complied with: The polymer shall be capable of undergoing physical, biological decomposition, such that most of it ultimately decomposes into carbon dioxide (CO2), biomass and water. It shall have at least 90 % of the organic carbon converted into CO2 in maximum 24 months, in a biodegradability test as specified points (a)-(c) below.*** | 2. As of [Publications office, please insert the date occurring ***five*** years after the date of application of this Regulation], the ***Commission shall adopt delegated acts in accordance with Article 43, supplementing this Regulation by proposing the criteria for the conversion of the polymeric carbon in controlled release fertilisers to CO2 in accordance with Article 42.*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>738</NumAm>

<RepeatBlock-By><Members>Annie Schreijer-Pierik</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 2 – introductory part</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| 2. As of [Publications office, please insert the date occurring ***three*** years after the date of application of this Regulation], the following ***criterion*** shall be ***complied with***: ***The polymer shall be capable of undergoing physical, biological decomposition, such that most of it ultimately decomposes into carbon dioxide (CO2), biomass and water. It shall have at least 90 %*** of the organic carbon converted into ***CO2 in maximum 24 months, in*** a biodegradability test ***as specified points (a)-(c) below***. | 2. As of [Publications office, please insert the date occurring ***five*** years after the date of application of this Regulation], the following ***requirements*** shall be ***introduced***: |
|  | ***(a) a standard for the biodegradability of the polymer, as applied in form and amount in the fertilising product, by setting a timeframe in which at least 90%, absolute or relative to the reference material,*** of the organic carbon ***is*** converted into ***CO2, after the claimed release time of the polymer has been fulfilled, and*** |
|  | ***(b)*** a biodegradability test ***that complies with the following criterion: the polymer, as applied in form and amount in the fertilising product, is capable of undergoing physical, biological decomposition, such that most of it ultimately decomposes into carbon dioxide (CO2), biomass and water***. |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>739</NumAm>

<RepeatBlock-By><Members>Jan Huitema</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 2 – introductory part</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| 2. As of [Publications office, please insert the date occurring ***three*** years after the date of application of this Regulation], the ***following criterion*** shall ***be complied with: The polymer shall be capable of undergoing physical, biological decomposition, such that most of it ultimately decomposes into carbon dioxide (CO2), biomass and water. It shall have*** at least ***90 %*** of the organic carbon converted into CO2 ***in maximum 24 months, in*** a biodegradability test ***as specified points (a)-(c) below***. | 2. As of [Publications office, please insert the date occurring ***five*** years after the date of application of this Regulation], the ***Commission*** shall ***adopt delegated acts, pursuant to Article 42 (1) of this Regulation, introducing*** |
|  | ***(a) a standard for the biodegradability by setting a timeframe in which*** at least ***90%*** of the organic carbon ***is*** converted into CO2***, after the claimed release time of the polymer has been fulfilled, and*** |
|  | ***(b)*** a biodegradability test ***that complies with the following criterion: the polymer is capable of undergoing physical, biological decomposition, such that most of it ultimately decomposes into carbon dioxide (CO2), biomass and water***. |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>740</NumAm>

<RepeatBlock-By><Members>James Nicholson, Jadwiga Wiśniewska, Bolesław G. Piecha, Urszula Krupa, Zbigniew Kuźmiuk, Beata Gosiewska, Kosma Złotowski, Edward Czesak, Czesław Hoc</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 2 – introductory part</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| 2. As of [Publications office, please insert the date occurring ***three*** years after the date of application of this Regulation], the following ***criterion*** shall ***be complied with: The polymer shall be capable of undergoing physical, biological decomposition, such that most of it ultimately decomposes into carbon dioxide (CO2), biomass*** and ***water. It shall have at least 90 % of the organic carbon converted into CO2 in maximum 24 months, in a biodegradability test as specified points (a)-(c) below***. | 2. As of [Publications office, please insert the date occurring ***five*** years after the date of application of this Regulation], the following ***requirements*** shall ***apply:*** |
|  | ***(a) a standard for the biodegradability by setting a timeframe in which at least 90% of the organic carbon is converted into CO2, after the claimed release time of the polymer has been fulfilled,*** and |
|  | ***(b) a biodegradability test that complies with the following criterion: the polymer is capable of undergoing physical, biological decomposition, such that most of it ultimately decomposes into carbon dioxide (CO2), biomass and water***. |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>741</NumAm>

<RepeatBlock-By><Members>Julie Girling, Anthea McIntyre</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 2 – introductory part</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| 2. As of [Publications office, please insert the date occurring ***three*** years after the date of application of this Regulation], the following ***criterion*** shall be ***complied with***: ***The polymer shall be capable of undergoing physical, biological decomposition, such that most of it ultimately decomposes into carbon dioxide (CO2)***, ***biomass*** and ***water. It shall have at least 90 % of the organic carbon converted into CO2 in maximum 24 months, in a biodegradability test as specified points (a)-(c) below***. | 2. As of [Publications office, please insert the date occurring ***five*** years after the date of application of this Regulation], the following ***requirements*** shall be ***introduced***: |
|  | ***(a) a standard for biodegradability by establishing a timeframe in which at least 90% of the organic carbon is converted into CO2, following the fulfilment of the claimed release time of the polymer***, and |
|  | ***(b) a biodegradability test that is compliant with the following criterion: the polymer is capable of undergoing physical, biological decomposition, and finally decomposes into carbon dioxide (CO2), biomass and water***. |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>742</NumAm>

<RepeatBlock-By><Members>Sylvie Goddyn, Mireille D'Ornano, Jean-François Jalkh, Edouard Ferrand, Philippe Loiseau</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 2 – introductory part</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| 2. As of [Publications office, please insert the date occurring three years after the date of application of this Regulation], the following criterion shall be complied with: The polymer shall be capable of undergoing physical, biological decomposition, such that most of it ultimately decomposes into carbon dioxide (CO2), biomass and water. It shall have at least 90 % of the organic carbon converted into CO2 in maximum 24 months***, in a biodegradability test as specified points (a)-(c) below***. | 2. As of [Publications office, please insert the date occurring three years after the date of application of this Regulation], the following criterion shall be complied with: The polymer shall be capable of undergoing physical, biological decomposition, such that most of it ultimately decomposes into carbon dioxide (CO2), biomass and water. It shall have at least 90 % of the organic carbon converted into CO2 in maximum 24 months ***from the end of the functionality period indicated in accordance with Annex III, Part I, paragraph 2 point (ca)****.* |

Or. <Original>{FR}fr</Original>

</Amend>

<Amend>Amendment <NumAm>743</NumAm>

<RepeatBlock-By><Members>Fredrick Federley</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 2 – introductory part</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| 2. As of [Publications office, please insert the date occurring ***three*** years after the date of application of this Regulation], the following criterion shall be complied with: The polymer shall be capable of undergoing physical, biological decomposition, such that most of it ultimately decomposes into carbon dioxide (CO2), biomass and water. It shall have at least 90 % of the organic carbon converted into CO2 in maximum 24 months***, in a biodegradability test as specified points (a)-(c) below***. | 2. As of [Publications office, please insert the date occurring ***five*** years after the date of application of this Regulation], the following criterion shall be complied with: The polymer shall be capable of undergoing physical, biological decomposition, such that most of it ultimately decomposes into carbon dioxide (CO2), biomass and water. It shall have at least 90 % of the organic carbon converted into CO2***,*** in maximum 24 months ***in addition to the claimed functioning time of the product***. |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

The requirements proposed by the Commission have the potential to eliminate certain slow-release fertilising products with a long intended functioning time. Therefore the biodegradability requirement of 90 % in 24 months should apply after the claimed functioning time of the product. In order for the producers to have time to adapt and the Commission to re-assess the suggested requirements the time for entry in to force of these requirements should be pro-longed to five years.

</Amend>

<Amend>Amendment <NumAm>744</NumAm>

<RepeatBlock-By><Members>Elisabetta Gardini</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 2 – point a</Article>

|  |  |
| --- | --- |
|  | |
| *Text proposed by the Commission* | *Amendment* |
| ***(a) The test shall be conducted at 25°C ± 2°C.*** | ***deleted*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>745</NumAm>

<RepeatBlock-By><Members>Sylvie Goddyn, Mireille D'Ornano, Jean-François Jalkh, Edouard Ferrand, Philippe Loiseau</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 2 – point a</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***(a)*** ***The test shall be conducted at 25°C ± 2°C.*** | ***deleted*** |

Or. <Original>{FR}fr</Original>

</Amend>

<Amend>Amendment <NumAm>746</NumAm>

<RepeatBlock-By><Members>James Nicholson, Jadwiga Wiśniewska, Bolesław G. Piecha, Urszula Krupa, Zbigniew Kuźmiuk, Beata Gosiewska, Kosma Złotowski, Edward Czesak, Czesław Hoc</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 2 – point a</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***(a) The test shall be conducted at 25°C ± 2°C.*** | ***deleted*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

The test method as proposed by the European Commission is very detailed. Since there is currently no biodegradability criteria, the new Regulation should not predetermine the test methods that will be needed to verify this criteria. This should be left for standardisation.

</Amend>

<Amend>Amendment <NumAm>747</NumAm>

<RepeatBlock-By><Members>Fredrick Federley, Jan Huitema</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 2 – point a</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***(a) The test shall be conducted at 25°C ± 2°C.*** | ***deleted*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>748</NumAm>

<RepeatBlock-By><Members>Julie Girling, Anthea McIntyre</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 2 – point a</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***(a) The test shall be conducted at 25°C ± 2°C.*** | ***deleted*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>749</NumAm>

<RepeatBlock-By><Members>Elisabetta Gardini</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 2 – point b</Article>

|  |  |
| --- | --- |
|  | |
| *Text proposed by the Commission* | *Amendment* |
| ***(b) The test shall be conducted in accordance with a method for determining the ultimate aerobic biodegradability of plastic materials in soils by measuring oxygen demand or the amount of carbon dioxide evolved.*** | ***deleted*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>750</NumAm>

<RepeatBlock-By><Members>Sylvie Goddyn, Edouard Ferrand, Jean-François Jalkh, Mireille D'Ornano, Philippe Loiseau</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 2 – point b</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***(b)*** ***The test shall be conducted in accordance with a method for determining the ultimate aerobic biodegradability of plastic materials in soils by measuring oxygen demand or the amount of carbon dioxide evolved.*** | ***deleted*** |

Or. <Original>{FR}fr</Original>

</Amend>

<Amend>Amendment <NumAm>751</NumAm>

<RepeatBlock-By><Members>James Nicholson, Jadwiga Wiśniewska, Bolesław G. Piecha, Urszula Krupa, Zbigniew Kuźmiuk, Beata Gosiewska, Kosma Złotowski, Edward Czesak, Czesław Hoc</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 2 – point b</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***(b) The test shall be conducted in accordance with a method for determining the ultimate aerobic biodegradability of plastic materials in soils by measuring oxygen demand or the amount of carbon dioxide evolved.*** | ***deleted*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

The test method as proposed by the European Commission is very detailed. Since there is currently no biodegradability criteria, the new Regulation should not predetermine the test methods that will be needed to verify this criteria. This should be left for standardisation.

