

REGULATORY CHANGES

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Current situation

- EU Fertiliser Regulation EC 2003/2003 currently covers inorganic (mineral) fertilisers only
- Other agricultural inputs, e.g. organic fertilisers, bio-stimulants, soil improvers growing media and **liming materials** fall outside its scope
- Liming materials are currently marketed under domestic legislation: (GB) Fertiliser Regulations 1991



7th ATP

- EC 2003/2003 is continuously being amended.
- Commission recently launched a written consultation on latest amendment (7th ATP) which introduces **liming materials** for the first time
- MSs asked to vote in writing. Objection received from Ireland
- Meeting held on 20th November to try to reach agreement
- Result?

7th ATP: Next Step (if agreed)



- An amending regulation will enter into force on the 20th day following publication of the agreed changes in the EU Official Journal





Commission Review of EC 2003/2003



- EU Commission conducted an extensive evaluation of existing regulatory framework for fertilisers and associated materials
- Strong interest among member states and stakeholders to fully harmonise the market and create a level playing field
- Perceived need for tighter restrictions on some waste materials being marketed as fertilisers and/or having liming properties



Other reasons to revise?

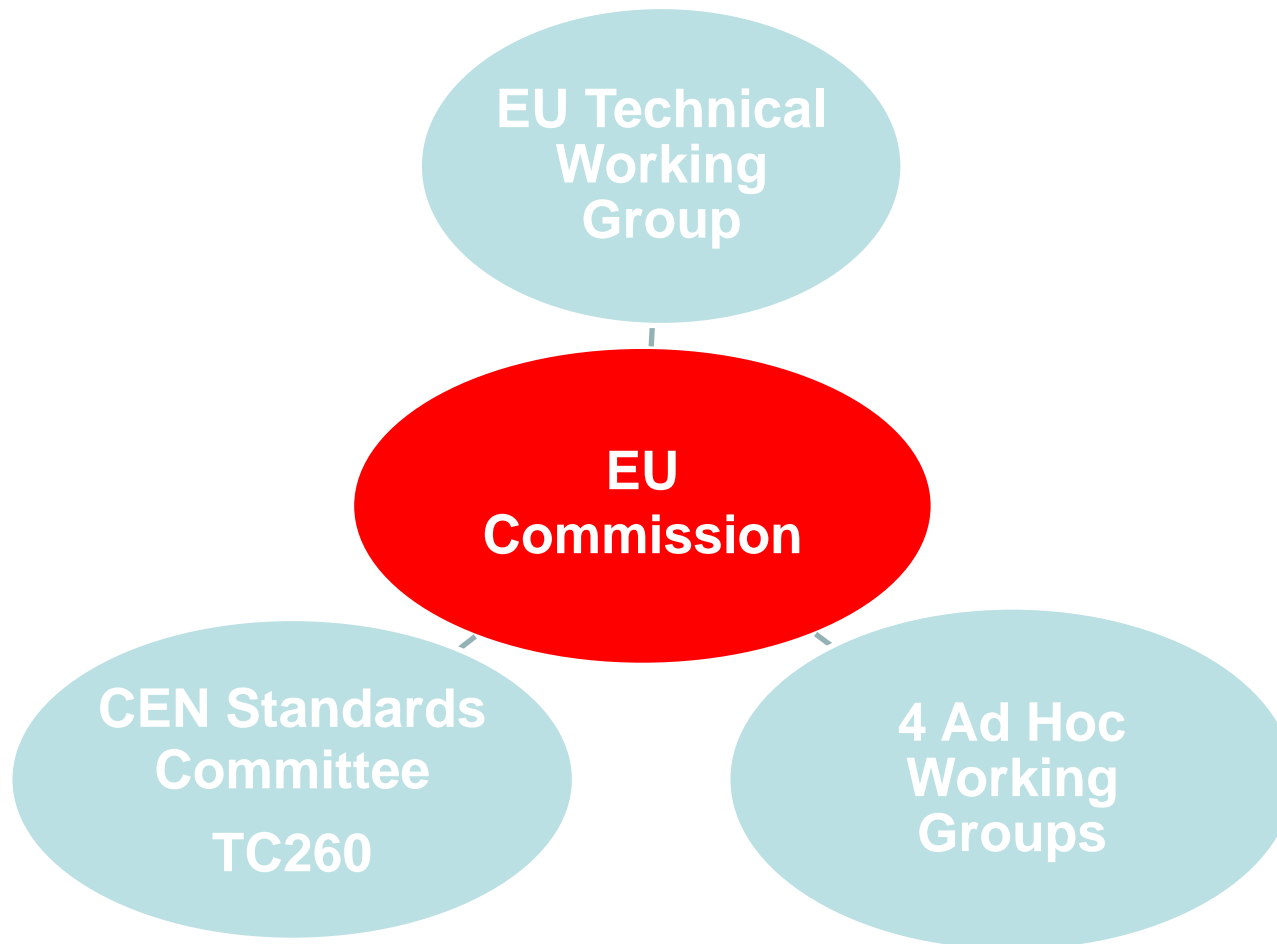


Need to:

- reduce the administrative burdens (on Member States & Commission)
- provide flexibility for introduction of new products
- speed up process
- improve quality & efficacy
- alleviate Member States' concerns about negative impacts of Mutual Recognition



Who is involved in Revision?



