

EBIC Perspective on the Draft Regulation on Fertilising Products

The European Biostimulant Industry Council (EBIC) represents 54 member companies, ranging from micro-sized firms up to multinationals, with a European market estimated at €575 million active in the European biostimulants market. Biostimulants help farmers meet growing agricultural demand sustainably by improving nutrient use, crop quality and increasing plants' ability to withstand harsh growing conditions.

Biostimulants today do not have access to the Single Market

Biostimulants face fragmented national markets, with different requirements and definitions in every country, increasing the costs of doing business and time-to-market, and preventing economies of scale. That is why we welcome the Commission's proposal, which we think is a good start. Finalising the regulation is urgent, but it's also important to get the details right.

All delays, including implementation periods, should be as short as possible.

The Component Material Categories are key to achieving more circular agriculture

To increase the use of bio-based and secondary raw materials, we should avoid adding unnecessary restrictions to the CMCs and should find ways to include all the raw materials that are currently used safely.

- **CMC 2 (plant materials)** is currently too restrictive and excludes many non-chemical processing methods.
- **CMC 6 (microorganisms)** is too limited and provides no way for companies to identify and produce new microorganisms without surrendering the results of their R&D into the public domain, thus subsidizing their competition! Since Article 12 recognizes presumption of conformity on the basis of harmonized standards, which we believe provide a pathway for resolving this issue.
- **CMC 11 (animal by-products)**. There are a number of ABPs treated with EU-approved transformation processes that could be immediately inserted. Before the entry into force, as many national transformation processes as possible should be approved at EU level.

Foster innovation

- The current proposal undermines the right of companies to protect their research data, in contradiction to the trade secrets directive approved by the Parliament and Council in mid-April. This is particularly true for bio-based technologies, especially micro-organisms.
- The Product Functional Category should relate to the claims being made, although it can be supported by other criteria such as mode of action, concentration of components, contexts of use, etc. In biological cycles like plant growth, substances and materials naturally serve different purposes in different contexts. The presidency draft has made some useful suggestions that address this.