</Amend>

<Amend>Amendment <NumAm>752</NumAm>

<RepeatBlock-By><Members>Fredrick Federley, Jan Huitema</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 2 – point b</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***(b) The test shall be conducted in accordance with a method for determining the ultimate aerobic biodegradability of plastic materials in soils by measuring oxygen demand or the amount of carbon dioxide evolved.*** | ***deleted*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>753</NumAm>

<RepeatBlock-By><Members>Elisabetta Gardini</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 2 – point c</Article>

|  |  |
| --- | --- |
|  | |
| *Text proposed by the Commission* | *Amendment* |
| ***(c) A micro-crystalline cellulose powder with the same dimension as the test material shall be used as a reference material in the test.*** | ***deleted*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>754</NumAm>

<RepeatBlock-By><Members>Sylvie Goddyn, Mireille D'Ornano, Jean-François Jalkh, Edouard Ferrand, Philippe Loiseau</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 2 – point c</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***(c)*** ***A micro-crystalline cellulose powder with the same dimension as the test material shall be used as a reference material in the test.*** | ***deleted*** |

Or. <Original>{FR}fr</Original>

</Amend>

<Amend>Amendment <NumAm>755</NumAm>

<RepeatBlock-By><Members>Julie Girling, Anthea McIntyre</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 2 – point c</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***(c) A micro-crystalline cellulose powder with the same dimension as the test material shall be used as a reference material in the test.*** | ***deleted*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>756</NumAm>

<RepeatBlock-By><Members>Fredrick Federley, Jan Huitema</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 2 – point c</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***(c) A micro-crystalline cellulose powder with the same dimension as the test material shall be used as a reference material in the test.*** | ***deleted*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>757</NumAm>

<RepeatBlock-By><Members>James Nicholson, Jadwiga Wiśniewska, Bolesław G. Piecha, Urszula Krupa, Zbigniew Kuźmiuk, Beata Gosiewska, Kosma Złotowski, Edward Czesak, Czesław Hoc</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 2 – point c</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***(c) A micro-crystalline cellulose powder with the same dimension as the test material shall be used as a reference material in the test.*** | ***deleted*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

The test method as proposed by the European Commission is very detailed. Since there is currently no biodegradability criteria, the new Regulation should not predetermine the test methods that will be needed to verify this criteria. This should be left for standardisation.

</Amend>

<Amend>Amendment <NumAm>758</NumAm>

<RepeatBlock-By><Members>Elisabetta Gardini</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 2 – point d</Article>

|  |  |
| --- | --- |
|  | |
| *Text proposed by the Commission* | *Amendment* |
| ***(d) Prior to the test, the test material shall not be subject to conditions or procedures designed to accelerate the degradation of the film, such as exposure to heat or light.*** | ***deleted*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>759</NumAm>

<RepeatBlock-By><Members>Sylvie Goddyn, Mireille D'Ornano, Jean-François Jalkh, Edouard Ferrand, Philippe Loiseau</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 2 – point d</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***(d)*** ***Prior to the test, the test material shall not be subject to conditions or procedures designed to accelerate the degradation of the film, such as exposure to heat or light.*** | ***deleted*** |

Or. <Original>{FR}fr</Original>

</Amend>

<Amend>Amendment <NumAm>760</NumAm>

<RepeatBlock-By><Members>Julie Girling, Anthea McIntyre</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 2 – point d</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***(d) Prior to the test, the test material shall not be subject to conditions or procedures designed to accelerate the degradation of the film, such as exposure to heat or light.*** | ***deleted*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>761</NumAm>

<RepeatBlock-By><Members>Fredrick Federley, Jan Huitema</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 2 – point d</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***(d) Prior to the test, the test material shall not be subject to conditions or procedures designed to accelerate the degradation of the film, such as exposure to heat or light.*** | ***deleted*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>762</NumAm>

<RepeatBlock-By><Members>James Nicholson, Jadwiga Wiśniewska, Bolesław G. Piecha, Urszula Krupa, Zbigniew Kuźmiuk, Beata Gosiewska, Kosma Złotowski, Edward Czesak, Czesław Hoc</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 2 – point d</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***(d) Prior to the test, the test material shall not be subject to conditions or procedures designed to accelerate the degradation of the film, such as exposure to heat or light.*** | ***deleted*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

The test method as proposed by the European Commission is very detailed. Since there is currently no biodegradability criteria, the new Regulation should not predetermine the test methods that will be needed to verify this criteria. This should be left for standardisation.

</Amend>

<Amend>Amendment <NumAm>763</NumAm>

<RepeatBlock-By><Members>Elisabetta Gardini</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 2 a (new)</Article>

|  |  |
| --- | --- |
|  | |
| *Text proposed by the Commission* | *Amendment* |
|  | ***2a. As for the biodegradable mulch films, as referred in PFC 3 (B), the following criterion shall be complied: The polymer shall be capable of undergoing physical, biological decomposition, such that it ultimately decomposes into carbon dioxide (CO2), biomass and water and it shall have at least 90 %, absolute or relative to the reference material, of the organic carbon converted into CO2 in maximum 24 months, in a biodegradability test according to European standards for biodegradation of polymers in soil.*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>764</NumAm>

<RepeatBlock-By><Members>Fredrick Federley</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 2 a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***2a. The Commission shall as of [Publications office, please insert the date occurring four years after the date of application of this Regulation] assess the requirement on biodegradability set out in paragraph 2 above and if necessary adopt a delegated act, pursuant to Article 42 (1) of this Regulation amending paragraph 2 based on the assessment made.*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

The proposed biodegradability requirement of 90 % in 24 months might pose as too short timeframe. The Commission should therefore assess these requirements before their proposed entry in to force in order to see if there is reason to change the requirements.

</Amend>

<Amend>Amendment <NumAm>765</NumAm>

<RepeatBlock-By><Members>Sylvie Goddyn, Mireille D'Ornano, Jean-François Jalkh, Edouard Ferrand, Philippe Loiseau</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 3 – point c – introductory part</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (c) In the earthworm acute toxicity test, the observed mortality and the biomass of surviving earthworms in a soil exposed to the test material shall not differ by more than ***10 %*** compared to those from the corresponding blank soil not exposed to the test material. The results shall be considered to be valid, if | c) In the earthworm acute toxicity test, the observed mortality and the biomass of surviving earthworms in a soil exposed to the test material shall not differ by more than ***5 %*** compared to those from the corresponding blank soil not exposed to the test material. The results shall be considered to be valid, if |

Or. <Original>{FR}fr</Original>

</Amend>

<Amend>Amendment <NumAm>766</NumAm>

<RepeatBlock-By><Members>Fredrick Federley, Frédérique Ries, Jan Huitema</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 10 – paragraph 3 a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***3a. Polymers that are solely used as binding material in a CE marked fertilising product and that are not in contact with the soil shall be exempted from the requirements set out in paragraphs 1, 2 and 3.*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>767</NumAm>

<RepeatBlock-By><Members>Elisabetta Gardini</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 11</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| A CE marked fertilising product may contain animal by-products within the meaning of Regulation (EC) No 1069/2009 having reached the end point in the manufacturing chain ***as determined in accordance with that Regulation, which*** are listed in the table below and as specified therein: | A CE marked fertilising product may contain animal by-products within the meaning of Regulation (EC) No 1069/2009 ***including hydrolysed proteins as defined in Annex I to Commission Regulation (EU) No 142/2011.*** |
|  | ***Animal by-products*** having reached the end point in the manufacturing chain are listed in the table below and as specified therein: |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>768</NumAm>

<RepeatBlock-By><Members>Annie Schreijer-Pierik</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 11 a (new) – heading </Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***CMC 11a: Other industry by-products*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>769</NumAm>

<RepeatBlock-By><Members>Annie Schreijer-Pierik</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex II – part 2 – CMC 11 a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***A CE marked fertilising product may contain other industry by-products coming from specific industrial processes, which are excluded from CMC 1 and are listed in the table below and as specified therein:*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

Table contents to be determined by the Commission. See amendment to industry by-products - Article 42 – paragraph 1 – point c (new).

</Amend>

<Amend>Amendment <NumAm>770</NumAm>

<RepeatBlock-By><Members>Peter Jahr, Albert Deß</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 1 – paragraph 2 – point e</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (e) A description of all components above ***5%*** by product weight in descending order of magnitude by dry weight, including an indication of the relevant component material categories (‘CMC’) as referred to in Annex II***.*** | (e) A description of all components above ***1%*** by product weight in descending order of magnitude by dry weight, including an indication of the relevant component material categories (‘CMC’) as referred to in Annex II ***and including the content as percentage by the dry matter;*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>771</NumAm>

<RepeatBlock-By><Members>Eleonora Evi, Marco Zullo, Piernicola Pedicini</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 1 – paragraph 2 – point e</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (e) A description of all components above ***5%*** by product weight in descending order of magnitude by dry weight, including an indication of the relevant component material categories (‘CMC’) as referred to in Annex II. | (e) A description of all components above by product weight in descending order of magnitude by dry weight, including an indication of the relevant component material categories (‘CMC’) as referred to in Annex II. |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

Failure to fully label quantities under 5% may have a significant effect on the total characteristics of the mixture such as adding risky, unpermitted or inactive components e.g. industry waste, synthetic compounds or sand. In addition, organic farmers are only allowed to use organic fertiliser components and products which are 100% in line with the Regulation (EC) No 834/2007.

</Amend>

<Amend>Amendment <NumAm>772</NumAm>

<RepeatBlock-By><Members>Karl-Heinz Florenz</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 1 – paragraph 2 – point e a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***(ea) in the case of any product containing material originating from organic wastes or by-products, which has not been through a process which has destroyed all organic materials, the label will specify which wastes and by-products have been used and a batch number or production time series number. This number shall refer to the traceability data held by the producer and which identifies the individual sources (farms, factories, etc.) of each organic waste/by-product used in the batch/time series. The Commission shall publish, after a public consultation and within 2 years of the entry into force of this Regulation, specifications for the implementation of this provision, which will enter into force after 3 years after the publication of the specifications. In order to minimise the administrative burden for operators and for market surveillance authorities, the Commission specifications should take into account both the requirements of Articles 6(5) – 6(7) and Article 11 and existing traceability systems (e.g. for animal by-products or industry systems) as well as EU waste classification codes.*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

Phosphorous is a limited substance, therefore to recycle this very important nutrient and apply the circular economy approach for the production of fertilisers should be supported. In order to establish trust and ensure confidence and safety for fertiliser products susceptible to contain organic materials, a traceability system from input material source to field for organic fertiliser products based on the existing system used for animal by-products is highly recommended. Because the Fertilisers Regulation effectively results in “end of waste” status for animal by-products which become EU fertilisers, and because CMC11 (category of certain animal by-products) is currently a blank box, it should be made explicit that the current traceability for animal by-products (e.g. manures, slaughter house by-products) is maintained. This traceability should also be extended to all organic materials, e.g. fertilisers made out of sludge, food waste, food industry by-products.

