



2016/0084(COD)

24.3.2017

AMENDMENTS

339 - 515

Draft opinion

Jan Huitema

(PE599.577v01-00)

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

Proposal for a regulation

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

AM_Com_LegOpinion

Amendment 339
Herbert Dorfmann, Paolo De Castro

Proposal for a regulation
Annex II – part 1 – subheading 4 – CMC 4

Text proposed by the Commission

CMC 4: *Energy crop digestate*

Amendment

CMC 4: *Digestate from agriculture and livestock*

Or. en

Amendment 340
Herbert Dorfmann, Paolo De Castro

Proposal for a regulation
Annex II – part 1 – subheading 5 – CMC 5

Text proposed by the Commission

CMC 5: Other digestate than *energy crop digestate*

Amendment

CMC 5: Other digestate than *digestate from agriculture and livestock*

Or. en

Amendment 341
Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation
Annex II – part 1 – subheading 6 – CMC 6

Text proposed by the Commission

CMC 6: Food industry by-products

Amendment

CMC 6: Food industry *plant* by-products

Or. fr

Amendment 342
Annie Schreijer-Pierik

Proposal for a regulation
Annex II – part 1 – subheading 11 a (new)

Text proposed by the Commission

Amendment

CMC 11a (new): Other industry by-products

Or. en

Amendment 343
Angélique Delahaye, Michel Dantin

Proposal for a regulation
Annex II – part 2 – CMC 1 – point 1 – point b

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. fr

Justification

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.

Amendment 344
Annie Schreijer-Pierik

Proposal for a regulation
Annex II – part 2 – CMC 1 – point 1 – point b

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***

Or. en

Amendment 345

Annie Schreijer-Pierik

Proposal for a regulation

Annex II – part 2 – CMC 1 – point 1 – point c

Text proposed by the Commission

(c) materials formerly having constituted one of the materials mentioned in one of points a-b,

Amendment

(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. en

Amendment 346

Norbert Erdős, György Hölvényi

Proposal for a regulation

Annex II – part 2 – CMC 1 – point 1 – point e

Text proposed by the Commission

(e) polymers, or

Amendment

(e) polymers ***with the exception of those used in growing media not in contact with the soil,*** or

Or. en

Justification

The proposal should foresee an explicit possibility for growing media which do not come into contact with the soil to use polymers as binders. These polymers do not present a risk for animal health, human health, plant health or the environment.

Amendment 347

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation

Annex II – part 2 – CMC 1 – point 2 – paragraph 1 – introductory part

Text proposed by the Commission

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

Amendment

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. fr

Amendment 348

Angélique Delahaye, Michel Dantin

Proposal for a regulation

Annex II – part 2 – CMC 1 – point 2 – paragraph 1 – introductory part

Text proposed by the Commission

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***

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, ***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. fr

Justification

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

Amendment 349
Angélique Delahaye, Michel Dantin

Proposal for a regulation
Annex II – part 2 – CMC 1 – point 2 – paragraph 1 – point a

Text proposed by the Commission

Amendment

*(a) the information provided for by
Annex VI, VII and VIII of Regulation
(EC) No 1907/2006, and* *deleted*

Or. fr

Justification

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

Amendment 350
Angélique Delahaye, Michel Dantin

Proposal for a regulation
Annex II – part 2 – CMC 1 – point 2 – paragraph 1 – point b

Text proposed by the Commission

Amendment

*(b) a chemical safety report pursuant
to Article 14 of Regulation (EC) No
1907/2006 covering the use as fertilising
product,* *deleted*

Or. fr

Justification

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

Amendment 351
Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation
Annex II – part 2 – CMC 1 – point 2 – paragraph 2

Text proposed by the Commission

Amendment

unless explicitly covered by one of the registration obligation exemptions provided for by Annex IV to that Regulation or by points 6, 7, 8, or 9 of Annex V to that Regulation.

deleted

Or. fr

Amendment 352

Angélique Delahaye, Michel Dantin

Proposal for a regulation

Annex II – part 2 – CMC 1 – point 2 – paragraph 2

Text proposed by the Commission

Amendment

unless explicitly covered by one of the registration obligation exemptions provided for by Annex IV to that Regulation or by points 6, 7, 8, or 9 of Annex V to that Regulation.

deleted

Or. fr

Justification

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

Amendment 353

Franč Bogovič, Mairead McGuinness

Proposal for a regulation

Annex II – part 2 – CMC 2 – point 1

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-

1. A CE marked fertilising product may contain plants, plant parts or plant extracts having undergone ***only physical, mechanical or biochemical*** processing ***such as*** cutting, grinding, centrifugation, pressing, drying, freeze-drying,

drying or extraction with water.

granulating, chopping, extrusion, frost-treatment, phytosanitary heat treatment, milling, or sieving, nutrient balancing or extraction with water.

Or. en

Justification

Many common plant based growing media materials undergo additional processes such as buffering of coir pith or heat treatment of wood for phytosanitary reasons. These products therefore are not included under here.

Amendment 354

Czesław Adam Siekierski, Zbigniew Kuźmiuk, Jarosław Kalinowski, Beata Gosiewska

Proposal for a regulation

Annex II – part 2 – CMC 2 – point 1

Text proposed by the Commission

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.

Amendment

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, centrifugation*, pressing, drying, freeze-drying, *buffering, extrusion, frost-treatment, sanitation by using heat*, or extraction with water.

Or. en

Justification

This provision should be made more comprehensive because the range of vegetal extracts and relative extraction processes, that have been used for many years and/or have been patented, is wider. However, the proposal should not allow hazardous processes such as radiation.

Amendment 355

Daniel Buda, Viorica Dăncilă

Proposal for a regulation

Annex II – part 2 – CMC 2 – point 1

Text proposed by the Commission

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.

Amendment

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, centrifugation**, pressing, drying, freeze-drying, **buffering, extrusion, frost-treatment, sanitation by using heat**, or extraction with water.

Or. en

Justification

This provision should be made more comprehensive because the range of vegetal extracts and relative extraction processes, that have been used for many years and/or have been patented, is wider. However, the proposal should not allow hazardous processes such as radiation.

Amendment 356

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation

Annex II – part 2 – CMC 2 – point 1

Text proposed by the Commission

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.

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, **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. fr

Amendment 357

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation
Annex II – part 2 – CMC 2 – point 1 a (new)

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. fr

Amendment 358
Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation
Annex II – part 2 – CMC 2 – point 2

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. fr

Amendment 359
Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation
Annex II – part 2 – CMC 2 – point 2 a (new)

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. fr

Amendment 360

Jan Huitema

Proposal for a regulation

Annex II – part 2 – CMC 3 – point 1 – introductory part

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. en

Amendment 361

Eric Andrieu, Jean-Paul Denanot, Marc Tarabella

Proposal for a regulation

Annex II – part 2 – CMC 3 – point 1 – point b

Text proposed by the Commission

Amendment

(b) Animal by-products of categories 2 and 3 according to Regulation (EC) No 1069/2009;

(b) Products derived from animal by-products referred to in Article 32 of Regulation (EC) No 1069/2009 for which the end point in the manufacturing chain has been reached in accordance with the third paragraph of Article 5, sub-paragraph

Justification

The formulation proposed by the Commission does not guarantee that composts from animal by-products in categories 2 and 3 obtained in the free environment, by derogation from Regulation 1069/2009, will be considered to be fertilising materials and growth media and therefore in conformity with the future regulation. Composts must be considered to be fertilising materials and growth media on the basis of both a control system and a validated method enabling rising temperatures to be controlled and hygiene criteria to be verified so that these products can be put back in the ground.

Amendment 362

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

Proposal for a regulation

Annex II – part 2 – CMC 3 – point 1 – point c – introductory part

Text proposed by the Commission

(c) Living or dead organisms or parts thereof, which are unprocessed or processed only by manual, mechanical or gravitational means, by dissolution in water, by flotation, by extraction with water, ***by steam distillation or by heating solely to remove water, or which are extracted from air by any means,*** except

Amendment

(c) Living or dead organisms or parts thereof, which are unprocessed or processed only by manual, mechanical or gravitational means, by dissolution in water, by flotation, by extraction with water, except

Justification

Compost is not a sterile growth medium. It is not only a source of nutrients but also an inoculum of living organisms that will colonise the medium they are introduced to (e.g. degraded soil) and kick-start nutrient cycling via living processes. Therefore sterilising compost by heating it or steam treating it destroys any beneficial inoculation function it would have served.

