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From:	IT delegation
To:	Working Party on Technical Harmonisation (Dangerous Substances - Fertilisers)
Subject:	Italian comments on the Proposal for a Regulation of the European Parliament and of the Council laying down rules on the making available on the market of CE marked fertilising products (based on doc. 11718/17).

DG DISR
Prot. Uscita del 22/09/2017
Numero .0024889

Ministero delle politiche agricole alimentari e forestali

DIPARTIMENTO DELLE POLITICHE EUROPEE ED INTERNAZIONALI E DELLO SVILUPPO RURALE
DIREZIONE GENERALE DELLO SVILUPPO RURALE
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Roma,

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Subject : Italian comments on the Proposal for a Regulation of the European Parliament and of the Council laying down rules on the making available on the market of CE marked fertilising products (based on doc. 11718/17).

e, p.c. DG Enterprise and Industry
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Hereafter you can find the Italian Comments on the "Proposal for a Regulation of the European Parliament and of the Council laying down rules on the making available on the market of CE marked fertilising products", circulated by the Presidency.

Please note that it is important for our Country to raise the attention of all the relevant stakeholders about one point that we consider crucial. We are concerned on how and where the growing medium are located within the Product Functional Categories (PFCs).

Our thought is that these substances, in the structure of the new Regulation, can be located in two different PFCs (PFC4 and PFC7)

The location of growing media in PFC7 shows some critical aspects. First of all the media lose their specificity and on the label are indicated as "Fertilising product blend". Furthermore the labelling rules are still unclear, since for this category it is foreseen that the label should show all the requirements for each PFC present in the final blend.

Testo proposto dalla Commissione	**Emendamenti**
Recital 15 (15) Certain substances, mixtures and micro-organisms, commonly referred to as plant biostimulants, are not as such nutrients, but nevertheless stimulate plants' nutrition processes. Where such products aim solely at improving the plants' nutrient use efficiency, tolerance to abiotic stress, or crop quality traits, they are by nature more similar to fertilising products than to most categories of plant protection products. Such products should therefore be eligible for CE marking under this Regulation and excluded from the scope of Regulation (EC) No 1107/2009 of the European Parliament and of the Council21 . Regulation (EC) No 1107/2009 should therefore be amended accordingly.	**Recital 15** (15) Certain substances, mixtures and micro-organisms, commonly referred to as plant biostimulants, are not as such inputs of nutrients, but nevertheless stimulate plants' natural nutrition processes. Where such products aim solely at improving the plants' nutrient use efficiency, tolerance to abiotic stress, or crop quality traits, degradation of soil organic compounds, or increasing the availability of nutrients in soil, rhizosphere or phillosphere, they are by nature more similar to fertilising products than to most categories of plant protection products. Therefore, they act in addition to fertilizers, with the aim of optimizing their efficiency and reducing the nutrient application rates. Such products should therefore be eligible for CE marking under this Regulation and excluded from the scope of Regulation (EC) No 1107/2009 of the European Parliament and of the Council21 . Regulation (EC) No 1107/2009 should therefore be amended accordingly.
(16) Products with one or more functions, at least one of which is covered by the scope of Regulation (EC) No 1107/2009, are plant protection products covered by the scope of that Regulation. Those products should remain under the control tailored for such products and provided for by that Regulation. Where such products also have the function of a fertilising product, it would be misleading to provide for their CE marking under this Regulation, since the making available on the market of a plant protection product is contingent on a product authorisation valid in the Member State in question. Therefore, such products should be	(16) Products with one or more functions, at least one of which is covered by the scope of Regulation (EC) No 1107/2009, are plant protection products covered by the scope of that Regulation. Those products should remain under the control tailored for such products and provided for by that Regulation. Where such products also have the function of a fertilising product, it would be misleading to provide for their CE marking under this Regulation, since the making available on the market of a plant protection product is contingent on a product authorisation valid in the Member State in question. Therefore, such products should be