</Amend>

<Amend>Amendment <NumAm>773</NumAm>

<RepeatBlock-By><Members>Frédérique Ries</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 1 – paragraph 2 – point e a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***(ea) The heavy metal content of the CE marked fertilising product calculated as the average of the 3 last analyses performed according to the requirements of the present regulation.*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

The current absence of declaration of the heavy metal content in the labelling requirements in CE fertilising products prevents any implementation, by the competent authorities, of measures towards environment and human health protection such as the management of pollutants fluxes.

</Amend>

<Amend>Amendment <NumAm>774</NumAm>

<RepeatBlock-By><Members>Elisabetta Gardini</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 1 – paragraph 4</Article>

|  |  |
| --- | --- |
|  | |
| *Text proposed by the Commission* | *Amendment* |
| 4. Where the CE marked fertilising product contains animal by-products within the meaning of Regulation ***(EC) No 1069/2009*** other than manure, it shall carry the following user instruction: ‘Farmed animals shall not be fed, either directly or by grazing, with herbage from land to which the product has been applied unless the cutting or grazing takes place after the expiry of a waiting period of at least 21 days.’ | 4. Where the CE marked fertilising product contains animal by-products within the meaning of ***point 2 (b)(xi) of Chapter II of Annex VIII of*** Regulation ***(EU) No 142/2011*** other than manure, it shall carry the following user instruction: ‘Farmed animals shall not be fed, either directly or by grazing, with herbage from land to which the product has been applied unless the cutting or grazing takes place after the expiry of a waiting period of at least 21 days.’ ***Those instructions are required for bulk goods and for packaging heavier than 50 kg (big bags up to 1000 kg and tanks up to 1000 l). These instructions are not required for animal by-products based fertilisers containing exclusively hydrolysed proteins as specified in Annex I to Regulation (EC) No 142/2001 and which are therefore suitable for feeding livestock.*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>775</NumAm>

<RepeatBlock-By><Members>Sylvie Goddyn, Mireille D'Ornano, Jean-François Jalkh, Edouard Ferrand, Philippe Loiseau</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 1 – paragraph 5</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| 5. Where the CE marked fertilising product contains a substance for which maximum residue limits for food and feed have been established in accordance with Regulation (EEC) No 315/93, Regulation (EC) No 396/2005, Regulation (EC) No 470/2009 or Directive 2002/32/EC, the instructions referred to in paragraph 2(c) shall ensure that the intended use of the CE marked fertilising product does not lead to the exceedance of those limits in food or feed. | 5. Where the CE marked fertilising product contains a substance ***deliberately added by the manufacturer*** for which maximum residue limits for food and feed have been established in accordance with Regulation (EEC) No 315/93, Regulation (EC) No 396/2005, Regulation (EC) No 470/2009 or Directive 2002/32/EC, the instructions referred to in paragraph 2(c) shall ensure that the intended use of the CE marked fertilising product does not lead to the exceedance of those limits in food or feed. |

Or. <Original>{FR}fr</Original>

</Amend>

<Amend>Amendment <NumAm>776</NumAm>

<RepeatBlock-By><Members>Eleonora Evi, Marco Zullo, Piernicola Pedicini</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 1 – paragraph 7 a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***7a. Where the CE marked fertilising product is allowed to be used in organic agriculture according to Regulation (EC) 834/2007, it shall be specified on the label as “allowed in organic farming with regard to (EC) No 834/2007.”*** |
|  | ***CE fertiliser products not suitable for organic agriculture with regard to Regulation (EC) 834/2007, that have a commercial name recalling terms referred to in Article 23 of Regulation (EC) No 834/2007 that may mislead the final user about its use in organic agriculture shall specify on the label as “not allowed in organic farming with regard to Regulation (EC) No 834/2007.”*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>777</NumAm>

<RepeatBlock-By><Members>Annie Schreijer-Pierik</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 1 – paragraph 8 a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***8a. The term “N Fertiliser Replacement Value” (NFRV) or similar may only be used if the fertilising products contains or consists of processed animal manure, and if the value indicates the product’s performance compared with calcium ammonium nitrate (CAN) with regard to nitrate leaching to water at the recommended use(s).*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>778</NumAm>

<RepeatBlock-By><Members>Jan Huitema</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 1 – point 8 a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***8a. The term “Nitrate Fertiliser Replacement Value” or similar may only be used if the fertilising products contains or consists of processed animal manure, and if the value indicates the product’s performance compared with calcium ammonium nitrate with regard to nitrate losses to water at the recommended use(s).*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>779</NumAm>

<RepeatBlock-By><Members>Fredrick Federley</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 1 – paragraph 8 a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***8a. If a CE marked fertilising products consists of materials as referred to in Annex II, part II, CMC 10, point 3a, this should be marked on the product.*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>780</NumAm>

<RepeatBlock-By><Members>Dariusz Rosati, Elżbieta Katarzyna Łukacijewska, Jarosław Wałęsa, Janusz Lewandowski</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 1 – paragraph 2 – point b</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (b) The nitrification inhibitor content shall be expressed as a percentage by mass of the total nitrogen (N) present as ammonium nitrogen (NH4+) and urea nitrogen (CH4N2O). | (b) The nitrification inhibitor content shall be expressed as a percentage by mass of the total nitrogen (N) present as ammonium nitrogen (NH4+) ***or ammonium nitrogen (NH4+)*** and urea nitrogen (CH4N2O). |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

It is important to clarify that N content can be met either by ammonia alone or ammonia and urea together.

</Amend>

<Amend>Amendment <NumAm>781</NumAm>

<RepeatBlock-By><Members>James Nicholson, Jadwiga Wiśniewska, Bolesław G. Piecha, Urszula Krupa, Zbigniew Kuźmiuk, Beata Gosiewska, Kosma Złotowski, Edward Czesak, Czesław Hoc</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 1 – paragraph 2 – point b</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (b) The nitrification inhibitor content shall be expressed as a percentage by mass of the total nitrogen (N) present as ammonium nitrogen (NH4+) ***and*** urea nitrogen (CH4N2O). | (b) The nitrification inhibitor content shall be expressed as a percentage by mass of the total nitrogen (N) present as ammonium nitrogen (NH4+) ***and/or*** urea nitrogen (CH4N2O). |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

The N content may be met by ammonia and urea together.

</Amend>

<Amend>Amendment <NumAm>782</NumAm>

<RepeatBlock-By><Members>Pavel Poc, Jytte Guteland, Nicola Caputo, Stefan Eck, Elena Gentile, Susanne Melior</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 1(B) – paragraph 2 a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***2a. Where the CE marked fertilising products has a total phosphorus (P) content of 5 % phosphorus pentoxide (P2O5) equivalent or more by mass (‘phosphate fertiliser’)*** |
|  | ***(a) if the content of cadmium (cd) is equal to or higher than 20 mg/kg phosphorus pentoxide (P2O5) the actual cadmium (Cd) content in mg/kg shall be declared, and*** |
|  | ***(b) the phrase “low cadmium content” or similar, or a logo with that message, may only appear if the content of cadmium (Cd) is lower than 20 mg/kg phosphorus pentoxide (P2O5)*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

Labelling of the content of Cadmium in phosphate fertilisers is essential to guarantee transparency for farmers, who should have full knowledge of the levels of Cadmium they are using in their crops. By introducing specific labelling obligations, the usage of low-cadmium fertilising products will be fostered among the farmers who want to use less contaminated products.

</Amend>

<Amend>Amendment <NumAm>783</NumAm>

<RepeatBlock-By><Members>Eleonora Evi, Marco Zullo, Piernicola Pedicini</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 1(B) – paragraph 2 a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***2a. Where the CE marked fertilising product has a total phosphorus (P) content of 5% phosphorus pentoxide (P205) – equivalent or more by mass (phosphate fertiliser),*** |
|  | ***(a) If the content of Cadmium (Cd) is equal to or higher than 20 mg/kg phosphorus pentoxide (P205), the actual cadmium (Cd) content in mg/kg P205 must be declared in the label.*** |
|  | ***(b) If the content of Cadmium (Cd) is lower than 20 mg/kg phosphorus pentoxide (P205), the information must contain the statements “Contains less than 20 mg Cd/Kg P205”r the phrase “low cadmium content”.*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

Labelling of the content of Cadmium in phosphate fertilisers is essential to guarantee transparency for farmers, who should have full knowledge of the levels of Cadmium they are using in their crops. By introducing this amendment, we will foster the usage of low-cadmium fertilising products among those farmers willing to use less contaminated products in their crops. This provision will also allow farmers to opt for greening subsidies under the second pillar of the Common Agricultural Policy (greening) to encourage their shift to greener and more sustainable fertilising inputs.

</Amend>

<Amend>Amendment <NumAm>784</NumAm>

<RepeatBlock-By><Members>Elisabetta Gardini</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 1(C)(I) – paragraph 1 – point a</Article>

|  |  |
| --- | --- |
|  | |
| *Text proposed by the Commission* | *Amendment* |
| (a) the declared nutrients nitrogen (N), phosphorus (P) or potassium (K), by their chemical symbols in the order N-P-K***;*** | (a) the declared nutrients nitrogen (N), phosphorus (P) or potassium (K), by their chemical symbols in the order N-P-K. ***The declared nitrogen content is given by the sum of ammoniacal N, nitric N, ureic N, N from urea formaldehyde, N from isobutylidene diurea, N from crotonylidene diurea and N from cyanamide.*** |
|  | ***Phosphorus fertilisers must fulfil the following minimum solubility levels to be plant-available, otherwise they cannot be declared as phosphorus fertilisers:*** |
|  | ***– 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. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>785</NumAm>

<RepeatBlock-By><Members>Jadwiga Wiśniewska, Bolesław G. Piecha, Urszula Krupa, Zbigniew Kuźmiuk, Beata Gosiewska, Kosma Złotowski, Edward Czesak, Czesław Hoc</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 1 (C)(I) – paragraph 1 – point a</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (a) the declared nutrients nitrogen (N), phosphorus (P) or potassium (K), by their chemical symbols in the order N-P-K***;*** | (a) the declared nutrients nitrogen (N), phosphorus (P) or potassium (K), by their chemical symbols in the order N-P-K***. The declared nitrogen content is given by the sum of ammoniacal N, nitric N, ureic N, N from urea formaldehyde, N from isobutylidene diurea, and N from crotonylidene diurea.*** |
|  | ***Phosphorus fertilisers must fulfil the following minimum solubility levels to be plant-available, otherwise they cannot be declared as phosphorus fertilisers:*** |
|  | ***– water solubility: minimum level 40% of total P2O5,*** |
|  | ***– minimum level 75% of total P2O5, solubility in neutral ammonium citrate,*** |
|  | ***– solubility in formic acid (only for soft rock phosphate): minimum level 55% of total P2O5.*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

In order to improve the clarity of the label, it is necessary to specify all the nitrogenous forms of the total nitrogen and the phosphorus solubility value. Also, phosphate content should be for consistency reasons provided in P2O5 form.

