

IFOAM EU welcomes the agreement on a new Fertiliser Regulation, reached after almost two years of negotiations. Around half of the fertilisers on the EU market are currently not covered by the existing legislation. The revised text, which will replace Regulation 2003/2003 from January 2022, will include not only mineral fertilisers but also organic and waste-based fertilisers as well as biostimulants. The legislation is a central point of the European Commission's [Circular Economy Action Plan](#) launched in December 2015.

The new Fertiliser Regulation offers optional harmonisation, meaning that a fertiliser will have to meet the requirements of the new regulation in order to be CE marked (exported within the EU), but that Member States will still have the possibility to set specific rules for their internal market. Furthermore, mutual recognition of products will still be possible. Some important points include:

The limit of **cadmium in phosphate rock** will be limited three years from entry into force of the regulation to 60 mg/kg. After seven years of entry into force of the regulation a review of the limit values for cadmium content in phosphate fertilisers, with a view to assessing the feasibility of reducing these limit values, needs to be performed on basis of the latest technological and scientific developments.

As of the moment of compliance with all the requirements of the Regulation, **struvite, biochar and ash-based products** will be included in the new Regulation. In an [EGTOP<sup>1</sup> report](#) from 2016, struvite was assessed and found to be in line with the organic farming principles and therefore, the subsequent addition onto Annex I of the Organic Regulation (EC) No 889/2008 should be considered in a timely manner. Since rock phosphate is a non-renewable source, the recovery of nutrients from organic materials already in circulation should become a higher priority, to reduce the dependency of farms on imported nutrients and to reduce pressures on the environment and health.

**Plant biostimulants** are substances that 'stimulate plant nutrition processes independently of the product's nutrient content' and they will also be regulated under the new fertiliser Regulation. IFOAM EU generally welcomes this step but regrets that the definition of biostimulants is limited to those that enhance the "tolerance to abiotic stress", as in practice it is not always possible to distinguish sharply between biotic and abiotic stress factors. The registration procedure for biostimulants should not repeat the situation of the plant protection legislation (EC) No 1107/2009 where the authorisation process is designed for "synthetic" molecules and present many difficulties for naturally occurring substances which have an existing natural background exposure. Furthermore, the process should be proportionate to the potential risks of such natural substances and should consider existing traditional use.

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<sup>1</sup> The Expert Group for Technical Advice on Organic Production (EGTOP) is a group of independent experts which delivers technical recommendations to the EU Commission. Following specific mandates from the EU Commission, the EGTOP produces reports with opinions whether given substances or techniques are in line with the principles of organic production. Those recommendations are not binding but the Commission must consider them when updating the organic regulations, mainly the Annexes of Reg. (EC) No 889/2008.

IFOAM EU regrets that a fertilising product under the new regulation may contain only certain **microorganisms** (azotobacter spp, mycorrhizal fungi, rhizobium spp, azospirillum spp). There are many other species and their consortia which are of interest to farmers and which are already used at the national level . Furthermore, production processes other than drying or freeze-drying, such as fermentation, are also used, but are ignored by the wording of the new Regulation.

Finally, although use of animal manure and farm-produced compost not labelled with the CE mark remains outside the scope of the EU fertiliser legislation, it is important to ensure that the recycling of farm residues will not be hindered by disproportionate administrative burdens and quality controls.

As the availability of the right amount and right quality of nutrients is an important topic for the future of organic farming, and as closed nutrient cycles are a cornerstone of organic farming practices, the organic movement will continue working on the topic of nutrient recycling. More information on our current work done in the course of the Horizon 2020 RELACS project can be found [here](#).

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