excluded from the scope of this Regulation.	excluded from the scope of this Regulation. Products containing components registered under Regulation (EC) No 1107/2009 can have one or more fertilising functions and therefore be covered by the scope of this Regulation
RECITAL 17 a (new)	**(**17 a) Fertilising products which are CE marked in accordance with this Regulation should be afforded equal treatment and not unduly discriminated against by rules laid down in other Union legislation. In order to stimulate the incentive to use fertilising products from recycled and organic materials, technologically neutral rules should apply in order to provide legal clarity to producers who invest in the production of innovative fertilising products and to ensure fair competition between the different categories of fertilising products. Provided that fertilising products containing or consisting of processed animal manure are sufficiently agronomically efficient in order to maintain the environmental objectives of Directive 91/676/EEC1a and that this efficiency is proven by technical documentation which is checked by the mechanisms provided for in this Regulation, it would therefore be unjustified to restrict the application of such fertilising products below the application limits of nitrogen compounds from livestock manure established under Directive 91/676/EEC. Therefore, Directive 91/676/EEC should be amended so as to prevent discrimination of products containing or consisting of processed animal manure.

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Article 2. Definitions 'fertilising product' means a substance, mixture, micro organism or any other material, applied or intended to be applied either on its own or mixed with another material on plants or their rhizosphere **or on mushrooms or their mycosphere**, **or intended to constitute the rhizosphere or mycosphere, either on its own or mixed with another material,** for the purpose of providing **the** plants **or mushrooms** with nutrient or improving their nutrition efficiency;	**Article 2. Definitions** "fertilising product' means a substance, mixture, microorganism or any other material, applied or intended to be applied either on its own or mixed with another material on soil, on plants or their rhizosphere or on mushrooms or their mycosphere, or intended to constitute the rhizosphere or mycosphere, either on its own or mixed with another material, for the purpose of providing the plants or mushrooms with nutrient or improving their nutrition efficiency;
Article 6 **Point 10**	**Article 6** **Point 10** The notify procedure about the detonation test is very important in order to guarantee a safety marketing of ammonium nitrate in Europe. We wish that the deleting of this point will be retired, moreover we would like to know the reasons of its deleting.
Art. 46 **Regulation (EC) No 1107/2009 is amended as follows**: (1) Article 2(1) (b) is replaced by the following: "(b) influencing the life processes of plants, such as substances influencing their growth, other than as a nutrient or a plant biostimulant;" (2) in Article 3, the following point is added: "34. "plant biostimulant" means a product stimulating plant nutrition processes independently of the product's nutrient content with the sole aim of improving one or more of the following characteristics of the plant: (a) nutrient use efficiency; (b) tolerance to abiotic stress;	**Art. 46** **Regulation (EC) No 1107/2009 is amended as follows**: (1) Article 2(1) (b) is replaced by the following: "(b) influencing the life processes of plants, such as substances influencing their growth, other than as a nutrient or a plant biostimulant;" (2) in Article 3, the following point is added: **"34. "plant biostimulant" means a product** *containing any substance or microorganism* **stimulating plant nutrition processes independently of the product's** *its* **nutrient content,** *or any combination of such substances and/or micro-organisms* **with the sole aim of improving one or more of the following**

(c) crop quality traits."	**characteristics of the plant** *or the plant rhizosphere or phillosphere***:** (a) nutrient use efficiency; (b) tolerance to abiotic stress; (c) crop quality traits. (ca) availability of confined nutrients in soil rhizosphere or phillosphere; (cb) degradation of organic compounds in the soil; (cc) humification"
2a) in Article 80, the following new paragraph is added: "8. To a product which was granted an authorisation under Article 32(1) based on an application submitted before [Please insert the date of entry into force of the Regulation on the making available on the market of EU fertilising products], and which after that date falls under the definition in point 34 of Article 3, this Regulation shall continue to apply for the duration provided in the authorisation."	**(2a) in Article 80**, the following new paragraph is added: "8. To a product which was granted an authorisation under Article 32(1) based on an application submitted before [Please insert the date of entry into force of the Regulation on the making available on the market of EU fertilising products], and which after that date falls under the definition in point 34 of Article 3, this Regulation shall continue to apply for the duration provided in the authorisation
Article 46 a (new)	**Article 46 a** Amendments to Directive 91/676/EEC Directive 91/676/EEC is amended as follows: “(1) Article 2(g) is replaced by the following: "(g) 'livestock manure': means waste products excreted by livestock or a mixture of litter and waste products excreted by livestock, even in processed form, unless these products are CE marked in accordance with Regulation (EC) XXX1a and have a declared Nitrate Fertiliser Replacement Value of at least 80 % for the application made;"