</Amend>

<Amend>Amendment <NumAm>786</NumAm>

<RepeatBlock-By><Members>Elżbieta Katarzyna Łukacijewska, Dariusz Rosati, Jarosław Wałęsa, Janusz Lewandowski</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 1 (C)(I) – paragraph 1 – point a</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (a) the declared nutrients nitrogen (N), phosphorus (P) or potassium (K), by their chemical symbols in the order N-P-K***;*** | (a) the declared nutrients nitrogen (N), phosphorus (P) or potassium (K), by their chemical symbols in the order N-P-K***. The declared nitrogen content is given by the sum of ammoniacal N, nitric N, ureic N, N from urea formaldehyde, N from isobutylidene diurea, and N from crotonylidene diurea.*** |
|  | ***Phosphorus fertilisers must fulfil the following minimum solubility levels to be plant-available, otherwise they cannot be declared as phosphorus fertilisers:*** |
|  | ***– water solubility: minimum level 40% of total P205,*** |
|  | ***– minimum level 75% of total P205, solubility in neutral ammonium citrate,*** |
|  | ***– solubility in formic acid (only for soft rock phosphate): minimum level 55% of total P205.*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

In order to improve the clarity of the label, it is necessary to specify all the nitrogenous forms of the total nitrogen and the phosphorus solubility value. In particular, in order to optimise the absorption of phosphorus by the plants, which depends only on the soluble fraction from roots, it is necessary to establish the declared solubility level of manure phosphate. Also, phosphate content should be for consistency reasons provided in P2O5 form.

</Amend>

<Amend>Amendment <NumAm>787</NumAm>

<RepeatBlock-By><Members>James Nicholson</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 1 (C)(I) – paragraph 1 – point a</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (a) the declared nutrients nitrogen (N), phosphorus (P) or potassium (K), by their chemical symbols in the order N-P-K***;*** | (a) the declared nutrients nitrogen (N), phosphorus (P) or potassium (K), by their chemical symbols in the order N-P-K***. The declared nitrogen content is given by the sum of ammoniacal N, nitric N, ureic N, N from urea formaldehyde, N from isobutylidene diurea, N from crotonylidene diurea and N from cyanamide.*** |
|  | ***Phosphorus fertilisers must fulfil the following minimum solubility levels to be plant-available, otherwise they cannot be declared as phosphorus fertilisers:*** |
|  | ***– water solubility: minimum level 25% of total P,*** |
|  | ***– solubility in neutral ammonium citrate: minimum level 50% of total P,*** |
|  | ***– solubility in formic acid (only for soft rock phosphate): minimum level 35% of total P.*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

In order to improve the clarity of the label, it is necessary to specify all the nitrogenous forms of the total nitrogen and the phosphorus solubility value. In particular, in order to optimise the absorption of phosphorus by the plants, which depends only on the soluble fraction from roots, it is necessary to establish the declared solubility level of Manure phosphate. Any higher limits for P solubility however, would preclude the adoption and use of recycled P from struvite and P ash sources which have low solubility and thus may be accidentally excluded.

</Amend>

<Amend>Amendment <NumAm>788</NumAm>

<RepeatBlock-By><Members>Sylvie Goddyn, Mireille D'Ornano, Jean-François Jalkh, Edouard Ferrand, Philippe Loiseau</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 1(C)(I) – paragraph 1 – point c</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (c) numbers indicating the total content of the declared nutrients nitrogen (N), phosphorus ***(P)*** or potassium ***(K)***, followed by numbers in brackets indicating the total content of magnesium ***(Mg)***, calcium ***(Ca)***, sulphur ***(S)*** or sodium ***(Na)***; | (c) numbers indicating the total content of the declared nutrients nitrogen (N), phosphorus ***in the form of P2O5*** or potassium ***in the form of******K2O***, followed by numbers in brackets indicating the total content of magnesium ***in the form of MgO***, calcium ***in the form of CaO***, sulphur ***in the form of SO3*** or sodium ***in the form of******Na2O***; |

Or. <Original>{FR}fr</Original>

</Amend>

<Amend>Amendment <NumAm>789</NumAm>

<RepeatBlock-By><Members>Eleonora Evi, Marco Zullo, Piernicola Pedicini</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 1(C)(I) – paragraph 1 – point c</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (c) numbers indicating the ***total*** content of the declared nutrients nitrogen (N), phosphorus (P) or potassium (K), followed by numbers in brackets indicating the total content of magnesium (Mg), calcium (Ca), sulphur (S) or sodium (Na), | (c) numbers indicating the ***average*** content of the declared nutrients nitrogen (N), phosphorus (P) or potassium (K), followed by numbers in brackets indicating the total content of magnesium (Mg), calcium (Ca), sulphur (S) or sodium (Na), |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

For organic fertilisers, it is not always possible to have the full labelling of the exact quantifiable nutrient contents due to the specific character and/or natural origin of the fertiliser.

</Amend>

<Amend>Amendment <NumAm>790</NumAm>

<RepeatBlock-By><Members>Sylvie Goddyn, Mireille D'Ornano, Jean-François Jalkh, Edouard Ferrand, Philippe Loiseau</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 1(C)(I) – paragraph 1 – point c</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (c) numbers indicating the total content of the declared nutrients nitrogen (N), phosphorus ***(P)*** or potassium ***(K)***, followed by numbers in brackets indicating the total content of magnesium ***(Mg)***, calcium ***(Ca)***, sulphur ***(S)*** or sodium ***(Na)***; | (c) numbers indicating the total content of the declared nutrients nitrogen (N), phosphorus ***in the form of P2O5*** or potassium ***in the form of K2O***, followed by numbers in brackets indicating the total content of magnesium ***in the form of MgO***, calcium ***in the form of CaO***, sulphur ***in the form of SO3*** or sodium ***in the form of Na2O***; |

Or. <Original>{FR}fr</Original>

</Amend>

<Amend>Amendment <NumAm>791</NumAm>

<RepeatBlock-By><Members>Eleonora Evi, Marco Zullo, Piernicola Pedicini</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 1(C)(I) – paragraph 1 – point d – indent 4 – indent 1a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***- Form such as powder or pellets*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

Important indicator for farmer to adapt the time and method of fertiliser’s application.

</Amend>

<Amend>Amendment <NumAm>792</NumAm>

<RepeatBlock-By><Members>Sylvie Goddyn, Mireille D'Ornano, Jean-François Jalkh, Edouard Ferrand, Philippe Loiseau</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 1 (C)(I) – paragraph 1 – point c</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (c) numbers indicating the total content of the declared nutrients nitrogen (N), phosphorus ***(P)*** or potassium ***(K)***, followed by numbers in brackets indicating the total content of magnesium ***(Mg)***, calcium ***(Ca)***, sulphur ***(S)*** or sodium ***(Na)***; | (c) numbers indicating the total content of the declared nutrients nitrogen (N), phosphorus ***in the form of P2O5*** or potassium ***in the form of K2O***, followed by numbers in brackets indicating the total content of magnesium ***in the form of MgO***, calcium ***in the form of CaO***, sulphur ***in the form of SO3*** or sodium ***in the form of Na2O***; |

Or. <Original>{FR}fr</Original>

</Amend>

<Amend>Amendment <NumAm>793</NumAm>

<RepeatBlock-By><Members>Eleonora Evi, Marco Zullo, Piernicola Pedicini</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 1(C)(I) – paragraph 1 – point d – indent 4 – indent 1a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***- Form such as powder or pellets*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

Important indicator for farmer to adapt the time and method of fertiliser’s application.

</Amend>

<Amend>Amendment <NumAm>794</NumAm>

<RepeatBlock-By><Members>Eleonora Evi, Marco Zullo, Piernicola Pedicini</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 1(C)(I) – paragraph 1 – point d a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***(da) Raw materials used for production and approximate percentage of ingredients*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

Information on ingredients such as cow manure, chicken manure, guano, feathers, household waste/compost is important for organic farmers as some components are not permitted in organic farming or only permitted in certain conditions.

</Amend>

<Amend>Amendment <NumAm>795</NumAm>

<RepeatBlock-By><Members>Eleonora Evi, Marco Zullo, Piernicola Pedicini</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 1(C)(I) – paragraph 1 – point d b (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***(db) Treatments such as mechanical or thermal*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

Indication if the substance went through thermal treatment (including temperature and length of treatment) and/or mechanical treatment (e.g. grinding). This is because farmers want to be aware of potential phytosanitary risks

</Amend>

<Amend>Amendment <NumAm>796</NumAm>

<RepeatBlock-By><Members>Eleonora Evi, Marco Zullo, Piernicola Pedicini</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 1(C)(I) – paragraph 1 – point d c (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***(dc) pH*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

Fertiliser pH is an important indicator for farmers to adapt their production based on soil type and crops used.

</Amend>

<Amend>Amendment <NumAm>797</NumAm>

<RepeatBlock-By><Members>Eleonora Evi, Marco Zullo, Piernicola Pedicini</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 1(C)(I) – paragraph 1 – point d d (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***(dd) additional substances for formation such as gluing agents*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

Concerning gluing agents, it is imperative for farmers to be informed of all additional substances that fertiliser contains

</Amend>

<Amend>Amendment <NumAm>798</NumAm>

<RepeatBlock-By><Members>Eleonora Evi, Marco Zullo, Piernicola Pedicini</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 1(C)(I) – paragraph 1 – point d e (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***(de) Recommendations for use:*** |
|  | ***storage (temperature, humidity)*** |
|  | ***duration*** |
|  | ***dose for different crop species and their growth stages (kg/ha)*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

These parameters guide farmers in best practices for storage of the fertiliser, time period in which it can be used and suggested dose for different crops and their growth stages.