Amendment 363

Bronis Ropé

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex II – part 2 – CMC 3 – point 1 – point c – introductory part

Text proposed by the Commission

(c) Living or dead organisms or parts thereof, which are unprocessed or processed only by manual, mechanical or gravitational means, by dissolution in water, by flotation, by extraction with water, ***by steam distillation or by heating solely to remove water, or which are extracted from air by any means,*** except

Amendment

(c) Living or dead organisms or parts thereof, which are unprocessed or processed only by manual, mechanical or gravitational means, by dissolution in water, by flotation, by extraction with water, except

Or. en

Justification

Compost is not a sterile growth medium. It is not only a source of nutrients but also an inoculum of living organisms that will colonise the medium they are introduced to (e.g. degraded soil) and kick-start nutrient cycling via living processes. Therefore sterilising compost by heating it or steam treating it destroys any beneficial inoculation function it would have served. To avoid that people understand "compost" as sterile growth medium, the terminology should be revised. But as such, the intention of the draft legislation is not clear.

Amendment 364

Jean-Paul Denanot, Eric Andrieu, Marc Tarabella

Proposal for a regulation

Annex II – part 2 – CMC 3 – point 1 – point c – indent 2

Text proposed by the Commission

– sewage sludge, industrial sludge or dredging sludge, and

Amendment

– sewage sludge, industrial sludge ***(except food waste not fit for consumption, feed and plantations used for agrofuels)*** or dredging sludge, and

Or. fr

Justification

Sludge obtained from food, feed and agrofuels can be used for anaerobic digestion. This should be distinguished from industrial sludge.

Amendment 365

Tom Vandenkendelaere, Annie Schreijer-Pierik

Proposal for a regulation

Annex II – part 2 – CMC 3 – point 1 – point c – indent 2

Text proposed by the Commission

– sewage sludge, industrial sludge or dredging sludge, and

Amendment

– sewage sludge, industrial sludge ***(except sludge from food, feed and agrofuels processing plants not containing pollutants)***, or dredging sludge, and

Or. en

Amendment 366

Franc Bogovič

Proposal for a regulation

Annex II – part 2 – CMC 3 – point 1 – point c – indent 2

Text proposed by the Commission

– sewage sludge, industrial sludge or dredging sludge, and

Amendment

– sewage sludge, industrial sludge ***other than those specified in point (ea)*** or dredging sludge, and

Or. en

Justification

At present CMC 3 and CMC 5 exclude “industrial sludges” from inputs. It is not clearly defined what is an “industrial sludge”. Many sludges from the agro-food industry (e.g. from fruit processing, dairy / cheese production ...) are a completely clean organic materials and appropriate, safe inputs to compost and digestate processes.

Amendment 367

Angélique Delahaye, Michel Dantin

Proposal for a regulation

Annex II – part 2 – CMC 3 – point 1 – point d – paragraph 1 – indent 1

Text proposed by the Commission

– the additive is registered pursuant to Regulation (EC) No 1907/2006⁴⁰, in ***a dossier containing***

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.

Amendment

– 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.

Or. fr

Justification

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

Amendment 368

Angélique Delahaye, Michel Dantin

Proposal for a regulation

Annex II – part 2 – CMC 3 – point 1 – point d – paragraph 1 – indent 2

Text proposed by the Commission

– ***the information provided for by Annex VI, VII and VIII of Regulation (EC) No 1907/2006, and***

Amendment

deleted

Or. fr

Justification

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

Amendment 369

Angélique Delahaye, Michel Dantin

Proposal for a regulation

Annex II – part 2 – CMC 3 – point 1 – point d – paragraph 1 – indent 3

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. fr

Justification

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

Amendment 370

Angélique Delahaye, Michel Dantin

Proposal for a regulation

Annex II – part 2 – CMC 3 – point 1 – point d – paragraph 2

Text proposed by the Commission

Amendment

unless explicitly covered by one of the registration obligation exemptions provided for by Annex IV to that Regulation or by points 6, 7, 8, or 9 of Annex V to that Regulation, and *deleted*
– *the total concentration of all additives does not exceed 5 % of the total input material weight; or*

Or. fr

Justification

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

Amendment 371

Franc Bogovič

Proposal for a regulation

Annex II – part 2 – CMC 3 – point 1 – point e a (new)

Text proposed by the Commission

Amendment

(ea) Unprocessed and mechanically processed residues from food production industries, except from industries using animal by-products according to Regulation (EC) no 1069/2009.

Or. en

Justification

At present CMC 3 and CMC 5 exclude “industrial sludges” from inputs. It is not clearly defined what is an “industrial sludge”. Many sludges from the agro-food industry (e.g. from fruit processing, dairy / cheese production ...) are a completely clean organic materials and appropriate, safe inputs to compost and digestate processes.

Amendment 372

Tom Vandenkendelaere, Annie Schreijer-Pierik

Proposal for a regulation

Annex II – part 2 – CMC 3 – point 1 – point e a (new)

Text proposed by the Commission

Amendment

(ea) Materials conform to CMC 2, CMC 3, CMC 4, CMC 5, CMC 6 and CMC 11.

Or. en

Amendment 373

Franc Bogovič

Proposal for a regulation

Annex II – part 2 – CMC 3 – point 6 – point a – indent 2

Text proposed by the Commission

- Criterion: maximum **25** mmol
O₂/kg organic matter/h; or

Amendment

- Criterion: maximum **50** mmol
O₂/kg organic matter/h; or

Or. en

Justification

It is not clear why the value is different here than for CMC 5, so the proposal is to align the values at 50.

Amendment 374

Herbert Dorfmann, Paolo De Castro

Proposal for a regulation

Annex II – part 2 – CMC 4 – title

Text proposed by the Commission

CMC 4: *Energy crop digestate*

Amendment

CMC 4: *Digestate from agriculture and livestock*

Or. en

Amendment 375

Angélique Delahaye, Michel Dantin

Proposal for a regulation

Annex II – part 2 – CMC 4 – point 1 – point b – paragraph 1 – indent 1

Text proposed by the Commission

– the additive is registered pursuant to Regulation (EC) No 1907/2006⁴³, in *a dossier containing*

Amendment

– 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. fr

Justification

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

Amendment 376

Angélique Delahaye, Michel Dantin

Proposal for a regulation

Annex II – part 2 – CMC 4 – point 1 – point b – paragraph 1 – indent 2

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. fr

Justification

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

Amendment 377

Angélique Delahaye, Michel Dantin

Proposal for a regulation

Annex II – part 2 – CMC 4 – point 1 – point b – paragraph 1 – indent 3

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. fr

Justification

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

Amendment 378

Angélique Delahaye, Michel Dantin

Proposal for a regulation

Annex II – part 2 – CMC 4 – point 1 – point b – paragraph 2

Text proposed by the Commission

Amendment

unless explicitly covered by one of the registration obligation exemptions provided for by Annex IV to that Regulation or by points 6, 7, 8, or 9 of Annex V to that Regulation, and *deleted*
– *the total concentration of all additives does not exceed 5 % of the total input material weight; or*

Or. fr

Justification

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

Amendment 379

Tom Vandenkendelaere, Annie Schreijer-Pierik

Proposal for a regulation

Annex II – part 2 – CMC 4 – point 3 – point b

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 and implementing Regulation No 1069/2009 Annex V Chapter 1, section 1, point 1**;

Or. en

Amendment 380

Tom Vandenkendelaere, Annie Schreijer-Pierik

Proposal for a regulation

Annex II – part 2 – CMC 4 – point 3 – point d

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 and implementing Regulation No 1069/2009 Annex V Chapter 1, section 1, point 1**; or

Or. en

Amendment 381

Herbert Dorfmann, Paolo De Castro

Proposal for a regulation

Annex II – part 2 – CMC 5 – title

Text proposed by the Commission

Amendment

CMC 5: Other digestate than **energy crop digestate**

CMC 5: Other digestate than **digestate from agriculture and livestock**

Or. en

Amendment 382
Peter Jahr, Albert Deß

Proposal for a regulation
Annex II – part 2 – CMC 5 – point 1 – point b

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 fertilizer;***

Or. en

Amendment 383
Franc Bogovič

Proposal for a regulation
Annex II – part 2 – CMC 5 – point 1 – point c – indent 2

Text proposed by the Commission

Amendment

– sewage sludge, industrial sludge or dredging sludge,

– sewage sludge, industrial sludge ***other than those specified in point (e a)*** or dredging sludge, ***and***

Or. en

Justification

At present CMC3 and CMC5 exclude “industrial sludges” from inputs. It is not clearly defined what is an “industrial sludge”. Many sludges from the agro-food industry (e.g. from fruit processing, dairy / cheese production ...) are a completely clean organic materials and appropriate, safe inputs to compost and digestate processes.

