



Council of the European Union
General Secretariat

**Interinstitutional files:
2023/0049 (COD)**

Brussels, 14 June 2023

WK 7975/2023 ADD 1

LIMITE

ENT

MI

COMPET

CHIMIE

AGRILEG

IND

ENV

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:	Presidency
To:	Working Party on Technical Harmonisation (Dangerous Substances - Fertilisers)
N° Cion doc.:	ST 6896/23 + ADD1-ADD4 - COM (2023)98 final
Subject:	Proposal for a Regulation amending Regulation (EU) 2019/1009 as regards digital labelling of EU fertilising products - Comments by AT, BE, CZ, DE, FR

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
ANNEX I		
Annex III to Regulation (EU) 2019/1009 is amended as follows:		
(1) Part I is amended as follows:		
(a) point 1 is amended as follows:		
(i) point (d) is replaced by the following:		
‘(d) instructions for intended use concerning application rates, timing and frequency, and target plants or mushrooms;		
(da) other instructions for intended use than those listed in point (d);*’;	AT: (da) other instructions for intended use than those listed in point (d);	AT: Application, storage and hazard information should be on the label or accompanying document (no asterix).
(ii) point (h) is replaced by the following:	FR: To be deleted	FR: The French authorities (FA) consider that the list of ingredients is an essential labelling element

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
		and should be provided on the physical label.
‘(h) a list of all ingredients above 5 % by product weight or volume, or in the case of products in liquid form by dry weight, in descending order of magnitude;’;	AT: (h) a list of all ingredients above 5 % by product weight or volume, or in the case of products in liquid form by dry weight, in descending order of magnitude; FR: To be deleted	AT: Ingredients are an essential information and should be on the label or accompanying document (no asterix). FR: The FA consider that the list of ingredients is an essential labelling element and should be provided on the physical label. According to the results of the consultation conducted on digital labelling, professional end users are particularly interested in this information.
(iii) the following points (i) and (j) are added:	FR: To be deleted	
‘(i) an identification in accordance with Article 18 of Regulation (EC) No 1272/2008 of any ingredient on the list referred to in point (h) that is a substance or a mixture’;	FR: To be deleted	FR: The FA consider that the identification of the substance or mixture and should be provided on

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
		the physical label. According to the results of the consultation conducted on digital labelling, professional end users are particularly interested in this information.
(j) the designations of the relevant CMCs as referred to in Part I of Annex II for each ingredient listed in point (h).*’;	FR: To be deleted	FR: The FA consider that the designation of the relevant CMC is an essential labelling element and should be provided on the physical label. The designation of the CMC for each ingredient is an essential labelling element for market surveillance authorities and should therefore be kept on the physical label.
(iv) the following paragraph is added:	FR: To be deleted	
’Naturally occurring substances may, in addition to the information requested in point (i), be identified by their mineral names.’;	FR: To be deleted	

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
(b) the following points are added:	FR: To be deleted	
'12. Where the EU fertilising product contains peat, its presence shall be indicated on the label.	FR: To be deleted	BE: Belgium requires the deletion of this point concerning "Peat". If the other raw materials are not mentioned, there is no reason to mention the presence of peat. The mere mention of this raw material does not give any relevant agronomic value. This is not related to digital labelling. Indicating the presence of peat and not indicating the other raw materials leads to an unacceptable market distortion for manufacturers. FR: The peat is part of the list of ingredients required by Annex III and should be provided on a physical label (essential labelling information)
13. Where economic operators provide a digital label in accordance with Article 11a(1) and (2),	FR:	BE:

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
the data carrier used on that digital label shall be accompanied by the warning: “A physical label must be provided in accordance with Regulation (EU) 2019/1009 before the product is made available on the market to end-users in a packaging of up to 1000 kg” or by a similar warning.	To be deleted	No distinction should be made between packages up to 1000 kg and EU fertilising products without packaging. The same sentence must be added to the leaflet accompanying EU fertilising products without packaging. (See also BE remarks on article 11a.4) DE: also for liquid fertilising product as volume, like “packaging of up to 1000 kg or litres”? FR: The same rules should be applied on all EU fertilising products: only non essential labelling elements should be provided digitally. All essential labelling elements should be provided on a physical label.
14. Where economic operators provide a digital label in accordance with Article 11a(3) second subparagraph, the data carrier used for that digital label shall be accompanied by the statement “More comprehensive information on		