</Amend>

<Amend>Amendment <NumAm>799</NumAm>

<RepeatBlock-By><Members>Dariusz Rosati, Elżbieta Katarzyna Łukacijewska, Janusz Lewandowski, Jarosław Wałęsa</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 1(C)(I) – paragraph 1 – point e</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***(e) where urea (CH4N2O) is present, information about the possible air quality impacts of the release of ammonia from the fertiliser use, and an invitation to users to apply appropriate remediation measures.*** | ***deleted*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

The provision is too vague. It is not clear what “information about possible air quality impact” is, nor what exactly “appropriate remediation measures” are. Moreover, urea producers already are disadvantaged because of need for CO2 emission allowances that they are unable to set off in urea (no carbon capture for urea). Finally, there are no similar provisions for manure and organic fertilisers.

</Amend>

<Amend>Amendment <NumAm>800</NumAm>

<RepeatBlock-By><Members>Dariusz Rosati, Elżbieta Katarzyna Łukacijewska, Janusz Lewandowski, Jarosław Wałęsa</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 1 (C)(I) – paragraph 1 – point e</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***(e) where urea (CH4N2O) is present, information about the possible air quality impacts of the release of ammonia from the fertiliser use, and an invitation to users to apply appropriate remediation measures.*** | ***deleted*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

The provision is too vague. It is not clear what “information about possible air quality impact” is, nor what exactly “appropriate remediation measures” are. Moreover, urea producers already are disadvantaged because of need for CO2 emission allowances that they are unable to set off in urea (no carbon capture for urea). Finally, there are no similar provisions for manure and organic fertilisers.

</Amend>

<Amend>Amendment <NumAm>801</NumAm>

<RepeatBlock-By><Members>Robert Jarosław Iwaszkiewicz</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 1 (C)(I) – paragraph 1 – point e</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***(e) where urea (CH4N2O) is present, information about the possible air quality impacts of the release of ammonia from the fertiliser use, and an invitation to users to apply appropriate remediation measures.*** | ***deleted*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>802</NumAm>

<RepeatBlock-By><Members>Pavel Poc, Jytte Guteland, Nicola Caputo, Tibor Szanyi, Stefan Eck, Martin Häusling, Elena Gentile, Susanne Melior</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 1(C)(I) – paragraph 1 a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***1a. Fertilising products that contains less than 5ppm of Cadmium, Arsenic, Lead, Chromium VI and Mercury, respectively, shall be eligible to use a visible “Green Label” in their packaging and label. The Commission shall be empowered to adopt delegated acts to adopt the technical standards of such label*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

The European Union should ensure transparency for farmers and consumers and promote the use of greener, non-contaminated products in fertilising practices. In order to foster the usage of non-contaminated products in arable soil, we must increase visibility of those products in the market. The introduction of a “green label” in exceptionally low-contaminants products will facilitate the choice of farmers for these products, ensure their full knowledge on the contents of contaminants in their fertilisers, and ultimately encourage a move towards sustainable farming and safer products in the food chain. The introduction of a green label for those fertilisers with a content of below 5ppm of Cadmium, Arsenic, Lead Chromium VI and Mercury (the most toxic and common contaminants in inorganic and organo-mineral fertilisers” will support the transition towards greener fertilisers in the EU market.

</Amend>

<Amend>Amendment <NumAm>803</NumAm>

<RepeatBlock-By><Members>Eleonora Evi, Marco Zullo, Piernicola Pedicini</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 1(C)(I) – paragraph 1 a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***1a. Where the CE marked fertilising product has a total phosphorus (P) content of 5% phosphorus pentoxide (P205) – equivalent or more by mass (phosphate fertiliser),*** |
|  | ***(a) If the content of Cadmium (Cd) is equal to or higher than 20 mg/kg phosphorus pentoxide (P205), the actual cadmium (Cd) content in mg/kg P205 must be declared in the label.*** |
|  | ***(b) If the content of Cadmium (Cd) is lower than 20 mg/kg phosphorus pentoxide (P205), the information must contain the statements “Contains less than 20 mg Cd/Kg P205”or the phrase “low cadmium content” in the label.*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>804</NumAm>

<RepeatBlock-By><Members>Pavel Poc, Jytte Guteland, Nicola Caputo, Stefan Eck, Elena Gentile, Susanne Melior</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 1(C)(I) – paragraph 1 a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***1a. Where the CE marked fertilising product has a total phosphorus (P) content of 5 % phosphorus pentoxide (P205) equivalent or more by mass (‘phosphate fertiliser’)*** |
|  | ***(a) if the content of cadmium (Cd) is equal to or higher than 20 mg/kg phosphorus pentoxide (P205), the actual cadmium (Cd) content in mg/kg (P205) shall be declared, and*** |
|  | ***(b) the phrase ‘low cadmium content’ or similar, or a logo with that message, may only appear if the content of cadmium (Cd) is lower than 20 mg/kg phosphorus pentoxide (P205).*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

Labelling of the content of Cadmium in phosphate fertilisers is essential to guarantee transparency for farmers, who should have full knowledge of the levels of Cadmium they are using in their crops. By introducing specific labelling obligations, the usage of low-cadmium fertilising products will be fostered among the farmers who want to use less contaminated products.

</Amend>

<Amend>Amendment <NumAm>805</NumAm>

<RepeatBlock-By><Members>Eleonora Evi, Marco Zullo, Piernicola Pedicini</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 1 (C) (I) – paragraph 1 a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***1a. The label shall contain the following phrase: ‘inorganic fertiliser may have the potential to provoke sensitising reactions’.*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>806</NumAm>

<RepeatBlock-By><Members>Eleonora Evi, Marco Zullo, Piernicola Pedicini</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 1 (C) (I) – paragraph 1 b (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***1b. Fertilising products with a total content of Cadmium, Arsenic, Lead, Chromium VI and Mercury less than 5ppm shall be eligible to use a visible “Green Label” in their packaging and label.*** |
|  | ***The Commission shall be empowered to adopt delegated acts to adopt the technical standards of such label.*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

The European Union should ensure transparency for farmers and consumers and promote the use of greener, non-contaminated products in fertilising practices. In order to foster the usage of non-contaminated products in arable soil, we must increase visibility of those products in the market. The introduction of a “green label” in exceptionally low-contaminants products will facilitate the choice of farmers for these products, ensure their full knowledge on the contents of contaminants in their fertilisers, and ultimately encourage a move towards sustainable farming and safer products in the food chain. The introduction of a green label for those fertilisers with a total content below 5ppm of the sum of Cadmium, Arsenic, Lead Chromium VI and Mercury (the most toxic and common contaminants in inorganic and organo-mineralfertilisers” will support the transition towards greener fertilisers in the EU market.

</Amend>

<Amend>Amendment <NumAm>807</NumAm>

<RepeatBlock-By><Members>Eleonora Evi, Marco Zullo, Piernicola Pedicini</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 1 (C) (II) – paragraph 4 a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***4a. The label shall contain the following phrase: ‘inorganic fertiliser may have the potential to provoke sensitising reactions’.*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

Sensitivity reaction evaluations should not be reserved only for microbial plant stimulants but also for all inorganic fertilisers which can have potential allergic effects in the direct contact with skin, eyes or mucosa

</Amend>

<Amend>Amendment <NumAm>808</NumAm>

<RepeatBlock-By><Members>Pilar Ayuso, Esther Herranz García, Francesc Gambús</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 3 – indent 3</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***- Total nitrogen (N) content;*** | ***deleted*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

The only purpose of soil improvers is to ameliorate the physical and chemical soil structure and not to release nutrients. Providing the possibility to declare nutrients content could lead to inappropriate uses of these products.

</Amend>

<Amend>Amendment <NumAm>809</NumAm>

<RepeatBlock-By><Members>Pilar Ayuso, Esther Herranz García, Francesc Gambús</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 3 – indent 4</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***- Total phosphorus pentoxide (P2O5) content;*** | ***deleted*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

The only purpose of soil improvers is to ameliorate the physical and chemical soil structure and not to release nutrients. Providing the possibility to declare nutrients content could lead to inappropriate uses of these products.

</Amend>

<Amend>Amendment <NumAm>810</NumAm>

<RepeatBlock-By><Members>Pilar Ayuso, Esther Herranz García, Francesc Gambús</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 3 – indent 5</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***- Total potassium oxide (K2O) content;*** | ***deleted*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

The only purpose of soil improvers is to ameliorate the physical and chemical soil structure and not to release nutrients. Providing the possibility to declare nutrients content could encourage inappropriate uses of these products.

</Amend>

<Amend>Amendment <NumAm>811</NumAm>

<RepeatBlock-By><Members>Sylvie Goddyn, Mireille D'Ornano, Jean-François Jalkh, Edouard Ferrand, Philippe Loiseau</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 4 – indent 4 a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***-*** ***Type and quantity, by unit of volume, of fertiliser added to the growing medium;*** |

Or. <Original>{FR}fr</Original>

</Amend>

<Amend>Amendment <NumAm>812</NumAm>

<RepeatBlock-By><Members>Sylvie Goddyn, Mireille D'Ornano, Jean-François Jalkh, Edouard Ferrand, Philippe Loiseau</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 4 – indent 5</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***-*** ***Total nitrogen (N);*** | ***deleted*** |

Or. <Original>{FR}fr</Original>

</Amend>

<Amend>Amendment <NumAm>813</NumAm>

<RepeatBlock-By><Members>Sylvie Goddyn, Mireille D'Ornano, Jean-François Jalkh, Edouard Ferrand, Philippe Loiseau</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 4 – indent 6</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***-*** ***Total phosphorus pentoxide (P2O5); and*** | ***deleted*** |

Or. <Original>{FR}fr</Original>

</Amend>

<Amend>Amendment <NumAm>814</NumAm>

<RepeatBlock-By><Members>Sylvie Goddyn, Mireille D'Ornano, Jean-François Jalkh, Edouard Ferrand, Philippe Loiseau</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 4 – indent 7</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***-*** ***Total potassium oxide (K2O).*** | ***deleted*** |

Or. <Original>{FR}fr</Original>

</Amend>

<Amend>Amendment <NumAm>815</NumAm>

<RepeatBlock-By><Members>Sylvie Goddyn, Mireille D'Ornano, Jean-François Jalkh, Edouard Ferrand, Philippe Loiseau</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 6 – point b</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (b) manufacturing and ***expiry date***; | (b) manufacturing and ***‘best before’ dates***; |

Or. <Original>{FR}fr</Original>

</Amend>

<Amend>Amendment <NumAm>816</NumAm>

<RepeatBlock-By><Members>Sylvie Goddyn, Mireille D'Ornano, Jean-François Jalkh, Edouard Ferrand, Philippe Loiseau</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 6 – point f</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (f) effect claimed for ***each*** target plant; | (f) effect claimed for target plant; |

Or. <Original>{FR}fr</Original>

</Amend><Amend>Amendment <NumAm>817</NumAm>

<RepeatBlock-By><Members>Fredrick Federley, Anneli Jäätteenmäki, Gerben-Jan Gerbrandy, Frédérique Ries, Hannu Takkula</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 2 – PFC 6 (A) – subparagraph 1 a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***The shelf life of the microbial plant biostimulant shall be specified on the label.*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

The Commission’s proposal to make it mandatory for the shelf life of the microbial plant biostimulant to be six month would risk excluding well-functioning products with a shorter shelf life. The duration of a product’s shelf life is not important to regulate here as long as the consumer if the relevant products is duly informed. Therefore a labelling requirement should be put in place instead.