Amendment 384
Angélique Delahaye, Michel Dantin

Proposal for a regulation
Annex II – part 2 – CMC 5 – point 1 – point d – paragraph 1 – indent 1

Text proposed by the Commission

Amendment

– the additive is registered pursuant

– the additive is registered pursuant

to Regulation (EC) No 1907/2006⁴⁴, in *a dossier containing*

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. fr

Justification

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

Amendment 385

Angélique Delahaye, Michel Dantin

Proposal for a regulation

Annex II – part 2 – CMC 5 – point 1 – point d – paragraph 1 – indent 2

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. fr

Justification

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

Amendment 386
Angélique Delahaye, Michel Dantin

Proposal for a regulation
Annex II – part 2 – CMC 5 – point 1 – point d – paragraph 1 – indent 3

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. fr

Justification

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

Amendment 387
Angélique Delahaye

Proposal for a regulation
Annex II – part 2 – CMC 5 – point 1 – point d – paragraph 2

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*
– *the total concentration of all additives does not exceed 5 % of the total input material weight; or*

Or. fr

Justification

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

Amendment 388

Franč Bogovič

Proposal for a regulation

Annex II – part 2 – CMC 5 – point 1 – point e a (new)

Text proposed by the Commission

Amendment

(ea) Unprocessed and mechanically processed residues from food production industries, except from industries using animal by-products according to Regulation (EC) no 1069/2009.

Or. en

Justification

At present CMC3 and CMC5 exclude “industrial sludges” from inputs. It is not clearly defined what is an “industrial sludge”. Many sludges from the agro-food industry (e.g. from fruit processing, dairy / cheese production ...) are a completely clean organic materials and appropriate, safe inputs to compost and digestate processes.

Amendment 389

Tom Vandenkendelaere, Annie Schreijer-Pierik

Proposal for a regulation

Annex II – part 2 – CMC 5 – point 1 – point e a (new)

Text proposed by the Commission

Amendment

(ea) Materials conform to CMC2, CMC3, CMC4, CMC5, CMC6 and CMC11.

Or. en

Amendment 390

Franč Bogovič, Mairead McGuinness

Proposal for a regulation

Annex II – part 2 – CMC 5 – point 3 – point a

Text proposed by the Commission

Amendment

(a) Thermophilic anaerobic digestion at 55°C during at least 24h and a hydraulic retention time of at least 20 days;

(a) Thermophilic anaerobic digestion at 55°C during at least 24h and a hydraulic retention time of at least 20 days, ***followed by an analysis to verify that the digestion process successfully destroyed the pathogens;***

Or. en

Justification

At this low temperature for such a short digestion period, it is possible for some pathogens to survive and to subsequently multiply during the retention period. It is critical to verify the absence of pathogens at the end of the retention period.

Amendment 391

Tom Vandenkendelaere, Annie Schreijer-Pierik

Proposal for a regulation

Annex II – part 2 – CMC 5 – point 3 – point b

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 and implementing Regulation No 1069/2009 Annex V Chapter 1, section 1, point 1;***

Or. en

Amendment 392

Tom Vandenkendelaere, Annie Schreijer-Pierik

Proposal for a regulation

Annex II – part 2 – CMC 5 – point 3 – point d

Text proposed by the Commission

Amendment

(d) Mesophilic anaerobic digestion at 37-40°C with a treatment process including

(d) Mesophilic anaerobic digestion at 37-40°C with a treatment process including

a pasteurisation step (**70°C – 1h**); or

a pasteurisation step *as defined in Commission Regulation No 142/2011 and implementing Regulation No 1069/2009 Annex V Chapter 1, section 1, point 1*; or

Or. en

Amendment 393

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation

Annex II – part 2 – CMC 6 – title

Text proposed by the Commission

Amendment

CMC 6: Food industry by-products

CMC 6: Food industry **plant** by-products

Or. fr

Amendment 394

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation

Annex II – part 2 – CMC 6 – point 1 – point c

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. fr

Amendment 395

Clara Eugenia Aguilera García, Sergio Gutiérrez Prieto

Proposal for a regulation

Annex II – part 2 – CMC 6 – point 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) **olive pomace, i.e. a viscous by-product of olive milling obtained by**

treating the wet pomace with organic solvents in two (2-phase pomace) or three phases (3-phase pomace).

Or. es

Justification

A definition of olive pomace should be included, since no definition is given in any of the previous paragraphs, and bearing in mind that the organic solvents are almost entirely eliminated from the final product.

Amendment 396

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation

Annex II – part 2 – CMC 6 – point 1 – point c a (new)

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. fr

Amendment 397

Herbert Dorfmann, Paolo De Castro

Proposal for a regulation

Annex II – part 2 – CMC 6 – point 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) any other material or substance that has been approved for incorporation in food or animal feed.

Or. en

Amendment 398

Angélique Delahaye

Proposal for a regulation

Annex II – part 2 – CMC 6 – point 2 – paragraph 1 – introductory part

Text proposed by the Commission

The substance shall have been registered pursuant to Regulation (EC) No 1907/2006⁴⁷, in ***a dossier containing***

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.

Amendment

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 thereto.***

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. fr

Justification

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

Amendment 399

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation

Annex II – part 2 – CMC 6 – point 2 – paragraph 1 – introductory part

Text proposed by the Commission

The substance shall have been registered pursuant to Regulation (EC) No 1907/2006⁴⁷, ***in a dossier containing***

Amendment

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. fr

Amendment 400

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation

Annex II – part 2 – CMC 6 – point 2 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) the information provided for by Annex VI, VII and VIII of Regulation (EC) No 1907/2006, and

deleted

Or. fr

Amendment 401

Angélique Delahaye

Proposal for a regulation

Annex II – part 2 – CMC 6 – point 2 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) the information provided for by Annex VI, VII and VIII of Regulation (EC) No 1907/2006, and

deleted

Or. fr

Justification

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

Amendment 402

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation

Annex II – part 2 – CMC 6 – point 2 – paragraph 1 – point b

Text proposed by the Commission

Amendment

*(b) a chemical safety report pursuant
to Article 14 of Regulation (EC) No
1907/2006 covering the use as fertilising
product,* *deleted*

Or. fr

Amendment 403

Angélique Delahaye

Proposal for a regulation

Annex II – part 2 – CMC 6 – point 2 – paragraph 1 – point b

Text proposed by the Commission

Amendment

*(b) a chemical safety report pursuant
to Article 14 of Regulation (EC) No
1907/2006 covering the use as fertilising
product,* *deleted*

Or. fr

Justification

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

Amendment 404

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation

Annex II – part 2 – CMC 6 – point 2 – paragraph 2

Text proposed by the Commission

Amendment

unless explicitly covered by one of the registration obligation exemptions provided for by Annex IV to that Regulation or by points 6, 7, 8, or 9 of Annex V to that Regulation.

deleted

Or. fr

Amendment 405
Angélique Delahaye

Proposal for a regulation
Annex II – part 2 – CMC 6 – point 2 – paragraph 2

Text proposed by the Commission

Amendment

unless explicitly covered by one of the registration obligation exemptions provided for by Annex IV to that Regulation or by points 6, 7, 8, or 9 of Annex V to that Regulation.

deleted

Or. fr

Justification

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

Amendment 406
Herbert Dorfmann, Paolo De Castro

Proposal for a regulation
Annex II – part 2 – CMC 7 – paragraph 1 – introductory part

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*

Micro-organisms, including dead or empty-cell micro-organisms and non-harmful residual elements of the media on which they were produced *may be presumed to be safe for incorporation into a CE-marked fertilizing product if they fall into*

one of the following three cases:

Or. en

Amendment 407

Bronis Ropé

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex II – part 2 – CMC 7 – paragraph 1 – indent 1

Text proposed by the Commission

Amendment

– have undergone no other processing
than drying or freeze-drying **and**

– have undergone no other processing
than drying or freeze-drying **or**
fermentation

Or. en

Justification

Processes other than drying or freeze-drying are used but not included in the current wording.