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ANNEX I **Part II - PCF 6** 1. A plant biostimulant shall be a CE marked EU fertilising product the function of which is to stimulate stimulating plant nutrition processes independently of the product's nutrient content with the sole aim of improving one or more of the following characteristics of the plant: (a) nutrient use efficiency, (b) tolerance to abiotic stress, or (c) crop quality traits. 2. Contaminants must not be present in the CE marked EU fertilising product by more than the following quantities: • Cadmium (Cd) 3 1,5 mg/kg dry matter, • Hexavalent chromium (Cr VI) 2 mg/kg dry matter, and • Lead (Pb) 120 mg/kg dry matter. • Mercury (Hg) 1 mg/kg dry matter, • Nickel (Ni) 50 mg/kg dry matter. • Arsenic (As) 40 mg/kg dry matter. 2a. Copper (Cu) must not be present in the EU fertilising product by more than 600 mg/kg dry matter, and zinc (Zn) must not be present in the EU fertilising product by more than 1500 mg/kg dry matter. 3. The plant biostimulant shall have the effects that are claimed on the label for the crops **plants** specified thereon.	**ANNEX I** **Part II - PCF 6** 1. A plant biostimulant shall be a CE marked EU fertilising product the function of which is to stimulate stimulating plant nutrition processes independently of the product's nutrient content with the sole aim of improving one or more of the following characteristics of the plant and the plant rhizoshere and phillosphere: (a) nutrient use efficiency, (b) tolerance to abiotic stress, or (c) crop quality traits (ca) availability of confined nutrients in soil rhizosphere or phillosphere; (cb) degradation of organic compounds in the soil; (cc) humification. 2. Contaminants must not be present in the CE marked EU fertilising product by more than the following quantities: • Cadmium (Cd) 3 1,5 mg/kg dry matter, • Hexavalent chromium (Cr VI) 2 mg/kg dry matter, and • Lead (Pb) 120 mg/kg dry matter. • Mercury (Hg) 1 mg/kg dry matter, • Nickel (Ni) 50 mg/kg dry matter. • Arsenic (As) 40 mg/kg dry matter. 3. The plant biostimulant shall have the effects that are claimed on the label for the crops plants specified thereon. Where the plant biostimulant contains one or more ingredients that have been approved under Regulation (EC) No 1107/2009, the information provided during conformity assessment will provide compelling empirical evidence of the biostimulant effect, taking into account relevant parameters, e.g. relative concentrations of components, application rate, timing, plant growth stage, target crop, etc.

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ANNEX I **Part II - PFC1 (A) point 1** 1. An organic fertiliser shall contain • **organic** carbon **(Corg)** and • nutrients of solely biological origin. **Organic fertiliser may contain leonardite and lignite, but** ~~excluding~~ **no other** material which is fossilized or embedded in geological formations.	**ANNEX I** **Part II - PFC1 (A) point 1** Organic fertiliser may contain leonardite and lignite, but excluding no other material which is fossilized or embedded in geological formations." Should include also peat. It is important to keep the use of this matrix as raw material for organic fertilisers.
ANNEX I. **Part II. - PFC 1(B). point 1** 1. An organo-mineral fertiliser shall be a co-formulation of • one or more inorganic fertilisers, as specified in PFC 1(C) below, and • **one or more** a material**s** containing – organic carbon (Corg) and – nutrients of solely biological origin, **including leonardite and lignite, but** excluding **other** material**s** which **are** ~~is~~ fossilized or embedded in geological formations.	**ANNEX I.** **Part II. - PFC 1(B). point 1** "of solely biological origin, including leonardite and lignite, but excluding other materials which are is fossilized or embedded in geological formations." Should include also peat. It is important to keep the use of this matrix as raw material for organic fertilisers.
ANNEX I. **Part II. - PFC 1(B). point 3**	**ANNEX I.** **Part II. - PFC 1(B). point 3** This limit is the most restrictive in the world: Japan, Australia, California and New Zealand have higher Cd limits. We suggest to fix the limit to 60 mg Cd/Kg P2O5 and reviewing it 12 years after the date of application of this regulation. The review will have to take in account the technological progresses and innovation in the field of production and use of fertilising products, and all the possible alternatives to fulfil the objective of reducing cadmium accumulation, including decadmiation technologies, their feasibility and their impact and costs across the value chain, as well as the waste management of cadmium.