</Amend>

<Amend>Amendment <NumAm>818</NumAm>

<RepeatBlock-By><Members>Pilar Ayuso, Esther Herranz García, Francesc Gambús</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 3 – PFC 1(A) – table</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | |
|  | **Permissible tolerance for the declared nutrient content and other declared parameter** |
| Organic carbon (C) | ***± 20 %*** relative deviation of the declared value up to a maximum of 2,0 percentage point in absolute terms |
| Dry matter content | ± 5,0 percentage point in absolute terms |
| Total nitrogen (N) | ***± 50 %*** relative deviation of the declared value up to a maximum of 1,0 percentage point in absolute terms |
| Organic nitrogen (N) | ***± 50 %*** relative deviation of the declared value up to a maximum of 1,0 percentage point in absolute terms |
| Total phosphorus pentoxide (P2O5) | ***± 50 %*** relative deviation of the declared value up to a maximum of 1,0 percentage point in absolute terms |
| Total potassium oxide (K2O) | ***± 50 %*** relative deviation of the declared value up to a maximum of 1,0 percentage point in absolute terms |
| Total and water-soluble magnesium oxide, calcium oxide, sulphur trioxide or sodium oxide | ± 25% of the declared content of those nutrients up to a maximum of 1,5 percentage points in absolute terms. |
| Total copper (Cu) | ± 50 % relative deviation of the declared value up to a maximum of 2,5 percentage points in absolute terms |
| Total zinc (Zn) | ± 50 % relative deviation of the declared value up to a maximum of 2,0 percentage points in absolute terms |
| Quantity | - 5 % relative deviation of the declared value |
|  | |
| Amendment | |
|  | **Permissible tolerance for the declared nutrient content and other declared parameter** |
| Organic carbon (C) | ***± 15 %*** relative deviation of the declared value up to a maximum of 2,0 percentage point in absolute terms |
| Dry matter content | ± 5,0 percentage point in absolute terms |
| Total nitrogen (N) | ***± 15 %*** relative deviation of the declared value up to a maximum of 1,0 percentage point in absolute terms |
| Organic nitrogen (N) | ***± 15 %*** relative deviation of the declared value up to a maximum of 1,0 percentage point in absolute terms |
| Total phosphorus pentoxide (P2O5) | ***± 15 %*** relative deviation of the declared value up to a maximum of 1,0 percentage point in absolute terms |
| Total potassium oxide (K2O) | ***± 15 %*** relative deviation of the declared value up to a maximum of 1,0 percentage point in absolute terms |
| Total and water-soluble magnesium oxide, calcium oxide, sulphur trioxide or sodium oxide | ± 25% of the declared content of those nutrients up to a maximum of 1,5 percentage points in absolute terms. |
| Total copper (Cu) | ± 50 % relative deviation of the declared value up to a maximum of 2,5 percentage points in absolute terms |
| Total zinc (Zn) | ± 50 % relative deviation of the declared value up to a maximum of 2,0 percentage points in absolute terms |
| Quantity | - 5 % relative deviation of the declared value |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

</Amend>

<Amend>Amendment <NumAm>819</NumAm>

<RepeatBlock-By><Members>James Nicholson, Jadwiga Wiśniewska, Bolesław G. Piecha, Urszula Krupa, Zbigniew Kuźmiuk, Beata Gosiewska, Kosma Złotowski, Edward Czesak, Czesław Hoc</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 3 – PFC 1(B) – table</Article>

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | | | | | | | | |
| Text proposed by the Commission | | | | | | | | |
| Permissible tolerance for the declared content of forms of inorganic macronutrient | | | | | | |
| N | P2O5 | K2O | MgO | CaO | SO3 | Na2O |
| ± 25% of the declared content of the nutrient forms present up to a maximum of 2 percentage point in absolute terms | | | ***± 25%*** of the declared content of those nutrients up to a maximum of ***1,5*** percentage points in absolute terms. | | | ± 25% of the declared content up to a maximum of 0,9 percentage points in absolute terms |
|  | | | | | | | | |
| Amendment | | | | | | | | |
| Permissible tolerance for the declared content of forms of inorganic macronutrient | | | | | | |
| N | P2O5 | K2O | MgO | CaO | SO3 | Na2O |
| ± 25% of the declared content of the nutrient forms present up to a maximum of 2 percentage point in absolute terms ***for each nutrient separately and for the sum of nutrients*** | | | ***- 50% and +100%*** of the declared content of those nutrients up to a maximum of ***-2 and +4*** percentage points in absolute terms. | | | ± 25% of the declared content up to a maximum of 0,9 percentage points in absolute terms |
| ***The above tolerance values apply also for the N-forms and for the solubilities.*** | | | | | | |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

Tolerances need to be modified in order to provide quality products for farmers and not to create problems on the market. For the primary nutrients it should be clarified that there is a cumulative limit (not 2 % for each). The ± 5 % relative deviation on the declared value for quantity is too high from a farmers’ perspective, while the proposed tolerance (± 10 %) for granulometry is too strict from a manufacturers’ perspective as the measurement is very dependent on sampling.

</Amend>

<Amend>Amendment <NumAm>820</NumAm>

<RepeatBlock-By><Members>Pilar Ayuso, Esther Herranz García, Francesc Gambús</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 3 – PFC 1(B) – table</Article>

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | | | | | | | | |
| Text proposed by the Commission | | | | | | | | |
| Permissible tolerance for the declared content of forms of inorganic macronutrient | | | | | | |
| N | P2O5 | K2O | MgO | CaO | SO3 | Na2O |
| ± 25% of the declared content of the nutrient forms present up to a maximum of 2 percentage point in absolute terms | | | ± 25% of the declared content of those nutrients up to a maximum of 1,5 percentage points in absolute terms. | | | ± 25% of the declared content up to a maximum of 0,9 percentage points in absolute terms |
|  | | | | | | | | |
| Amendment | | | | | | | | |
| Permissible tolerance for the declared content of forms of inorganic macronutrient | | | | | | |
| N | P2O5 | K2O | MgO | CaO | SO3 | Na2O |
| ± 25% of the declared content of the nutrient forms present up to a maximum of 2 percentage point in absolute terms | | | ± 25% of the declared content of those nutrients up to a maximum of 1,5 percentage points in absolute terms. | | | ± 25% of the declared content up to a maximum of 0,9 percentage points in absolute terms |
| ***P2O5 tolerances refer to phosphorus pentoxide (P2O5) soluble in neutral ammonium citrate and water.*** | | |  | | |  |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

Phosphorus pentoxide soluble in ammonium citrate and in water is the available fraction for the plants.

</Amend>

<Amend>Amendment <NumAm>821</NumAm>

<RepeatBlock-By><Members>Pilar Ayuso, Esther Herranz García, Francesc Gambús</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 3 – PFC 1(B) – paragraph 1</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| Organic carbon: ***± 20 %*** relative deviation of the declared value up to a maximum of 2,0 percentage point in absolute terms | Organic carbon: ***± 15 %*** relative deviation of the declared value up to a maximum of 2,0 percentage point in absolute terms |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

The Commission’s proposal does not guarantee the complete efficiency of products which would be sold to farmers. Nevertheless a reasonable flexibility is needed to take in account the production processes.

</Amend>

<Amend>Amendment <NumAm>822</NumAm>

<RepeatBlock-By><Members>Pilar Ayuso, Esther Herranz García, Francesc Gambús</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 3 – PFC 1(B) – paragraph 2</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| Organic nitrogen: ***± 50 %*** relative deviation of the declared value up to a maximum of 1,0 percentage point in absolute terms | Organic nitrogen: ***± 15 %*** relative deviation of the declared value up to a maximum of 1,0 percentage point in absolute terms |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

The Commission’s proposal does not guarantee the complete efficiency of products which would be sold to farmers. Nevertheless a reasonable flexibility is needed to take in account the production processes.

</Amend>

<Amend>Amendment <NumAm>823</NumAm>

<RepeatBlock-By><Members>James Nicholson, Jadwiga Wiśniewska, Bolesław G. Piecha, Urszula Krupa, Zbigniew Kuźmiuk, Beata Gosiewska, Kosma Złotowski, Edward Czesak, Czesław Hoc</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 3 – PFC 1(C) (I) – table</Article>

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | | | | | | | | |
| Text proposed by the Commission | | | | | | | | |
| Permissible tolerance for the declared content of forms of macronutrient | | | | | | |
| N | P2O5 | K2O | MgO | CaO | SO3 | Na2O |
| ± 25% of the declared content of the nutrient forms present up to a maximum of 2 percentage point in absolute terms | | | ***± 25%*** of the declared content of those nutrients up to a maximum of ***1,5*** percentage points in absolute terms. | | | ± 25% of the declared content up to a maximum of 0,9 percentage points in absolute terms |
|  | | | | | | | | |
| Amendment | | | | | | | | |
| Permissible tolerance for the declared content of forms of macronutrient | | | | | | |
| N | P2O5 | K2O | MgO | CaO | SO3 | Na2O |
| ± 25% of the declared content of the nutrient forms present up to a maximum of 2 percentage point in absolute terms ***for each nutrient separately and for the sum of nutrients*** | | | ***-50% and +100%*** of the declared content of those nutrients up to a maximum of ***-2 and +4*** percentage points in absolute terms. | | | ± 25% of the declared content up to a maximum of 0,9 percentage points in absolute terms |
| ***The above tolerance values apply also for the N-forms and for the solubilities.*** | | | | | | |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

Tolerances need to be modified in order to provide quality products for farmers and not to create problems on the market. For the primary nutrients it should be clarified that there is a cumulative limit (not 2 % for each). The ± 5 % relative deviation on the declared value for quantity is too high from a farmers’ perspective, while the proposed tolerance (± 10 %) for granulometry is too strict from a manufacturers’ perspective as the measurement is very dependent on sampling.