Amendment 408

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

Proposal for a regulation

Annex II – part 2 – CMC 7 – paragraph 1 – indent 1

Text proposed by the Commission

Amendment

– have undergone no other processing
than drying **or** freeze-drying **and**

– have undergone no other processing
than drying, freeze-drying **or fermentation**

Or. en

Amendment 409

Herbert Dorfmann, Paolo De Castro

Proposal for a regulation

Annex II – part 2 – CMC 7 – paragraph 1 – indent 1

Text proposed by the Commission

Amendment

– *have undergone no other processing than drying or freeze-drying and*

– *(a) are one of the following micro-organisms:*

- *Azotobacter spp.*
- *Mycorrhizal fungi*
- *Rhizobia*
- *Azospirillum spp.*

Or. en

Amendment 410

Bronis Ropè

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex II – part 2 – CMC 7 – paragraph 1 – indent 2

Text proposed by the Commission

Amendment

– *are listed in the table below:*

deleted

Azotobacter spp.

Mycorrhizal fungi

Rhizobium spp.

Azospirillum spp.

Or. en

Justification

Many other species and their microbial consortia that are used and of interest to farmers are already recognised on the national level.

Amendment 411

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

Proposal for a regulation

Annex II – part 2 – CMC 7 – paragraph 1 – indent 2

Text proposed by the Commission

Amendment

– *are listed in the table below:*

deleted

Azotobacter spp.

Mycorrhizal fungi

Rhizobium spp.

Azospirillum spp.

Or. en

Amendment 412

Herbert Dorfmann, Paolo De Castro

Proposal for a regulation

Annex II – part 2 – CMC 7 – paragraph 1 – indent 2

Text proposed by the Commission

Amendment

– *are listed in the table below:*

– *(b) subject to appropriate data protection and data licensing requirements, any micro-organism (or consortium of micro-organisms) that is allowed for any of the following uses:*

Azotobacter spp.

– *incorporation into a 'foodstuff' as defined in Article 2 of Regulation (EC) No 178/2002 or is allowed to be used in the processing of any such foodstuff, including cultures that are considered to be 'traditional food ingredients' within the meaning of Regulation (EC) No 178/2002 of the European Parliament and of the Council;*

Mycorrhizal fungi

– *use as a feed additive as indicated by inclusion in the European Union Register of Feed Additives pursuant to Regulation (EC) 1831/2003;*

Rhizobium spp.

– *use as a plant protection active ingredient under Regulation (EC) No 1107/2009 or as a biocide under Regulation (EU) No 528/20121a.*

Azospirillum spp.

(c) any micro-organism (or consortium of microorganisms) that has been evaluated as being safe for use as a

biostimulant using relevant common specifications or harmonised standards adopted in accordance with Regulation (EU) No 1025/20121b that detail acceptable thresholds and analytical methods for safety criteria including those outlined in Article 42 of this Regulation.

Or. en

Amendment 413

Zbigniew Kuźmiuk, Czesław Adam Siekierski, Jarosław Kalinowski

Proposal for a regulation

Annex II – part 2 – CMC 7 – paragraph 1 – indent 2

Text proposed by the Commission

– are listed in the table below:

Amendment

– are listed in the table below:

Azotobacter spp.

Mycorrhizal fungi

Rhizobium spp.

Azospirillum spp.

Enterobacter spp.

Pantoea spp.

Peanibacillus spp.

Pseudomonas spp.

Rhizobium spp.

Serratia spp.

Streptomyces spp.

Or. pl

Amendment 414

Beata Gosiewska

Proposal for a regulation

Annex II – part 2 – CMC 7 – paragraph 1 – indent 2

Text proposed by the Commission

— are listed in the table below:

Amendment

— are listed in the table below:

Azotobacter spp.

Mycorrhizal fungi

Rhizobium spp.

Azospirillum spp.

Bacillus spp.

Enterobacter spp.

Pantoea spp.

Peanibacillus spp.

Pseudomonas spp.

Rhizobium spp.

Serratia spp.

Streptomyces spp.

Or. pl

Amendment 415

Daniel Buda, Viorica Dăncilă

Proposal for a regulation

Annex II – part 2 – CMC 8 – point 3

Text proposed by the Commission

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).

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⁺) **or ammonium (NH₄⁺)** and urea (CH₄N₂O).

Or. en

Justification

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

Amendment 416

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

Proposal for a regulation

Annex II – part 2 – CMC 10 – point 1 – point b a (new)

Text proposed by the Commission

Amendment

or

(ba) improving the soil as a biodegradable mulch film, complying with the requirements of points 2a and 3 of CMC10.

Or. en

Amendment 417

Franc Bogovič

Proposal for a regulation

Annex II – part 2 – CMC 10 – point 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) being converted into mulch film, which complies with the requirements of points 2a and 3 of CMC10.

Or. en

Justification

In order to soundly establish a sub-category within the PCF for mulch films that are made from biodegradable polymers, this amendment intends to align the PCF referring to mulch films with the relevant CMC and by this defining the purpose of the mulch films. Under the CMC biodegradability criterion for other polymers than nutrient polymers are already present.

Amendment 418

Anthea McIntyre, Annie Schreijer-Pierik, Julie Girling

Proposal for a regulation

Annex II – part 2 – CMC 10 – point 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) improving the stability of the CE marked fertilizing products.

Or. en

Amendment 419

Annie Schreijer-Pierik

Proposal for a regulation

Annex II – part 2 – CMC 10 – point 2 – introductory part

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:*

Or. en

Amendment 420

Franco Bogovič, Angélique Delahaye, Michel Dantin

Proposal for a regulation

Annex II – part 2 – CMC 10 – point 2 – introductory part

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],

2. As of [Publications office, please insert the date occurring *five* years after the date of application of this Regulation], the

the following *crit***erion** 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.*

following *requirements* shall be *introduced*:

Or. en

Justification

In order to soundly establish a sub-category within the PCF for mulch films that are made from biodegradable polymers, this amendment intends to align the PFC for mulch films to the relevant CMC and, by this, to define the purpose of the mulch films. Under the CMC biodegradability criterion, other polymers than nutrient polymers are already present.

Amendment 421

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

Proposal for a regulation

Annex II – part 2 – CMC 10 – point 2 – introductory part

Text proposed by the Commission

2. As of [Publications office, please insert the date occurring three years after the date of application of this Regulation], the following *crit***erion** 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.*

Amendment

2. As of [Publications office, please insert the date occurring three years after the date of application of this Regulation], the following *requirements* shall be *introduced*:

Or. en

Amendment 422

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation

Annex II – part 2 – CMC 10 – point 2 – introductory part

Text proposed by the Commission

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*.

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 *from the end of the functionality period indicated in accordance with Annex III, Part I, paragraph 2 point (ca)*.

Or. fr

Amendment 423

Bronis Ropé

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex II – part 2 – CMC 10 – point 2 – introductory part

Text proposed by the Commission

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.

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 **12** months, in a biodegradability test as specified points (a)-(c) below, *that shall also be carried*

out under realistic in-vivo conditions that take into consideration differential rates of decomposition under anaerobic conditions, in aquatic habitats or under water, in waterlogged conditions or in frozen soil.

Or. en

Amendment 424

Anthea McIntyre, Annie Schreijer-Pierik, Julie Girling

Proposal for a regulation

Annex II – part 2 – CMC 10 – point 2 – introductory part

Text proposed by the Commission

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.

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, ***as applied in form and amount in the fertilizing product***, 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.

Or. en

Amendment 425

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation

Annex II – part 2 – CMC 10 – point 2 – point a

Text proposed by the Commission

(a) The test shall be conducted at 25°C ± 2°C.