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	The report may be accompanied, if necessary, by appropriate legislative proposals.
ANNEX I. **Part II. - PFC 1(B). point 3a**	**ANNEX I.** **Part II. - PFC 1(B). point 3a** We do not support a content limit for copper and zinc. Both elements have beneficial properties for plant and human nutrition. Zinc should be applied in large quantities to be an effective fertilizer. Zinc also has directly benefits for human health. Based on existing data, zinc deficiencies are prevalent in soils and human populations around the world. Copper has beneficial effects in the photosynthesis processes.
ANNEX I. **Part II. - PFC 1(C)(I). point 2**	**ANNEX I.** **Part II. - PFC 1(C)(I). point 2** This limit is the most restrictive in the world: Japan, Australia, California and New Zealand have higher Cd limits. We suggest to fix the limit to 60 mg Cd/Kg P2O5 and reviewing it 12 years after the date of application of this regulation. The review will have to take in account the technological progresses and innovation in the field of production and use of fertilising products, and all the possible alternatives to fulfil the objective of reducing cadmium accumulation, including decadmiation technologies, their feasibility and their impact and costs across the value chain, as well as the waste management of cadmium. The report may be accompanied, if necessary, by appropriate legislative proposals.

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<table>
<tr>
<td>ANNEX I
Part II. - PFC 4: GROWING MEDIUM
2. Contaminants must not be present in the ~~CE marked~~ EU fertilising product by more than the following quantities:
• Cadmium (Cd) ~~3~~ <u>1,5</u> mg/kg dry matter,
• Nickel (Ni) ~~100~~ <u>50</u> mg/kg dry matter, and
…..</td>
<td>ANNEX I
Part II. - PFC 4: GROWING MEDIUM
• Cadmium (Cd) 1,5 mg/kg dry matter: replace the previous threshold value (3 mg/kg dry matter);
• Nickel (Ni) 50 mg/kg dry matter dry matter: we recommend raising the limit value for nickel in organic soil improvers to the same level as for inorganic soil improvers and growing media: 100 mg/kg of dry matter. In fact, composts (CMC for SI and GM) from Italian areas where acidic soils are common often have a higher nickel content. High concentrations of Ni can be found particularly in soils from the Mediterranean region of Europe; soils from other regions in the EU can also contain much higher concentrations of Ni than the median European level (16 mg/kg, according to Lado et al., 2008).
A limit of 50 mg/kg of dry matter would rule out the use of such composts</td>
</tr>
<tr>
<td>3. Pathogens must not be present in the growing medium in a concentration of more than the respective limits outlined in the table below

<table>
<tr><th rowspan="2"><u>Micro-organisms to be tested</u></th><th colspan="3"><u>Sampling plans</u></th><th><u>Limit</u></th></tr>
<tr><th><u>n</u></th><th><u>c</u></th><th><u>m</u></th><th><u>M</u></th></tr>
<tr><td><u>Salmonella spp</u></td><td><u>5</u></td><td><u>0</u></td><td><u>0</u></td><td><u>Absence in 25 g or 25 ml</u></td></tr>
<tr><td><u>Escherichia coli or Enterococcaceae</u></td><td><u>5</u></td><td><u>5</u></td><td><u>0</u></td><td><u>1000 in 1g or 1 ml</u></td></tr>
</table>
<u>where n = number of samples to be tested,</u>

<u>c = number of samples where the number of bacteria expressed in CFU may be between m and M,</u>