</Amend>

<Amend>Amendment <NumAm>824</NumAm>

<RepeatBlock-By><Members>Pilar Ayuso, Esther Herranz García, Francesc Gambús</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 3 – PFC 1(C) (I) – table</Article>

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | | | | | | | | |
| Text proposed by the Commission | | | | | | | | |
| Permissible tolerance for the declared content of forms of macronutrient | | | | | | |
| N | P2O5 | K2O | MgO | CaO | SO3 | Na2O |
| ± 25% of the declared content of the nutrient forms present up to a maximum of 2 percentage point in absolute terms | | | ± 25% of the declared content of those nutrients up to a maximum of 1,5 percentage points in absolute terms. | | | ± 25% of the declared content up to a maximum of 0,9 percentage points in absolute terms |
|  | | | | | | | | |
| Amendment | | | | | | | | |
| Permissible tolerance for the declared content of forms of macronutrient | | | | | | |
| N | P2O5 | K2O | MgO | CaO | SO3 | Na2O |
| ± 25% of the declared content of the nutrient forms present up to a maximum of 2 percentage point in absolute terms | | | ± 25% of the declared content of those nutrients up to a maximum of 1,5 percentage points in absolute terms. | | | ± 25% of the declared content up to a maximum of 0,9 percentage points in absolute terms |
| ***P2O5 tolerances refer to phosphorus pentoxide (P2O5) soluble in neutral ammonium citrate and water.*** | | |  | | |  |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

Phosphorus pentoxide soluble in ammonium citrate and in water is the available fraction for the plants.

</Amend>

<Amend>Amendment <NumAm>825</NumAm>

<RepeatBlock-By><Members>Nicola Caputo</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 3 – PFC 1(C) (I) – table</Article>

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | | | | | | | | |
| Text proposed by the Commission | | | | | | | | |
| Permissible tolerance for the declared content of forms of macronutrient | | | | | | |
| N | P2O5 | K2O | MgO | CaO | SO3 | Na2O |
| ± 25% of the declared content of the nutrient forms present up to a maximum of 2 percentage point in absolute terms | | | ***± 25%*** of the declared content of those nutrients up to a maximum of ***1,5*** percentage points in absolute terms. | | | ± 25% of the declared content up to a maximum of 0,9 percentage points in absolute terms |
|  | | | | | | | | |
| Amendment | | | | | | | | |
| Permissible tolerance for the declared content of forms of macronutrient | | | | | | |
| N | P2O5 | K2O | MgO | CaO | SO3 | Na2O |
| ± 25% of the declared content of the nutrient forms present up to a maximum of 2 percentage point in absolute terms ***for each nutrient separately and for the sum of nutrients*** | | | ***-50% and +100%*** of the declared content of those nutrients up to a maximum of ***2 and +4*** percentage points in absolute terms. | | | ± 25% of the declared content up to a maximum of 0,9 percentage points in absolute terms |
| ***The above tolerance values apply also for the N-forms and for the solubilities.*** | | | | | | |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

Tolerances need to be modified in order not to create problems on the market. For the primary nutrients it should be clarified that there is a cumulative limit (not 2 % for each). According to the proposal when producing an NPK, a +/- 6% variation of the total nutrient content is possible. This variation is a too big variation for users/buyers and for the industry in order to compete on a level-playing field. For the secondary nutrients higher tolerances are needed since in many cases they are added as fillers (50% relative negative tolerance and 100% relative positive tolerance). Flexibility is needed for the production process.

</Amend>

<Amend>Amendment <NumAm>826</NumAm>

<RepeatBlock-By><Members>Pilar Ayuso, Esther Herranz García, Francesc Gambús</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 3 – PFC 1(C) (I) – paragraph 1</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| Granulometry: ***± 10 %*** relative deviation applicable to the declared percentage of material passing a specific sieve | Granulometry: ***± 20 %*** relative deviation applicable to the declared percentage of material passing a specific sieve |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

More flexibility is needed due to production processes.

</Amend>

<Amend>Amendment <NumAm>827</NumAm>

<RepeatBlock-By><Members>James Nicholson, Jadwiga Wiśniewska, Bolesław G. Piecha, Urszula Krupa, Zbigniew Kuźmiuk, Beata Gosiewska, Kosma Złotowski, Edward Czesak, Czesław Hoc</Members></RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 3 – PFC 1(C) (I) – paragraph 1</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| Granulometry: ***± 10 %*** relative deviation applicable to the declared percentage of material passing a specific sieve | Granulometry: ***± 20 %*** relative deviation applicable to the declared percentage of material passing a specific sieve |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

The ± 5 % relative deviation on the declared value for quantity is too high from a farmers’ perspective, while the proposed tolerance (± 10 %) for granulometry is too strict from a manufacturers’ perspective as the measurement is very dependent on sampling.

</Amend>

<Amend>Amendment <NumAm>828</NumAm>

<RepeatBlock-By><Members>Nicola Caputo</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 3 – PFC 1(C) (I) – paragraph 1</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| Granulometry: ***± 10 %*** relative deviation applicable to the declared percentage of material passing a specific sieve | Granulometry: ***± 20 %*** relative deviation applicable to the declared percentage of material passing a specific sieve |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

The proposed tolerance (± 10 %) for granulometry is too strict as the measurement is very dependent on sampling.

</Amend>

<Amend>Amendment <NumAm>829</NumAm>

<RepeatBlock-By><Members>Nicola Caputo</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 3 – PFC 1(C) (I) – paragraph 2</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| Quantity***: ± 5 %*** relative deviation of the declared value | Quantity: ***± 3 %*** relative deviation of the declared value |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

The ± 5 % relative deviation on the declared value for quantity is too high.

</Amend>

<Amend>Amendment <NumAm>830</NumAm>

<RepeatBlock-By><Members>James Nicholson, Jadwiga Wiśniewska, Bolesław G. Piecha, Urszula Krupa, Zbigniew Kuźmiuk, Beata Gosiewska, Kosma Złotowski, Edward Czesak, Czesław Hoc</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex III – part 3 – PFC 1(C) (I) – paragraph 2</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| Quantity***: ± 5 %*** relative deviation of the declared value | Quantity: ***± 3 %*** relative deviation of the declared value |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

The ± 5 % relative deviation on the declared value for quantity is too high from a farmers’ perspective, while the proposed tolerance (± 10 %) for granulometry is too strict from a manufacturers’ perspective as the measurement is very dependent on sampling.

</Amend>

<Amend>Amendment <NumAm>831</NumAm>

<RepeatBlock-By><Members>Julie Girling, Anthea McIntyre</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex IV – part 1 – paragraph 1 – subparagraph 1 – point b</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (b) energy crop digestates as specified in CMC 4, | (b) energy crop digestates ***and plant-based bio-waste*** as specified in CMC 4, |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

As it is proposed for CMC 4 and CMC 6, internal production controls should be applied to agro-food waste digestates (Annex IV, Module A). This amendment aligns provisions with the changes introduced under Annex II.

</Amend>

<Amend>Amendment <NumAm>832</NumAm>

<RepeatBlock-By><Members>Annie Schreijer-Pierik, Anthea McIntyre, Julie Girling</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex IV – part 1 – paragraph 1 – subparagraph 1 – point f a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***(fa) Non-processed or mechanically processed plants, plant parts or plant extracts as specified in CMC 2*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>833</NumAm>

<RepeatBlock-By><Members>James Nicholson, Jadwiga Wiśniewska, Bolesław G. Piecha, Urszula Krupa, Zbigniew Kuźmiuk, Beata Gosiewska, Kosma Złotowski, Edward Czesak, Czesław Hoc</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex IV – part 2 – Module A – paragraph 2.2 – point b</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***(b) conceptual design and manufacturing drawings and schemes,*** | ***deleted*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

The requirement could put the intellectual property rights at risk. There is no need to provide these elements.

</Amend>

<Amend>Amendment <NumAm>834</NumAm>

<RepeatBlock-By><Members>Robert Jarosław Iwaszkiewicz</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex IV – part 2 – Module A – paragraph 2.2 – point b</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***(b) conceptual design and manufacturing drawings and schemes,*** | ***deleted*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>835</NumAm>

<RepeatBlock-By><Members>Dariusz Rosati</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex IV – part 2 – Module A – paragraph 2.2 – point b</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***(b) conceptual design and manufacturing drawings and schemes,*** | ***deleted*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

This provision endangers confidential intellectual property of fertiliser producers. There is no reason why conceptual designs and manufacturing drawings and schemes should be provided.

</Amend>

<Amend>Amendment <NumAm>836</NumAm>

<RepeatBlock-By><Members>Robert Jarosław Iwaszkiewicz</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex IV – part 2 – Module A – paragraph 2.2 – point c</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***(c) descriptions and explanations necessary for the understanding of those drawings and schemes and the use of the CE marked fertilising product,*** | ***deleted*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

Intellectual property of producers

</Amend>

<Amend>Amendment <NumAm>837</NumAm>

<RepeatBlock-By><Members>James Nicholson, Jadwiga Wiśniewska, Bolesław G. Piecha, Urszula Krupa, Zbigniew Kuźmiuk, Beata Gosiewska, Kosma Złotowski, Edward Czesak, Czesław Hoc</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex IV – part 2 – Module A – paragraph 2.2 – point c</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***(c) descriptions and explanations necessary for the understanding of those drawings and schemes and the use of the CE marked fertilising product,*** | ***deleted*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

The requirement could put the intellectual property rights at risk. There is no need to provide these elements.

</Amend>

<Amend>Amendment <NumAm>838</NumAm>

<RepeatBlock-By><Members>Dariusz Rosati, Elżbieta Katarzyna Łukacijewska, Jarosław Wałęsa, Janusz Lewandowski</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex IV – part 2 – Module A – paragraph 2.2 – point c</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| ***(c) descriptions and explanations necessary for the understanding of those drawings and schemes and the use of the CE marked fertilising product,*** | ***deleted*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

This provision endangers confidential intellectual property of fertiliser producers.

</Amend>

<Amend>Amendment <NumAm>839</NumAm>

<RepeatBlock-By><Members>Annie Schreijer-Pierik, Anthea McIntyre, Julie Girling</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex IV – part 2 – Module A – paragraph 4.2</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| 4.2. The manufacturer shall draw up a written EU declaration of conformity for each CE marked fertilising product lot and keep it together with the technical documentation at the disposal of the national authorities for 10 years after the CE marked fertilising product has been placed on the market. The EU declaration of conformity shall identify the CE marked fertilising product for which it has been drawn up. | 4.2. The manufacturer shall draw up a written EU declaration of conformity for each CE marked fertilising product lot and keep it together with the technical documentation at the disposal of the national authorities for 10 years after the CE marked fertilising product has been placed on the market. The EU declaration of conformity shall identify the CE marked fertilising product for which it has been drawn up. |
|  | ***The definition of “lot” under this Regulation has to be clarified. If “lot” is defined as “lot/batch” as defined by CEN standards, the Product Function Categories PFC 3 and PFC 4 shall be exempted from point 4.2.*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

A growing media manufacturer might produce thousands of “lots/batches” as defined by CEN standards. We would therefore like to have the definition for “lot” clarified under this Regulation. If it relates to the same as a CEN definition, this would provide a high bureaucratic burden for an industry, which is mainly composed of SMEs.