Amendment

deleted

Amendment 426

Annie Schreijer-Pierik

Proposal for a regulation

Annex II – part 2 – CMC 10 – point 2 – point a

Text proposed by the Commission

(a) *The test shall be conducted at $25^{\circ}\text{C} \pm 2^{\circ}\text{C}$.*

Amendment

(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*

Or. en

Amendment 427

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

Proposal for a regulation

Annex II – part 2 – CMC 10 – point 2 – point a

Text proposed by the Commission

(a) *The test shall be conducted at $25^{\circ}\text{C} \pm 2^{\circ}\text{C}$.*

Amendment

(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*

Or. en

Amendment 428

Franco Bogovič, Angélique Delahaye, Michel Dantin

Proposal for a regulation

Annex II – part 2 – CMC 10 – point 2 – point a

Text proposed by the Commission

Amendment

(a) *The test shall be conducted at 25°C ± 2°C.*

(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*

Or. en

Amendment 429

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation

Annex II – part 2 – CMC 10 – point 2 – point b

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. fr

Amendment 430

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

Proposal for a regulation

Annex II – part 2 – CMC 10 – point 2 – point b

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.*

(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.*

Amendment 431

Annie Schreijer-Pierik

Proposal for a regulation

Annex II – part 2 – CMC 10 – point 2 – point b

Text proposed by the Commission

(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.*

Amendment

(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. en

Amendment 432

Franc Bogovič, Angélique Delahaye, Michel Dantin, Mairead McGuinness

Proposal for a regulation

Annex II – part 2 – CMC 10 – point 2 – point b

Text proposed by the Commission

(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.*

Amendment

(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. en

Amendment 433

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation

Annex II – part 2 – CMC 10 – point 2 – point c

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. fr

Amendment 434

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

Proposal for a regulation

Annex II – part 2 – CMC 10 – point 2 – point c

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. en

Amendment 435

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation

Annex II – part 2 – CMC 10 – point 2 – point d

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. fr

Amendment 436

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

Proposal for a regulation

Annex II – part 2 – CMC 10 – point 2 – point d

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. en

Amendment 437

Bronis Ropé

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex II – part 2 – CMC 10 – point 2 – point d a (new)

Text proposed by the Commission

Amendment

(da) Tests shall also be carried out under in-vivo conditions that reflect the reality and range of degradation rates in the field and in sink habitats

Or. en

Justification

Such plastics will be widely dispersed not only throughout soils but also in sink habits including wetlands/aquatic habitats, where controlled laboratory conditions are not respected. Importantly degradation will be slower under some conditions e.g. anaerobic conditions under water / in waterlogged soil, if the soil is frozen for large parts of the year, or under drought conditions, all of which are seen in the field. Longer degradation time means more chance to disperse, e.g. to oceans.

Amendment 438

Franz Bogovič, Mairead McGuinness

Proposal for a regulation

Annex II – part 2 – CMC 10 – point 2 a (new)

Text proposed by the Commission

Amendment

2a. The biodegradable mulch film shall comply with the following criterion: The polymer shall be capable of undergoing physical, biological decomposition, such that it ultimately decomposes into carbon dioxide (CO₂), biomass and water. At least 90%, absolute or relative to the reference material, shall be converted into CO₂, in maximum 24 months in a biodegradability test according to European standards for biodegradation of polymers in soil.

Or. en

Justification

In order to establish a sub-category within the PFC for mulch films that are made from biodegradable polymers, this amendment intends to align the PFC for mulch films to the relevant CMC. The CMC biodegradability criterion needs to be formulated in such a way that biodegradability specifications are taken into account and the introduction of innovative fertilizing products is not hampered. Fertilising products can have different functionalities and varying life-spans. The progress of biodegradability in a certain timespan needs to be based on European standards for each product.

Amendment 439

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

Proposal for a regulation

Annex II – part 2 – CMC 10 – point 2 a (new)

Text proposed by the Commission

Amendment

2a. The biodegradable mulch film shall comply with the following criterion: The polymer shall be capable of undergoing physical, biological decomposition, such that it ultimately decomposes into carbon dioxide (CO₂),

biomass and water. At least 90%, absolute or relative to the reference material, shall be converted into CO₂, in maximum 24 months in a biodegradability test according to European standards for biodegradation of polymers in soil.

Or. en

Amendment 440

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation

Annex II – part 2 – CMC 10 – point 3 – point c – introductory part

Text proposed by the Commission

(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

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 **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. fr

Amendment 441

Bronis Ropé

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex II – part 2 – CMC 10 – point 3 a (new)

Text proposed by the Commission

Amendment

3a. As the product is intended to be added to soil and released in to the environment, these criteria shall apply to all materials in the product.

Or. en

Amendment 442
Annie Schreijer-Pierik

Proposal for a regulation
Annex II – part 2 – CMC 11 a (new)

Text proposed by the Commission

Amendment

**CMC 11a (new): OTHER INDUSTRY
BY-PRODUCTS**

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^{1a} :

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

Or. en

Amendment 443
Peter Jahr, Albert Deß

Proposal for a regulation
Annex III – part 1 – point 2 – point e

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. en

Amendment 444
Bronis Ropè

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex III – part 1 – point 2 – point e

Text proposed by the Commission

(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.

Amendment

(e) A description of all components 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. en

Justification

Failure to fully label quantities under 5% may have a significant effect on the total characteristics of the mixture, and may add hazardous, unpermitted or inactive components, e.g. industrial waste. Organic farmers are only allowed to use organic fertiliser components and products which are 100% in line with Regulation 834/2007, so they need to know exactly what additional components there are and how much. If the farmers are controlled after using such products containing non-permitted substances, they may be prevented from selling their products as organic or de-certified.

Amendment 445

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

Proposal for a regulation

Annex III – part 1 – point 2 – point e

Text proposed by the Commission

(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.

Amendment

(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. en

Justification

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.

Amendment 446

Jean-Paul Denanot, Marc Tarabella, Eric Andrieu

Proposal for a regulation

Annex III – part 1 – point 2 – point e

Text proposed by the Commission

(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.

Amendment

(e) A description of all product ***components*** 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. fr

Amendment 447

Marc Tarabella

Proposal for a regulation

Annex III – part 1 – point 2 – point e a (new)

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. fr

Amendment 448

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation

Annex III – part 1 – point 5

Text proposed by the Commission

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.

Amendment

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. fr

Amendment 449

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

Proposal for a regulation

Annex III – part 1 – point 7 a (new)

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 be specified on the label as "not allowed in organic farming with regard to Regulation (EC) No 834/2007."

Or. en

Amendment 450

Bronis Ropé

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex III – part 1 – point 7 a (new)

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 be specified on the label as "not allowed in organic farming with regard to Regulation (EC) No 834/2007."

Or. en

Justification

Such labelling requirements are necessary, given the repeated incidence of organic farmers being penalised due to misleading terms such as 'bio' or 'eco', 'eko' in the commercial names of fertiliser products that are not allowed in organic farming.

Amendment 451

Luke Ming Flanagan

on behalf of the GUE/NGL Group

Proposal for a regulation

Annex III – part 1 – point 7 a (new)

Text proposed by the Commission

Amendment

7a. Where the CE marked fertilizing 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 be specified on the label as "not allowed in organic farming with regard to Regulation (EC) No 834/2007."

Or. en

Amendment 452
Franc Bogovič

Proposal for a regulation
Annex III – part 1 – point 7 a (new)

Text proposed by the Commission

Amendment

7a. No product can make claims related to another PFC without meeting the full requirements of that additional PFC, nor are any direct or implied claims of plant protection effects allowed.

Or. en

Justification

This addition will strengthen the boundary with the plant protection regulation and will also strengthen the boundaries between PFCs, which will help prevent circumvention of any of the requirements of this regulation or Regulation (EC) 1107/2009.

Amendment 453
Daniel Buda

Proposal for a regulation
Annex III – part 2 – PFC 1 – point 2 – point b

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. en

Justification

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

Amendment 454

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

Proposal for a regulation

Annex III – part 2 – PFC 1(A) – paragraph 1 – point c

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. en

Justification

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.

Amendment 455

Bronis Ropé

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex III – part 2 – PFC 1(A) – paragraph 1 – point c

Text proposed by the Commission

(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),

Amendment

(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. en

Justification

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 - quantities/concentrations are naturally variable in living systems.

Amendment 456

Jean-Paul Denanot, Marc Tarabella, Eric Andrieu

Proposal for a regulation

Annex III – part 2 – PFC 1(A) – paragraph 1 – point c

Text proposed by the Commission

(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),

Amendment

(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. fr

Amendment 457

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

Proposal for a regulation

Annex III – part 2 – PFC 1(A) – paragraph 1 – point d – indent 12 a (new)

Text proposed by the Commission

Amendment

- ***Form such as powder or pellets.***

Or. en

Justification

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

Amendment 458

Bronis Ropé

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex III – part 2 – PFC 1(A) – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) The following information should also be indicated :

- ***Raw materials used for production and approximate percentage of ingredients;***
- ***Treatments the contents have undergone, such as mechanical or thermal;***
- ***pH of the product;***
- ***its form, such as powder or pellets;***
- ***additional substances used to form the product, such as gluing agents.***

Or. en

Justification

- Info on ingredients e.g. cow/chicken manure, guano, feathers, household waste/compost, glue is vital for organic farmers as some are not permitted in organic farming/only in certain conditions.- Info on whether the product went through thermal (including temperature/length of treatment) and/or mechanical treatment (e.g. grinding) is needed so farmers are aware of potential phytosanitary risks.- Fertiliser pH is important so farmers can adapt application based on soil type and crops used.