<u>m= threshold value for the number of bacteria expressed in CFU that is considered satisfactory,</u>

<u>M= maximum value of the number of bacteria expressed in CFU.</u>

Parasites of Ascaris spp. and Toxocara spp. must not be present in 100 g or 100 ml.of the growing medium.</td>
<td>Growing media materials can contain a wide variety of different bacteria and a high percentage of growing media mixes would not fulfil this requirement and fall out of the scope of this Regulation. We therefore recommend deleting this requirement for the PFCs on “Organic soil improver” and “Growing media”. As an alternative, we recommend to revise the limits after a comprehensive monitoring of the raw materials being used for product specific values.
The proposed limit value for E.coli is lower than for certain foods.
RHP standard for Enteroc. is 10.000 CFU.
We disagree with the addition of the detection of eggs of Ascaris spp. and Toxocara spp. that involves greater costs for companies, without actual benefits.</td>
</tr>
</table>

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ANNEX I **Part II. - PFC 6. Point 2**	**ANNEX I** **Part II. - PFC 6. Point 2** The proposed arsenic level for biostimulants is problematic for several reasons, primarily because it should be expressed in terms of inorganic arsenic: 1. the level is expressed in terms of total arsenic when **only inorganic arsenic is problematic for human health**. (see the Commission's webpage on this issue for more details1); 2. the Commission is currently conducting **its first monitoring exercise of arsenic in the food chain** to determine to what extent its presence is problematic or not. Therefore, this restriction is being proposed without a sufficient scientific basis. 3. arsenic is naturally present in sources such as rocks and sediments. Arsenic is quite water soluble and may be washed out of arsenic-bearing rocks into aquatic environments. This is one of the reasons that seaweed is known to contain higher levels of arsenic compared to terrestrial plants. Furthermore, seaweed concentrates arsenic in plant tissues. As a result, **the proposed limits could prevent the inclusion of any seaweed in biostimulants, despite their common, safe use in agriculture. Although seaweeds contain high levels of total arsenic, most of it is in the organic, unproblematic form.** Very little is inorganic. Below are some details of the arsenic levels in types of seaweed that are commonly used in plant biostimulants and other fertilizing products. **Ascophyllum Nodosum** Range **As total**: 38-52 mg/kg **As inorganic**: 0.43-1.88 mg/kg There is not a linear relationship between the amount of total arsenic and inorganic arsenic.

As total mg/kg dw	As inorganic mg/kg dw
46	0.43
41	0.58
46	0.97
52	1.2
38	1.88

Fucus vesiculosus
Range **As total:** 50-77 mg/kg
As inorganic: 0.1-0.98 mg/kg
There is not a linear relationship between the amount of total arsenic and inorganic arsenic.

As total mg/kg dw	As inorganic mg/kg dw
50	0.34
56	0.86
56	0.12
57	0.1
66	0.11
66	0.11
68	0.6
72	0.7
74	0.98
74	0.31
77	0.64

Laminaria japonica
Range **As total:** 28-121 mg/kg
As inorganic: 0.07-15 mg/kg
There is not a linear relationship between the amount of total arsenic and inorganic arsenic.

As total mg/kg dw	As inorganic mg/kg dw
28	0.07
29	0.22

	34 | 1.1 37 | 2 38 | 1.7 42 | 1.2 44 | 1.9 45 | 0.58 120 | 0.87 121 | 15
ANNEX I **Part II. - PFC 6. Point 2a**	**ANNEX I** **Part II. - PFC 6. Point 2a** We do not support a content limit for copper and zinc. Both elements have beneficial properties for plant and human nutrition. Zinc should be applied in large quantities to be an effective fertilizer. Zinc also has directly benefits for human health. Based on existing data, zinc deficiencies are prevalent in soils and human populations around the world2. Again, although biostimulants may contain high levels of these elements relative to product weight, the amounts added to soils will be minor due to the small quantities in which biostimulants are applied (several litres or kilos per hectare). Copper has beneficial effects in the photosynthesis processes.
ANNEX II. **Part II - CMC 1. Point 1a,b,c**	**ANNEX II.** **Part II - CMC 1. Point 1a,b,c** This category would rule out very important by-products such as ammonium sulphate, lignosulphonate (complexing agents), and so on… This principle would go against the circular economy concept. About that we suggest to solve this critical issue highlighting the proposal of IMCO Commission of European Parliament, that foresee a new CMC category: *Other Industry By Product*

