



Council of the European Union
General Secretariat

Brussels, 16 October 2025

Interinstitutional files:
2025/0531 (COD)

WK 13595/2025 REV 1

LIMITE

**SIMPL
ANTICI
ENT
MI
IND
COMPET**

**CHIMIE
CONSUM
SAN
ENV
AGRI
BETREG
CODEC**

This is a paper intended for a specific community of recipients. Handling and further distribution are under the sole responsibility of community members.

WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Antici Group (Simplification)
N° Cion doc.:	ST 11433 2025 ADD 1 + ST 11433 2025 ADD 2 + ST 11433 2025 INIT
Subject:	Antici Group on Simplification (AGS), 20 October 2025 Omnibus VI: Chemicals: Proposal for a Regulation of the European Parliament and of the Council amending Regulations (EC) No 1272/2008, (EC) No 1223/2009 and (EU) 2019/1009 as regards simplification of certain requirements and procedures for chemical products - Presidency proposal for amendment to the REACH-registration in the Fertilizers Products Regulation and Explanatory note

Delegations will find in the Annex a text with amendments to the REACH-registration in the Fertilizers Products Regulation, proposed by the Presidency as basis for discussion at the meeting of the AGS on 20 October 2025, followed by the corresponding Explanatory note.

Document WK 13595/25 INIT should be considered null and void.

WK 13595/2025 REV 1

LIMITE

EN

Proposed amendments to the REACH registration in the Fertilizers Products Regulation and Explanatory note

Antici Group on Simplification (AGS)

Monday, 20 October 2025

Omnibus VI: Chemicals

Dear Colleagues,

Please find here below a proposal for amendment to the REACH-registration in the Fertilizers Products Regulation, on the basis of the analysis in WK 13468/2025 ("*European Commission proposal to remove the specific REACH provision in Regulation (EU) 2019/1009 on fertilising products - FR comments*"), followed by an explanatory note.

ANNEX IV

Annexes I, II and IV to Regulation (EU) 2019/1009 are amended as follows:

- (1) in Annex I, Part II, PFC 7: FERTILISING PRODUCT BLEND, point 4(c) is replaced by the following:

‘(c) Article 8(8) (importers’ obligation to keep the EU declaration of conformity at the disposal of the market surveillance authorities).;’

- (2) in Annex II, Part II, is amended as follows:

- (a) in CMC 1: VIRGIN MATERIAL SUBSTANCES AND MIXTURES, point 2 is ~~deleted~~; **amended as follows:**

‘Substances, whose production or import volume does not exceed one tonne per year, incorporated into the EU fertilising product, on their own or in a mixture, shall have been registered pursuant to Regulation (EC) No 1907/2006, with a dossier containing:

- (a) the information provided for by Annexes VI, VII and VIII to Regulation (EC) No 1907/2006, and**

(b) a chemical safety report pursuant to Article 14 of Regulation (EC) No 1907/2006 covering the use as a fertilising product, unless explicitly covered by one of the registration obligation exemptions provided for by Annex IV to Regulation (EC) No 1907/2006 or by points 6, 7, 8, or 9 of Annex V to that Regulation.

The first subparagraph shall apply only to substances classified in Part 3 of Annex VI to Regulation (EC) No 1272/2008 for the following hazard classes or categories:

- **Germ cell mutagenicity, category 1A or B;**
- **Carcinogenicity, category 1A or B;**
- **Reproductive toxicity, category 1A or B;**
- **Specific target organ toxicity, repeated exposure, category 1;**
- **Endocrine disruptor for human health, category 1;**
- **Endocrine disruptor for the environment, category 1; and**
- **Persistent, bioaccumulative and toxic or very persistent and very bioaccumulative properties.’**

(b) in CMC 3: COMPOST, point 1(d) is replaced by the following:

‘(d) composting additives which are necessary to improve the process performance or the environmental performance of the composting process, provided that the total concentration of all additives does not exceed 5% of the total input material weight; or;’

(c) CMC 4: FRESH CROP DIGESTATE is amended as follows:

(i) point 1(b) is replaced by the following:

‘(b) digestion additives which are needed to improve the process performance or the environmental performance of the digestion process, provided that the total concentration of all additives does not exceed 5% of the total input material weight; or;’

(ii) point 3d is replaced by the following:

- ‘3d. Additives needed in the post processing of a digestate or a fraction in accordance with points 3a, 3b and 3c may be used provided that the concentration of the additives needed in each of the processes does not exceed 5 % of the weight of the digestate or fraction used as input in the respective process.;
- (d) CMC 5: DIGESTATE OTHER THAN FRESH CROP DIGESTATE is amended as follows
- (i) point 1(d) is replaced by the following:
- ‘(d) digestion additives which are necessary to improve the process performance or the environmental performance of the digestion process, provided that the total concentration of all additives does not exceed 5% of the total input material weight; or;
- (ii) point 3d is replaced by the following:
- ‘3d. Additives needed in the post processing of a digestate or a fraction in accordance with points 3a, 3b and 3c may be used, provided that the concentration of the additives needed in each of the processes does not exceed 5% of the weight of the digestate or fraction used as input in the respective process.;
- (e) in CMC 6: FOOD INDUSTRY BY-PRODUCTS, point 2 is deleted;
- (f) in CMC 8: NUTRIENT POLYMERS, point 1 is replaced by the following:
- ‘1. An EU fertilising product may contain polymers exclusively made up of monomer substances complying with the criteria set out in point 1 of CMC 1, where the purpose of the polymerisation is to control the release of nutrients from one or more of the monomer substances.;
- (g) in CMC 10: DERIVED PRODUCTS WITHIN THE MEANING OF REGULATION (EC) No 1069/2009, the table, point 1.3 is replaced by the following:
- ‘1.3. Additives needed in the processing referred to in points 1.1 and 1.2 may be used, provided that the concentration of the additives needed in each of the

processes does not exceed 5% of the weight of the processed manure or fraction used as input in the respective process.;

- (h) in CMC 11: BY-PRODUCTS WITHIN THE MEANING OF DIRECTIVE 2008/98/EC, point 2 is deleted;
- (i) in CMC 12: PRECIPITATED PHOSPHATE SALTS AND DERIVATES, point 13 is deleted;
- (j) in CMC 13: THERMAL OXIDATION MATERIALS OR DERIVATES, point 8 is deleted;
- (k) in CMC 14: PYROLYSIS AND GASIFICATION MATERIALS, point 7 is deleted;
- (l) in CMC 15: RECOVERED HIGH PURITY MATERIALS, point 10 is deleted;
- (3) in Annex IV, Part II is amended as follows:
 - (a) MODULE A – INTERNAL PRODUCTION CONTROL is amended as follows:
 - (i) in point 4.2, the first sentence is replaced by the following:

‘The manufacturer shall draw up an EU declaration of conformity for an EU fertilising product or type in electronic form and keep it together with the technical documentation at the disposal of the national authorities for 5 years after the EU fertilising product has been placed on the market.;
 - (ii) point 4.3. is replaced by the following:

‘4.3. The manufacturer shall, further to a reasoned request from a competent national authority, provide it, in electronic form, with all the information and documentation necessary to demonstrate the conformity of the EU fertilising product with this Regulation, in a language which can be easily understood by that authority.;
 - (b) MODULE A1 - INTERNAL PRODUCTION CONTROL PLUS SUPERVISED PRODUCT TESTING is amended as follows:
 - (i) point 2.2.(f) is replaced by the following:

technical documentation at the disposal of the national authorities for 5 years after the EU fertilising product has been placed on the market.;

(ii) point 3.3. is replaced by the following:

‘3.3. The manufacturer shall, further to a reasoned request from a competent national authority, provide it, in electronic form, with all the information and documentation necessary to demonstrate the conformity of the EU fertilising product with this Regulation, in a language which can be easily understood by that authority.;

(e) **MODULE D1 - QUALITY ASSURANCE OF THE PRODUCTION PROCESS** is amended as follows:

(i) in point 5.2., the first indent is replaced by the following:

‘the name, postal address and digital contact of the manufacturer and, if the application is lodged by the authorised representative, his or her name, postal address and digital contact as well.;

(ii) in point 7.2., the first sentence is replaced by the following:

‘The manufacturer shall draw up an EU declaration of conformity for an EU fertilising product or type in electronic form and keep it together with the technical documentation at the disposal of the national authorities for 5 years after the EU fertilising product has been placed on the market.;

(iii) point 7.3. is replaced by the following:

‘The manufacturer shall, further to a reasoned request from a competent national authority, provide it, in electronic form, with all the information and documentation necessary to demonstrate the conformity of the EU fertilising product with this Regulation, in a language which can be easily understood by that authority.’

Explanatory Note

The purpose of this explanatory note is to provide delegations with additional information, clarifications and reasoning for the amendments regarding the extended REACH-registration requirement.

Fertiliser Products Regulation

PCY PROPOSAL	REASONING
General comments	
On 10 October, the working party exchanged views on the PCY's second compromise proposal. Based on the views presented regarding the deletion of the extended REACH-registration requirement, the PCY has decided to present a compromise based on the second alternative proposed by one delegation. The compromise seeks to ensure significant simplification of administrative burdens, while protecting human health and the environment, via the food chain, and the soil. Those goals are implemented by introducing a REACH-registration obligation for substances subject to harmonised classification ('substances in the form classified in Part 3 of Annex VI to Regulation (EC) No. 1272/2008') for a number of hazard classes/categories.	
Annexes	
ANNEX IV, changes in Annex II, Part II.	The intention is to have a REACH-registration requirement for substances subject to harmonised classification ('substances in the form classified in Part 3 of Annex VI to Regulation (EC) No 1272/2008').