Amendment 459

Bronis Ropé

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex III – part 2 – PFC 1(A) – paragraph 1 – point d b (new)

Text proposed by the Commission

Amendment

(db) ***Recommendations for use:***

- ***storage (temperature, humidity);***
- ***length of time it can be stored under the above conditions while still maintaining its properties;***
- ***dose for different crop species and their growth stages (kg/ha).***

Or. en

Justification

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

Amendment 460

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation

Annex III – part 2 – PFC 1(B) – point 1 – point c

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. fr

Amendment 461

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

Proposal for a regulation

Annex III – part 2 – PFC 1(B) – point 1 – point d – indent 6

Text proposed by the Commission

– **Total** phosphorus pentoxide (P₂O₅);

Amendment

– Phosphorus pentoxide (P₂O₅)
soluble in neutral ammonium citrate and water:

Or. en

Justification

In order to provide better information for farmers: “Total” is not valid from the agronomic view especially in high and neutral pH and low precipitations. Soluble in ammonium citrate and in water is the available fraction for the plants.

Amendment 462

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

Proposal for a regulation

Annex III – part 2 – PFC 1(B) – point 1 – point d – indent 9

Text proposed by the Commission

– ***where soft ground phosphate is present***, phosphorus pentoxide (P₂O₅) soluble in ***formic acid***;

Amendment

– Phosphorus pentoxide (P₂O₅) ***only*** soluble in ***mineral acids***;

Or. en

Justification

In order to provide better information for farmers, as included in Regulation 2003/2003. Not immediately available, only available in very low pH soil conditions and high rainfall.

Amendment 463
Daniel Buda

Proposal for a regulation
Annex III – part 2 – PFC 1(B) – point 1 – point e

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. en

Justification

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.

Amendment 464
Franč Bogovič, Angélique Delahaye, Michel Dantin

Proposal for a regulation
Annex III – part 2 – PFC 1(B) – point 1 a (new)

Text proposed by the Commission

Amendment

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

Or. en

Justification

The EU Commission proposes that the total declarable nutrient content includes by default all forms of nutrients, even those that will not be available to the plants. Only plant available

nutrients should be declared and labelled because other forms of nitrogen and phosphorus have no proven contribution to plant nutrition. Otherwise farmers would not bring to their crops the nutrient quantity they were expecting to apply according to the proposal, and thus would be misled by the declaration of the total nutrient content.

Amendment 465

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation

Annex III – part 2 – PFC 1(C)(I) – point 1 – point c

Text proposed by the Commission

(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);***Na***);

Amendment

(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. fr

Amendment 466

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

Proposal for a regulation

Annex III – part 2 – PFC 1(C)(I) – point 1 – point d – indent 7

Text proposed by the Commission

– ***Total*** phosphorus pentoxide (P2O5);

Amendment

– Phosphorus pentoxide (P2O5) ***soluble in neutral ammonium citrate and water:***

Or. en

Justification

In order to provide better information for farmers: “Total” is not valid from the agronomic view especially in high and neutral pH and low precipitations. Soluble in ammonium citrate

and in water is the available fraction for the plants.

Amendment 467

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

Proposal for a regulation

Annex III – part 2 – PFC 1(C)(I) – point 1 – point d – indent 10

Text proposed by the Commission

Amendment

– *where soft ground phosphate is present*, phosphorus pentoxide (P₂O₅) soluble in *formic acid*;

– Phosphorus pentoxide (P₂O₅) *only* soluble in *mineral acids*;

Or. en

Justification

In order to provide better information for farmers, as included in Regulation 2003/2003. Not immediately available, only available in very low pH soil conditions and high rainfall.

Amendment 468

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

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(da) Raw materials used for production and approximate percentage of ingredients;

Or. en

Justification

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.

Amendment 469

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

Proposal for a regulation

Annex III – part 2 – PFC 1(C)(I) – point 1 – point d b (new)

Text proposed by the Commission

Amendment

(db) Treatments such as mechanical or thermal;

Or. en

Justification

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.

Amendment 470

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

Proposal for a regulation

Annex III – part 2 – PFC 1(C)(I) – point 1 – point d c (new)

Text proposed by the Commission

Amendment

(dc) pH;

Or. en

Justification

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

Amendment 471

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

Proposal for a regulation

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

Text proposed by the Commission

Amendment

**(dd) additional substances for
formation such as gluing agents;**

Or. en

Justification

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

Amendment 472

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

Proposal for a regulation

Annex III – part 2 – PFC 1(C)(I) – point 1 – point d e (new)

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. en

Justification

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.

Amendment 473

Bronis Ropé

on behalf of the Verts/ALE Group

Proposal for a regulation

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

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. en

Justification

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.

Amendment 474

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

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(1a) Where the EU fertilising product 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 P₂O₅ must be declared in the label;

(b) if the content of Cadmium (Cd) is lower than 20 mg/kg phosphorus pentoxide (P₂O₅), the information must contain the statements "Contains less than 20 mg Cd/Kg P₂O₅" or the phrase "low cadmium content" in the label.

Or. en

Amendment 475

Franco Bogovič, Angélique Delahaye, Michel Dantin

Proposal for a regulation

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

Text proposed by the Commission

Amendment

1a. Phosphorus fertilisers have to fulfil at least one of the following minimum solubility levels to be plant-available, otherwise they cannot be declared as phosphorus fertiliser:

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

Or. en

Justification

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

Amendment 476

Daniel Buda

Proposal for a regulation

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

Text proposed by the Commission

Amendment

1a. 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. en

Justification

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.

Amendment 477

Nuno Melo

Proposal for a regulation

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

Text proposed by the Commission

Amendment

1a. Phosphorus fertilisers have to fulfil at least one of the following minimum solubility levels to be plant-available, otherwise they cannot be declared as phosphorus 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. en

Amendment 478

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

Proposal for a regulation

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

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 in accordance with Article 43 to establish the technical standards of such label.

Or. en

Justification

The EU should promote the use of greener, non-contaminated products in fertilizing practices. The introduction of a “green label” in exceptionally low-contaminants products will facilitate the choice of farmers and ultimately encourage a move towards sustainable farming. The introduction of a green label for 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-mineral fertilizers) will support the transition towards greener fertilisers.

Amendment 479

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

Proposal for a regulation

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

Text proposed by the Commission

Amendment

2a. Where the EU fertilising product 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 P2O5 must be declared in the label;

(b) if the content of Cadmium (Cd) is lower than 20 mg/kg phosphorus pentoxide (P2O5), the information must contain the statements "Contains less than 20 mg Cd/Kg P2O5" or the phrase "low cadmium content".

Or. en

Justification

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.

Amendment 480

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

Proposal for a regulation

Annex III – part 2 – PFC 1(C)(I)(a) – point 4 a (new)

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. en

Justification

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.

Amendment 481

Bronis Ropé

on behalf of the Verts/ALE Group

Proposal for a regulation

Annex III – part 2 – PFC 1(C)(I)(a) – point 4 a (new)

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. en

Justification

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.

Amendment 482

Esther Herranz García, Ramón Luis Valcárcel Siso, Gabriel Mato

Proposal for a regulation

Annex III – part 2 – PFC 3 – indent 3

Text proposed by the Commission

Amendment

– **Total nitrogen (N) content;** **deleted**

Or. en

Justification

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.

Amendment 483

Esther Herranz García, Ramón Luis Valcárcel Siso, Gabriel Mato

Proposal for a regulation
Annex III – part 2 – PFC 3 – indent 4

Text proposed by the Commission

Amendment

– *Total phosphorus pentoxide
(P₂O₅) content;* *deleted*

Or. en

Justification

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.

Amendment 484

Esther Herranz García, Ramón Luis Valcárcel Siso, Gabriel Mato

Proposal for a regulation
Annex III – part 2 – PFC 3 – indent 5

Text proposed by the Commission

Amendment

– *Total potassium oxide (K₂O)
content;* *deleted*

Or. en

Justification

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.