	*(*Please see the amendment n° 281 **)**
ANNEX II. **Part II - CMC 1. Point 2a**	**ANNEX II.** **Part II - CMC 1. Point 2a** Should include secondary nutrients as well as micronutrients in the definitions: Suggested change: "Where the substance or one of the substances in the mixture is intended to enhance the long term availability to plants of micronutrients and secondary macronutrients in the EU fertilising product, that substance shall be either a chelating agent or a complexing agent, and the following rules shall apply:
ANNEX II. **Part II - CMC 1. Point 2a -subpoint a**	**ANNEX II.** **Part II - CMC 1. Point 2a -subpoint a** To guarantee a correct continuity in the analysis of fertilisers, we would suggest that the Hoagland solution stability proposal could be replaced by the current phrase of Regulation EC 2003/2003: "*Where a micro-nutrient is present in a chelated form, the pH range guaranteeing acceptable stability of the chelated fraction shall be stated*"
ANNEX II. **Part II - CMC 1. Point 2a -subpoint b**	**ANNEX II.** **Part II - CMC 1. Point 2a -subpoint b** The phrase Excludes Mg and Ca from complexes. A suggested modification: *The complexing agent shall be an organic substance forming a flat or steric structure with one di or three valent transition metal cation:zinc (Zn), copper (Cu), iron (Fe), manganese (Mn), cobalt (Co), calcium (Ca), or magnesium (Mg).* (these changes are addition of calcium and magnesium and congruent elimination of transition metal).

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ANNEX II **Part II - CMC 5 Point 1 - Point c – Indent 2** - sewage sludge, industrial sludge or dredging sludge,	**ANNEX II** **Part II - CMC 5 Point 1 - Point c – Indent 2** - sewage sludge, industrial sludge other than those specified in point ea) or dredging sludge, and
ANNEX II **Part II - CMC 5 Point 1 – Point ea (new)**	**ANNEX II** **Part II - CMC 5 Point 1 – Point ea (new)** Unprocessed and mechanically processed residues from food production industries, except from industries using animal by-products in accordance with Regulation (EC) No 1069/2009 .
Annex II **Part II - CMC 5 Point 1 – Point eb (new)**	**Annex II** **Part II - CMC 5 Point 1 – Point eb (new)** the input material included in CMC 4;
Annex II **Part II - CMC 6 Paragraph 1 – Point c a (new)**	**Annex II** **Part II - CMC 6 Paragraph 1 – Point c a (new)** any other material or substance that has been approved for incorporation in food or animal feed. .
ANNEX III **PART 1 - GENERAL LABELLING REQUIREMENTS** (e) ~~A~~ **a list** ~~description~~ of all **ingredients** ~~components~~ above 5% by product **weight** …..	**ANNEX III** **PART 1 - GENERAL LABELLING REQUIREMENTS** (e) ~~A~~ **a list** ~~description~~ of all **ingredients** ~~components~~ above 5% by product **weight** ….. The components of the products sold by volume must be reported to volume, not weight.