Ad Hoc Working Groups



4 Working Groups:

- **WG1 - Overall Structure of future Regulation**
- **WG2 - Nutrient content, product composition and agronomic efficacy**
- **WG3 - Contaminants, hygiene, other risks**
- **WG4 - Labelling, enforcement and control**

Brainstorming meetings only. No regulatory powers



Options considered



1. **No Change**
2. **Rescind legislation and rely on other EU legislation (REACH, CLP, Animal By-Products Regs, Sewage Sludge Directive)**
3. **Voluntary quality procedures and standards**
4. **Harmonisation of market using current regulation**
5. **Harmonisation of market listing permitted ingredients and additives**
6. **Harmonisation using most appropriate option for each fertiliser type**
7. **Harmonisation specifying general essential requirements. All details to be developed by CEN**

Favoured Options



Option 6

- Positive lists of ingredients. Negative lists of prohibited ingredients if necessary
- General essential requirements for the main categories of products. Lists of authorised substances developed by CEN

Option 7

- Combination of 5 & 6

Liming materials proposed definition



- *“Liming Materials are mineral substances and mixtures whose main function is to correct soil acidity containing either calcium and/or magnesium under the forms of oxides, hydroxides, carbonates or silicates”*
- UK advocates use of silicate slags but **opposition from two member states**

Proposed Quality Requirement



- Minimum Neutralising Value : 20



Parameters to be declared

Quality criteria on the products as received	Comments
<i>Neutralising value</i>	<i>Mandatory declaration</i>
<i>Fineness</i>	<i>Mandatory declaration. Percentage of product passing through a determined sieve</i>
<i>Total CaO (%)</i>	<i>Mandatory declaration</i>
<i>Total MgO (%)</i>	<i>Mandatory declaration where relevant</i>
<i>Reactivity (%)</i>	<i>Mandatory declaration for carbonate limes and limes from industrial by-products (slags)</i>

Heavy Metal Analysis of UK Materials

Type	As	Hg	Cr	Pb	Ni	Cd	Cu	Zn
Chalk (Upper)	< 2	< 0,5	2,2	< 0,5	2,1	0.3	0.9	11
Limestone	< 1	< 0,5	2,8	6,5	5,8	1,7	3,0	197
Basic Slag	< 1	< 0,5	1140	6,9	2,5	0,6	12	7,2
Chalk (Middle)	< 1	< 0,5	1,9	< 0,5	2,8	0,1	3,0	11
Magnesian Limestone	< 1	< 0,5	3,6	19	3,5	0,4	2,8	19
Phaslime	11	< 0,5	18	60	11	0,8	75	125

Liming materials - survey on heavy metals. *Summary of the 95th percentiles of heavy metals content*

	Inorganic fertilisers	Carbonate G.1. (n = 875-3025)	Marine G.1.(4) (n = 1-19)	Oxide G.2. (n=347-864)	Hydroxi G.2. (n = 0 - 26)	Silicate G.3. (n = 54-351)	Industr G.4. (n = 3-28)	Mixed G.5. (n = 6-18)
As	60	14,9	14	13	1	20,55	3,9	32,3
Pb	150	29	15,5	23	6	29,9	62	20,2
Cd	3	1	2.1	2	2	1	2	0,36
Cr (VI)	2	3,2	1 (n=1)	2,9	-	1,9	0.1	0.1
Ni	120	17	9,1	19	4	46,2	16,2	12,1
Hg	2	0,38	0,01	0,9	0,08	0,2	0,3	0,21

Liming materials

Compulsory identification



- Identification of the product category
- Quantity (in weight or volume)
- Relevant technical characteristics of liming materials (e.g. quality criteria)
- Batch identification code
- Guidelines for safe handling (Provisions of the CLP legislation, where applicable) and use (including possible limitation of use in accordance with MS provisions)
- Where relevant, a statement about the suitability - or not - of the product for particular plant groups
- Name and the address of the manufacturer or importer

Optional identification



- **Trade name of the product**
- **Recommended conditions of storage and the recommended 'use by' date.**

Next steps



- Commission will consider comments from Working Groups (and other stakeholders)
- Prepare and circulate an impact assessment
- Issue proposals for a harmonised regulation
- Proposals will be submitted to EU Council and Parliament
- Revised Regulation implemented in 2014/15



Domestic Regulations



- Could a dual system of EC and national regulations be maintained?
- **Difficult! EU legislation takes precedence over domestic legislation**
- If MSs retain legislation for non-EC products, 'Mutual Recognition' would apply.
- **Q. What if my product doesn't make it into the new Regulation? A. You may still be able to sell it but you can't call it a liming material.**

Thank you

Any Questions?



The banner features a large image of golden wheat stalks on the left. The text 'agricultural lime' is written in a large, orange, sans-serif font across the middle. Below this is a horizontal strip of ten small images: a quarry, a yellow tractor, a red tractor, a person tilling soil, a cow, a field of yellow flowers, a green field, and a field with hay bales. At the bottom of the banner, the text 'the natural solution' is written in a large, white, sans-serif font, with the website 'www.aglime.org.uk' below it. A row of logos for various agricultural lime suppliers is visible at the bottom of the banner.

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