Amendment 485

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation
Annex III – part 2 – PFC 4 – indent 4 a (new)

Text proposed by the Commission

Amendment

- *Type and quantity, by unit of volume, of fertiliser added to the growing medium;*

Or. fr

Amendment 486

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation

Annex III – part 2 – PFC 4 – indent 5

Text proposed by the Commission

Amendment

- *Total nitrogen (N);* *deleted*

Or. fr

Amendment 487

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation

Annex III – part 2 – PFC 4 – indent 6

Text proposed by the Commission

Amendment

- *Total phosphorus pentoxide (P₂O₅); and* *deleted*

Or. fr

Amendment 488

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation

Annex III – part 2 – PFC 4 – indent 7

Text proposed by the Commission

Amendment

- *Total potassium oxide (K₂O).* *deleted*

Amendment 489

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation

Annex III – part 2 – PFC 6 – point b

Text proposed by the Commission

(b) manufacturing and *expiry date*;

Amendment

(b) manufacturing and '*best before*'
dates;

Or. fr

Amendment 490

Franc Bogovič

Proposal for a regulation

Annex III – part 2 – PFC 6 – point e

Text proposed by the Commission

(e) dose, timing (plant development stage) and frequency of application;

Amendment

(e) dose, timing (plant development stage), *placement* and frequency of application (*in line with the empirical evidence justifying the biostimulant claim(s)*);

Or. en

Justification

This language would prevent companies modifying product parameters on labels to promote non-biostimulant effects in usage.

Amendment 491

Philippe Loiseau, Edouard Ferrand, Sylvie Goddyn, Mylène Troszczynski

Proposal for a regulation

Annex III – part 2 – PFC 6 – point f

Text proposed by the Commission

Amendment

(f) effect claimed for ***each*** target plant;

(f) effect claimed for target plant;

Or. fr

Amendment 492

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

Proposal for a regulation

Annex III – part 2 – PFC 6 – point f a (new)

Text proposed by the Commission

Amendment

(fa) indication that the product is not a plant protection product;

Or. en

Justification

A plant biostimulant must be clearly labelled as not being a plant protection product.

Amendment 493

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation

Annex III – part 3 – PFC 1(A) – table 1

Text proposed by the Commission

PFC 1(A): ORGANIC FERTILISER

	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 (P ₂ O ₅)	± 50 % relative deviation of the declared value up to a maximum of 1,0 percentage point in absolute terms
Total potassium oxide (K ₂ O)	± 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

PFC 1(A): ORGANIC FERTILISER

	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 (P ₂ O ₅)	± 15 % relative deviation of the declared value up to a maximum of 1,0 percentage point in absolute terms
Total potassium oxide (K ₂ O)	± 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	± 25% of the declared content of those nutrients up to a maximum of 1,5 percentage points in absolute

or sodium oxide	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. en

Justification

The Commission's proposal does not guarantee a complete efficiency of products which would be sold to farmers. Nevertheless a reasonable flexibility is needed to take in account the production processes.

Amendment 494

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation

Annex III – part 3 – PFC 1(B) – table 1 – row 3 – column 1

Text proposed by the Commission

± 25% of the declared content of the nutrient forms present up to a maximum of 2 percentage point in absolute terms

Amendment

± 25% of the declared content of the nutrient forms present up to a maximum of 2 percentage point in absolute terms

P2O5 tolerances refer to phosphorus pentoxide (P2O5) soluble in neutral ammonium citrate and water.

Or. en

Justification

Phosphorus pentoxide soluble in ammonium citrate and in water is the available fraction for the plants.

Amendment 495

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation
Annex III – part 3 – PFC 1(B) – paragraph 1

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. en

Justification

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.

Amendment 496
Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation
Annex III – part 3 – PFC 1(B) – paragraph 2

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. en

Justification

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.

Amendment 497
Nicola Caputo, Marc Tarabella, Angélique Delahaye

Proposal for a regulation
Annex III – part 3 – PFC 1(C)(I) – table 1

Text proposed by the Commission

PFC 1(C)(I): Inorganic macronutrient fertiliser

Permissible tolerance for the declared forms of macronutrient						
N	P ₂ O ₅	K ₂ O	MgO	CaO	SO ₃	Na ₂ O
± 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

Granulometry: ± **10** % relative deviation applicable to the declared percentage of material passing a specific sieve

Quantity: ± **5** % relative deviation of the declared value

Amendment

PFC 1(C)(I): Inorganic macronutrient fertiliser

Permissible tolerance for the declared forms of macronutrient						
N	P ₂ O ₅	K ₂ O	MgO	CaO	SO ₃	Na ₂ O
± 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

Granulometry: ± **20** % relative deviation applicable to the declared percentage of material passing a specific sieve

Quantity: ± **3** % relative deviation of the declared value

Or. en

Justification

Tolerances need to be modified to avoid problems on the market. For 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 is too high. For secondary nutrients, higher tolerances are needed since they are often added as fillers. Tolerance values should apply also for the N-forms and for the solubility. The proposed tolerance for granulometry is too strict. The ± 5 % relative deviation on the declared value for quantity is too high.

Amendment 498

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation

Annex III – part 3 – PFC 1(C)(I) – table 1 – row 3 – column 1

Text proposed by the Commission

$\pm 25\%$ of the declared content of the nutrient forms present up to a maximum of 2 percentage point in absolute terms

Amendment

$\pm 25\%$ of the declared content of the nutrient forms present up to a maximum of 2 percentage point in absolute terms

P2O5 tolerances refer to phosphorus pentoxide (P2O5) soluble in neutral ammonium citrate and water.

Or. en

Justification

Phosphorus pentoxide soluble in ammonium citrate and in water is the available fraction for the plants.

Amendment 499

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation

Annex III – part 3 – PFC 1(C)(I) – paragraph 1

Text proposed by the Commission

Granulometry: ± 10 % relative deviation applicable to the declared percentage of material passing a specific sieve

Amendment

Granulometry: ± 20 % relative deviation applicable to the declared percentage of material passing a specific sieve

Or. en

Justification

More flexibility is needed due to production processes.

Amendment 500

Czesław Adam Siekierski, Zbigniew Kuźmiuk, Jarosław Kalinowski, Beata Gosiewska

Proposal for a regulation

Annex III – part 3 – PFC 3 – table 1 – row 2 – column 2

Text proposed by the Commission

Amendment

$\pm 0,7$ at the time of manufacture

$\pm 0,7$ at the time of manufacture

$\pm 1,0$ at any time in the distribution chain

± 0.9 at any time in the distribution chain

Or. en

Justification

We support the Commission proposal that tolerance limits should be imposed both on production and distribution, to ensure the quality of the soil improver for the farmer. However, the tolerance levels proposed by the European Commission for distribution are too lenient, they should be decreased to protect the farmer.

Amendment 501

Daniel Buda, Viorica Dăncilă

Proposal for a regulation

Annex III – part 3 – PFC 3 – table 1 – row 2 – column 2

Text proposed by the Commission

Amendment

$\pm 0,7$ at the time of manufacture

$\pm 0,7$ at the time of manufacture

$\pm 1,0$ at any time in the distribution chain

± 0.9 at any time in the distribution chain

Or. en

Justification

We support the Commission proposal that tolerance limits should be imposed both on production and distribution, to ensure the quality of the soil improver for the farmer. However, the tolerance levels proposed by the European Commission for distribution are too lenient, they should be decreased to protect the farmer.

Amendment 502

Czesław Adam Siekierski, Zbigniew Kuźmiuk, Jarosław Kalinowski, Beata Gosiewska

Proposal for a regulation

Annex III – part 3 – PFC 3 – table 1 – row 8 – column 2

Text proposed by the Commission

-5% relative deviation of the declared value at the time of manufacture

-25% relative deviation of the declared value at any time in the distribution chain

Amendment

-5% relative deviation of the declared value at the time of manufacture

-15% relative deviation of the declared value at any time in the distribution chain

Or. en

Justification

We support the Commission proposal that tolerance limits should be imposed both on production and distribution, to ensure the quality of the soil improver for the farmer. However, the tolerance levels proposed by the European Commission for distribution are too lenient, they should be decreased to protect the farmer.

Amendment 503

Daniel Buda, Viorica Dăncilă

Proposal for a regulation

Annex III – part 3 – PFC 3 – table 1 – row 8 – column 2

Text proposed by the Commission

-5% relative deviation of the declared value at the time of manufacture

-25% relative deviation of the declared value at any time in the distribution chain

Amendment

-5% relative deviation of the declared value at the time of manufacture

-15% relative deviation of the declared value at any time in the distribution chain

Or. en

Justification

We support the Commission proposal that tolerance limits should be imposed both on production and distribution, to ensure the quality of the soil improver for the farmer. However, the tolerance levels proposed by the European Commission for distribution are too lenient, they should be decreased to protect the farmer.