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ANNEX III **PART 2 - PRODUCT-SPECIFIC LABELLING REQUIREMENTS** **PFC 4: GROWING MEDIUM** The parameters shall be declared in the following order: …. **- N**itrogen (N) **extractable by CaCl2/DTPA (calcium chloride/ diethylenetriaminepentaacetic acid; 'CAT-soluble'), if above 150 mg/l**; – **P**hosphorus pentoxide (P2O5) **extractable by CaCl2/DTPA (calcium chloride/ diethylenetriaminepentaacetic acid; 'CAT-soluble'), if above 20 mg/l**; and – **P**otassium oxide (K2O) **extractable by CaCl2/DTPA (calcium chloride/ diethylenetriaminepentaacetic acid; 'CAT-soluble'), if above 150 mg/l**.	**ANNEX III** **PART 2 - PRODUCT-SPECIFIC LABELLING REQUIREMENTS** **PFC 4: GROWING MEDIUM** The declaration of N,P,K contents is important when substrates (PFC4) are addet of fertilizers (PFC1) but in that case, they should be considered blends, PFC7 (see comment to PFC7) The determination of nutrients with CAT method is not commonly used in Italy for the evaluation of nutrients availability, and few data are available. Nevertheless, by comparing the proposed limit values with the results of the interlaboratory trials reported in EN 13651 method, the proposed limits seem to be too low especially that for phosphorus.
ANNEX III **PART 2 - PRODUCT-SPECIFIC LABELLING REQUIREMENTS** **PFC 7: FERTILISING PRODUCT BLEND**	**ANNEX III** **PART 2 - PRODUCT-SPECIFIC LABELLING REQUIREMENTS** **PFC 7: FERTILISING PRODUCT BLEND** …. Insert instructions for labelling and tolerances for growing media (PFC4) added with fertilizers (PFC1), as follow: Where the fertilising product blend contains PFC4 (growing media) added with PCF1 (fertilizer), the nutrient content shall be indicated as water-soluble nutrient, (irrespective of the type of added fertilizer), expressed on a volume basis (mg/L of blend).

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<table>
<tr>
<td>ANNEX III
PART 3 - TOLERANCE RULES
PFC 4: GROWING MEDIUM
<table>
<tr><td>…</td><td></td></tr>
<tr><td>Quantity by volume (litres or m³)</td><td>- ± 5% relative deviation at any time in the distribution chain</td></tr>
</table>
</td>
<td>ANNEX III
PART 3 - TOLERANCE RULES
PFC 4: GROWING MEDIUM
We totally disagree with the proposed reduction in the tolerance of quantity. Due to their nature, growing media may be compressed, changing therefore their volumes; in commercial plants it is hard to assure such a low variability in quantity.
Tolerance from 25 to 5% is excessive</td>
</tr>
<tr>
<td>ANNEX III
PART 3 - TOLERANCE RULES</td>
<td>ANNEX III
PART 3 - TOLERANCE RULES
Insert tolerance for blend: PFC4+PFC1
Our proposal:
Where the fertilising product blend contains PFC4 (growing media) added with PCF1 (fertilizer), the following tolerances shall apply for the declared concentration of each added nutrient:
<table>
<tr><td>Water-soluble nitrogen (N)</td><td>± 50% relative deviation at manufacture
± 75% relative deviation at the distribution chain</td></tr>
<tr><td>Water-soluble phosphorus (P)</td><td>± 50% relative deviation at manufacture
± 75% relative deviation at the distribution chain</td></tr>
<tr><td>Water-soluble potassium (K)</td><td>± 50% relative deviation at manufacture
± 75% relative deviation at the distribution chain</td></tr>
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Ministero delle politiche agricole alimentari e forestali

DIPARTIMENTO DELLE POLITICHE EUROPEE ED INTERNAZIONALI E
DELLO SVILUPPO RURALE
DIREZIONE GENERALE DELLO SVILUPPO RURALE
DISR V

ANNEX III, PART 1, (NEW) (7D)	**ANNEX III, PART 1, (NEW) (7D)** • Where the CE marked fertilising product is allowed to be used in organic agriculture according to Regulation (EC) 834/2007, it shall be specified on the label as "allowed in organic farming with regard to (EC) No 834/2007." • CE fertiliser products not suitable for organic agriculture with regard to Regulation (EC) 834/2007, that have a commercial name recalling terms referred to in Article 23 of Regulation (EC) No 834/2007 that may mislead the final user about its use in organic agriculture shall specify on the label as "not allowed in organic farming with regard to Regulation (EC) No 834/2007." • Member States shall set up a system to regulate and supervise the proper application of the abovementioned statements related to Regulation (EC) No 834/2007. Although not part of the European Parliament IMCO Committee report, these amendments were strongly supported by both the AGRI2 and ENVI3 Committees in their Opinions to the IMCO Committee.

Emilio Gatto
Director General