</Amend>

<Amend>Amendment <NumAm>840</NumAm>

<RepeatBlock-By><Members>Pilar Ayuso, Esther Herranz García, Francesc Gambús</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex IV – part 2 – Module A – paragraph 4.2</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| 4.2. The manufacturer shall draw up a written EU declaration of conformity for each CE marked fertilising product lot and keep it together with the technical documentation at the disposal of the national authorities for ***10*** years after the CE marked fertilising product has been placed on the market. The EU declaration of conformity shall identify the CE marked fertilising product for which it has been drawn up. | 4.2. The manufacturer shall draw up a written EU declaration of conformity for each CE marked fertilising product lot and keep it together with the technical documentation at the disposal of the national authorities for ***5*** years after the CE marked fertilising product has been placed on the market. The EU declaration of conformity shall identify the CE marked fertilising product for which it has been drawn up. |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

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.

</Amend>

<Amend>Amendment <NumAm>841</NumAm>

<RepeatBlock-By><Members>Dariusz Rosati, Elżbieta Katarzyna Łukacijewska, Jarosław Wałęsa, Janusz Lewandowski</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex IV – part 2 – Module A 1 – paragraph 4 – introductory part</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| The cycles and test referred to under Headings 4.1-4.3 below shall be carried out on a representative sample of the product at least every ***3*** months on behalf of the manufacturer, in order to verify conformity with | The cycles and test referred to under Headings 4.1-4.3 below shall be carried out on a representative sample of the product at least ***at least*** every ***six*** months ***in the case of continuous operation of the plant or every year for the periodic production*** on behalf of the manufacturer, in order to verify conformity with |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

Proposed frequency of tests is too high and it will make it impossible for plants producing continuously or even periodically, e.g. one moth per year. For both: periodic and continuous plants six months is better.

</Amend>

<Amend>Amendment <NumAm>842</NumAm>

<RepeatBlock-By><Members>Robert Jarosław Iwaszkiewicz</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex IV – part 2 – Module A 1 – paragraph 4 – introductory part</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| The cycles and test referred to under Headings 4.1-4.3 below shall be carried out on a representative sample of the product at least every ***3*** months on behalf of the manufacturer, in order to verify conformity with | The cycles and test referred to under Headings 4.1-4.3 below shall be carried out on a representative sample of the product at least every ***6*** months on behalf of the manufacturer, in order to verify conformity with |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>843</NumAm>

<RepeatBlock-By><Members>James Nicholson, Jadwiga Wiśniewska, Bolesław G. Piecha, Urszula Krupa, Zbigniew Kuźmiuk, Beata Gosiewska, Kosma Złotowski, Edward Czesak, Czesław Hoc</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex IV – part 2 – Module A 1 – paragraph 4 – introductory part</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| The cycles and test referred to under Headings 4.1-4.3 below shall be carried out on a representative sample of the product at least every ***3*** months on behalf of the manufacturer, in order to verify conformity with | The cycles and test referred to under Headings 4.1-4.3 below shall be carried out on a representative sample of the product at least every ***6*** months on behalf of the manufacturer, in order to verify conformity with |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>844</NumAm>

<RepeatBlock-By><Members>Pilar Ayuso, Esther Herranz García, Francesc Gambús</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex IV – part 2 – Module B – paragraph 3.2 – point c – indent 6</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| - test reports, and | - test reports, ***including studies on agronomic efficiency,*** and |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

The agronomic efficacy of new products should be guaranteed. Products of Regulation 2003/2003 have already demonstrated their agronomic efficacy.

</Amend>

<Amend>Amendment <NumAm>845</NumAm>

<RepeatBlock-By><Members>James Nicholson</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex IV – part 2 – Module B – paragraph 3.2a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***3.2a. Test and study results submitted to Notified bodies in the course of the conformity assessment procedures foreseen in this regulation should be protected across the entire territory of the European Union for a period of 15 years starting from the date that the Notified body issues an EU-type examination certificate to the manufacturer. Product composition, manufacturing processes, and other supporting evidence should be considered trade secrets and subject to confidentiality by Notified Bodies, except where information sharing among Notified Bodies or with authorities is necessary to ensure health and safety protection and market surveillance. Use by third parties of protected data to support the conformity assessment of other fertilising products is only possible with the explicit permission of the data owner following fair compensation. The re-use of data submitted under other regulatory frameworks is possible subject to the data protection and data licensing provisions in the regulatory framework of origin.*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

Data protection is an important incentive for research and innovation.

</Amend>

<Amend>Amendment <NumAm>846</NumAm>

<RepeatBlock-By><Members>James Nicholson</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex IV – part 2 – Module B – paragraph 4 – point a – point 1 a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***(1a) verify data ownership for the test reports, supporting evidence and other data mentioned in para (3.2)(e) of this module and whether the same report has already benefitted from data protection for another fertilising product. A common list of study reports, data ownership and any data protection granted should be established for this purpose and be available to all notified bodies.*** |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>847</NumAm>

<RepeatBlock-By><Members>Pilar Ayuso, Esther Herranz García, Francesc Gambús</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex IV – part 2 – Module B – paragraph 9</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| 9. The manufacturer shall keep a copy of the EU-type examination certificate, its annexes and additions together with the technical documentation at the disposal of the national authorities for ***10*** years after the CE marked fertilising product has been placed on the market. | 9. The manufacturer shall keep a copy of the EU-type examination certificate, its annexes and additions together with the technical documentation at the disposal of the national authorities for ***5*** years after the CE marked fertilising product has been placed on the market. |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

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

</Amend>

<Amend>Amendment <NumAm>848</NumAm>

<RepeatBlock-By><Members>Pilar Ayuso, Esther Herranz García, Francesc Gambús</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex IV – part 2 – Module C – paragraph 3.2</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| 3.2 The manufacturer shall draw up a written EU declaration of conformity for a CE marked fertilising product lot and keep it at the disposal of the national authorities for ***10*** years after the CE marked fertilising product has been placed on the market. The EU declaration of conformity shall identify the CE marked fertilising product lot for which it has been drawn up. | 3.2 The manufacturer shall draw up a written EU declaration of conformity for a CE marked fertilising product lot and keep it at the disposal of the national authorities for ***5*** years after the CE marked fertilising product has been placed on the market. The EU declaration of conformity shall identify the CE marked fertilising product lot for which it has been drawn up. |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

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

</Amend>

<Amend>Amendment <NumAm>849</NumAm>

<RepeatBlock-By><Members>Annie Schreijer-Pierik, Anthea McIntyre, Julie Girling</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex IV – part 2 – Module D 1 – paragraph 2 – point b</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| (b) ***conceptual design and manufacturing drawings and schemes, including a written description and a diagram*** of the production process, ***where each treatment, storage vessel and area is clearly identified,*** | (b) ***a written production report and a flow chart*** of the production process, |

Or. <Original>{EN}en</Original>

</Amend>

<Amend>Amendment <NumAm>850</NumAm>

<RepeatBlock-By><Members>Pilar Ayuso, Esther Herranz García, Francesc Gambús</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex IV – part 2 – Module D 1 – paragraph 3</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| 3. The manufacturer shall keep the technical documentation at the disposal of the relevant national authorities for ***10*** years after the CE marked fertilising product has been placed on the market. | 3. The manufacturer shall keep the technical documentation at the disposal of the relevant national authorities for ***5*** years after the CE marked fertilising product has been placed on the market. |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

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

</Amend>

<Amend>Amendment <NumAm>851</NumAm>

<RepeatBlock-By><Members>Pilar Ayuso, Esther Herranz García, Francesc Gambús</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex IV – part 2 – Module D 1 – paragraph 7.2.1</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| 7.2.1 The manufacturer shall draw up a written EU declaration of conformity for each CE marked fertilising product lot and keep it at the disposal of the national authorities for ***10*** years after the CE marked fertilising product has been placed on the market. The EU declaration of conformity shall identify the product lot for which it has been drawn up. | 7.2.1 The manufacturer shall draw up a written EU declaration of conformity for each CE marked fertilising product lot and keep it at the disposal of the national authorities for ***5*** years after the CE marked fertilising product has been placed on the market. The EU declaration of conformity shall identify the product lot for which it has been drawn up. |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

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

</Amend>

<Amend>Amendment <NumAm>852</NumAm>

<RepeatBlock-By><Members>Pilar Ayuso, Esther Herranz García, Francesc Gambús</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex IV – part 2 – Module D 1 – paragraph 8</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
| 8. The manufacturer shall, for a period ending at least ***10*** years after the product has been placed on the market, keep at the disposal of the national authorities: | 8. The manufacturer shall, for a period ending at least ***5*** years after the product has been placed on the market, keep at the disposal of the national authorities: |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

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

</Amend>

<Amend>Amendment <NumAm>853</NumAm>

<RepeatBlock-By><Members>Jarosław Wałęsa, Bolesław G. Piecha</Members>

</RepeatBlock-By>

<DocAmend>Proposal for a regulation</DocAmend>

<Article>Annex V a (new)</Article>

|  |  |
| --- | --- |
|  | |
| Text proposed by the Commission | Amendment |
|  | ***WTO Compatible Limit of Cadmium infertilisers*** |
|  | ***Any producer of fertilising products that is able to prove - to the satisfaction of the competent authority - that the average Cd level in its CE marked fertilising product placed on the market is not higher than 80 mg/1 kg P205 will be deemed to satisfy – with respect to its fertilising products - the requirement of Article 4(1)(a) of the Regulation with respect to any of its EC-marked fertilising products as the limit of cadmium in, PFC 1(C)(I) 2(a) is concerned.*** |
|  | ***For EU producers, the competent authority is the relevant authority in the Member State where it is established.*** |
|  | ***For non-EU producers, the competent authority is the Commission.*** |

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

Given the lack of clear scientific basis for the specific limit of cadmium in Annex I and its probable WTO incompatibility, it is important to create a WTO- compatible route for imposing a cadmium limit in Annex VI. According to the Smolders & Six 2013 study, as verified by SCHER in 2015, an average cadmium level infertilisers of less than 80 mg Cd in 1 kg P2O5 would lead to decrease of soil Cd concentration. It therefore shows that an average Cd content of 80 mg does not contribute to cadmium increase. As, according to the Commission, all other aspects of cadmium contamination of food (plant uptake and food contamination) are too complex to study, the Smolders/SCHER study is the only scientific document potentially giving scientific backing to the specific Cd limits infertilisers in the Regulation.

</Amend></RepeatBlock-Amend>