Amendment 504
Daniel Buda, Viorica Dăncilă

Proposal for a regulation
Annex III – part 3 – PFC 4 – table 1

Text proposed by the Commission

PFC 4: GROWING MEDIUM

Forms for the declared nutrient and other declared quality criteria	Permissible tolerances for the declared parameter
Electric conductivity	± 50% relative deviation at the time of manufacture
	± 75% relative deviation at any time in the distribution chain
pH	± 0,7 at the time of manufacture
	± 1,0 at any time in the distribution chain
Quantity by volume (litres or m ³)	-5% relative deviation at the time of manufacture
	-25% relative deviation at any time in the distribution chain
Quantity (volume) determination of materials with particle size greater than 60 mm	-5% relative deviation at the time of manufacture
	-25% relative deviation at any time in the distribution chain
Quantity (volume) determination of pre-shaped GM	-5% relative deviation at the time of manufacture
	-25% relative deviation at any time in the distribution chain
Water-soluble nitrogen (N)	± 50% relative deviation at the time of manufacture
	± 75% relative deviation at any time in the distribution chain
Water-soluble phosphorus pentoxide (P ₂ O ₅)	± 50% relative deviation at the time of manufacture
	± 75% relative deviation at any time in the

	distribution chain
Water-soluble potassium oxide (K ₂ O)	± 50% relative deviation at the time of manufacture
	± 75% relative deviation at any time in the distribution chain

Amendment

PFC 4: GROWING MEDIUM

Forms for the declared nutrient and other declared quality criteria	Permissible tolerances for the declared parameter
Electric conductivity	± 50% relative deviation at the time of manufacture
	± 60% relative deviation at any time in the distribution chain
pH	± 0,7 at the time of manufacture
	± 0,9 at any time in the distribution chain
Quantity by volume (litres or m ³)	-5% relative deviation at the time of manufacture
	-15% relative deviation at any time in the distribution chain
Quantity (volume) determination of materials with particle size greater than 60 mm	-5% relative deviation at the time of manufacture
	-15% relative deviation at any time in the distribution chain
Quantity (volume) determination of pre-shaped GM	-5% relative deviation at the time of manufacture
	-15% relative deviation at any time in the distribution chain
Water-soluble nitrogen (N)	± 50% relative deviation at the time of manufacture
	± 60% relative deviation at any time in the distribution chain
Water-soluble phosphorus pentoxide (P ₂ O ₅)	± 50% relative deviation at the time of manufacture
	± 60% relative deviation at any time in the distribution chain
Water-soluble potassium oxide (K ₂ O)	± 50% relative deviation at the time of manufacture

	$\pm 60\%$ relative deviation at any time in the distribution chain
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Or. en

Justification

We support the Commission proposal that tolerance limits should be imposed both on production and distribution, to ensure the quality of the soil improver for the farmer. However, the tolerance levels proposed by the European Commission for distribution are too lenient, they should be decreased to protect the farmer.

Amendment 505

Czesław Adam Siekierski, Zbigniew Kuźmiuk, Jarosław Kalinowski, Beata Gosiewska

Proposal for a regulation

Annex III – part 3 – PFC 4 – table 1

Text proposed by the Commission

PFC 4: GROWING MEDIUM

Forms for the declared nutrient and other declared quality criteria	Permissible tolerances for the declared parameter
Electric conductivity	$\pm 50\%$ relative deviation at the time of manufacture
	$\pm 75\%$ relative deviation at any time in the distribution chain
pH	$\pm 0,7$ at the time of manufacture
	$\pm 1,0$ at any time in the distribution chain
Quantity by volume (litres or m ³)	-5% relative deviation at the time of manufacture
	-25% relative deviation at any time in the distribution chain
Quantity (volume) determination of materials with particle size greater than 60 mm	-5% relative deviation at the time of manufacture
	-25% relative deviation at any time in the distribution chain
Quantity (volume) determination of pre-shaped GM	-5% relative deviation at the time of manufacture

	-25% relative deviation at any time in the distribution chain
Water-soluble nitrogen (N)	± 50% relative deviation at the time of manufacture
	± 75% relative deviation at any time in the distribution chain
Water-soluble phosphorus pentoxide (P ₂ O ₅)	± 50% relative deviation at the time of manufacture
	± 75% relative deviation at any time in the distribution chain
Water-soluble potassium oxide (K ₂ O)	± 50% relative deviation at the time of manufacture
	± 75% relative deviation at any time in the distribution chain

Amendment

PFC 4: GROWING MEDIUM

Forms for the declared nutrient and other declared quality criteria	Permissible tolerances for the declared parameter
Electric conductivity	± 50% relative deviation at the time of manufacture
	± 60% relative deviation at any time in the distribution chain
pH	± 0,7 at the time of manufacture
	± 0,9 at any time in the distribution chain
Quantity by volume (litres or m ³)	-5% relative deviation at the time of manufacture
	-15% relative deviation at any time in the distribution chain
Quantity (volume) determination of materials with particle size greater than 60 mm	-5% relative deviation at the time of manufacture
	-15% relative deviation at any time in the distribution chain
Quantity (volume) determination of pre-shaped GM	-5% relative deviation at the time of manufacture
	-15% relative deviation at any time in the distribution chain

Water-soluble nitrogen (N)	± 50% relative deviation at the time of manufacture
	± 60% relative deviation at any time in the distribution chain
Water-soluble phosphorus pentoxide (P ₂ O ₅)	± 50% relative deviation at the time of manufacture
	± 60% relative deviation at any time in the distribution chain
Water-soluble potassium oxide (K ₂ O)	± 50% relative deviation at the time of manufacture
	± 60% relative deviation at any time in the distribution chain

Or. en

Justification

We support the Commission proposal that tolerance limits should be imposed both on production and distribution, to ensure the quality of the soil improver for the farmer. However, the tolerance levels proposed by the European Commission for distribution are too lenient, they should be decreased to protect the farmer.

Amendment 506

Franc Bogovič

Proposal for a regulation

Annex IV – part 1 – point 1 – point f a (new)

Text proposed by the Commission

Amendment

(fa) non-processed or mechanically processed plants, plant parts or plant extracts as specified in CMC 2.

Or. en

Justification

Module A should also accept the use of CMC2 products which are constituents of growing media. Growing Media Europe believes it is highly inconsistent to allow categories CMC4 “digestates” and CMC 6 “food industry by-products” while excluding materials such as wood fibres to be self-certified. The placing on the market of growing media materials is undertaken in most Member States via self-certification. Including additional approval processes will put a high burden on the industry, which is mainly composed of SMEs.

Amendment 507

Anthea McIntyre, Julie Girling, Annie Schreijer-Pierik

Proposal for a regulation

Annex IV – part 1 – point 1 – point f a (new)

Text proposed by the Commission

Amendment

(fa) non-processed or mechanically processed plants, plant parts or plant extract as specified in CMC 2.

Or. en

Amendment 508

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation

Annex IV – part 2 – module A – point 4.2

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. en

Justification

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

Amendment 509

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

Proposal for a regulation

Annex IV – part 2 – module B – point 3.2 – point c – indent 6

Text proposed by the Commission

Amendment

– test reports, and

– test reports, *including studies on agronomic efficiency*, and

Or. en

Justification

The agronomic efficacy of new products should be guaranteed. Products of Regulation 2003/2003 have already demonstrated their agronomic efficacy.

Amendment 510

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation

Annex IV – part 2 – module B – point 9

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. en

Justification

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

Amendment 511

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation
Annex IV – part 2 – module C – point 3.2

Text proposed by the Commission

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.

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 **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. en

Justification

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

Amendment 512
Anthea McIntyre, Annie Schreijer-Pierik, Julie Girling

Proposal for a regulation
Annex IV – part 2 – module D1 – point 2 – point b

Text proposed by the Commission

(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,***

Amendment

(b) a written description and a diagram of the production process;

Or. en

Amendment 513
Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation
Annex IV – part 2 – module D1 – point 3

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. en

Justification

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

Amendment 514

Esther Herranz García, Gabriel Mato, Ramón Luis Valcárcel Siso

Proposal for a regulation

Annex IV – part 2 – module D1 – point 7 – point 7.2.1

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. en

Justification

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

Amendment 515

Esther Herranz García, Ramón Luis Valcárcel Siso, Gabriel Mato

Proposal for a regulation

Annex IV – part 2 – module D1 – point 8 – introductory part

Text proposed by the Commission

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:

Amendment

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. en

Justification

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