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
the product is available online” or by a similar statement.		
15. Where economic operators provide a digital label in accordance with Article 11a(4), the data carrier used for that digital label shall be accompanied by the statement ”Information on the agronomic efficiency and the safe handling of the product is available online’ or by a similar statement.”;	FR: To be deled	FR: The same rules should be applied on all EU fertilising products: All essential labelling elements should be provided on a physical label, in addition to the digital label.
(2) Part II is amended as follows:		
(a) in section ‘PFC 1: FERTILISER’, point 3(b), (c) and (d) are replaced by the following:	FR: To be deleted	
‘(b) the nitrification inhibiting compound content shall be expressed as a % by mass of the total nitrogen (N) present as ammonium nitrogen (NH ₄ ⁺) and urea nitrogen (CH ₄ N ₂ O);*	FR: To be deleted	FR: The inhibitor compound content of a fertiliser containing an inhibitor is important for assessing the agronomic efficiency of the product. As this is a product for professionals and as the consultation on digital labelling shows that professional end users are particularly interested in information on the

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
		agronomic efficiency of products, the FAs consider this element to be essential and this information should be provided on the physical label
(c) the denitrification inhibiting compound content shall be expressed as a % by mass of the nitrate (NO ₃ ⁻) present;*	FR: To be deleted	FR: The denitrification inhibitor compound content of a fertiliser containing an inhibitor is important for assessing the agronomic efficiency of the product. As this is a product for professionals and as the consultation on digital labelling shows that professional end users are particularly interested in information on the agronomic efficiency of products, the FAs consider this element to be essential and this information should be provided on the physical label
(d) the urease inhibiting compound content shall be expressed as a % by mass of the total nitrogen (N) present as urea nitrogen (CH ₄ N ₂ O).*’;	FR: To be deleted	FR: The urease inhibiting compound content of a fertiliser containing an inhibitor is important for assessing the agronomic efficiency of the product. As this is a product for professionals

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
		and as the consultation on digital labelling shows that professional end users are particularly interested in information on the agronomic efficiency of products, the FAs consider this element to be essential and this information should be provided on the physical label
(b) section ‘PFC 1(A): ORGANIC FERTILISER’ is amended as follows:		
(i) point (d) is amended as follows:	FR: To be deleted	
– in point (iv), the second indent is replaced by the following:	FR: To be deleted	
‘– where the soluble content of those nutrients is at least a quarter of the total content of those nutrients,	FR: To be deleted	
(1) as the total content; and	FR:	

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
	To be deleted	
(2) as the content soluble in water;*’;	FR: To be deleted	FR: The FAs consider the content soluble in water of nutrients to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
– points (v) and (vi) are replaced by the following:	BE: – points (vi) are replaced by the following:	BE: This change means that the indication of the Corg/N ratio is optional. Corg/N ratio gives information on the rapidity of action of the fertiliser. If this ratio is less than 10, the fertiliser will act quickly. This information should be indicated on the label.
‘(v) organic carbon (C _{org});*	BE:	FR:

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
	To be deleted FR: To be deleted	The FAs consider the organic carbon to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
(vi) dry matter;*’;	FR: To be deleted	FR: The FAs consider the dry matter to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
(ii) points (e) and (f) are replaced by the following:		
‘(e) the ratio of organic carbon to total nitrogen (C _{org} /N),*’		
(f) production date;*’;	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
(c) section ‘PFC 1(B): ORGANO-MINERAL FERTILISER’ is amended as follows:		
(i) point 1(d) is amended as follows:	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
– in point (iv), the second indent is replaced by the following:		
‘– where the soluble content of those nutrients is at least a quarter of the total content of those nutrients,		
(1) as the total content; and		
(2) as the content soluble in water;*’;		FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
		physical label.
– points (v) and (vi) are replaced by the following:		
‘(v) organic carbon (C _{org});*	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
(vi) dry matter;*	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
(ii) point 5 is amended as follows:	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
		physical label.
– in point (b), the second indent is replaced by the following:	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
‘– where the soluble content of those micronutrients is at least a quarter of the total content of those micronutrients,	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
(1) as the total content; and	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
(2) as the content soluble in water;*' ;	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
– in point (c), the second indent is replaced by the following:	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
‘– the amount of chelated/complexed micronutrient(s) as % by mass;*' ;	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
– point (ca) is replaced by the following:	FR:	FR:

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
	To be deleted	The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
‘(ca) where the declared micronutrients are chelated by chelating agent(s), the pH range guaranteeing acceptable stability;*’;	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
(d) in section ‘PFC 1(C)(I): INORGANIC MACRONUTRIENT FERTILISER, point 1(d)(iv), the second indent is replaced by the following:	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
‘– where the soluble content of those nutrients is at least a quarter of the total content of those nutrients,	FR: To be deleted	FR: The FAs consider this information to be

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
		essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
(1) as the total content; and	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
(2) as the content soluble in water;*;	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
(e) section 'PFC 1(C)(I)(a): SOLID INORGANIC MACRONUTRIENT FERTILISER' is amended as follows:		
(i) point 2 is replaced by the following:		

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
‘2. The granulometry of a solid inorganic macronutrient fertiliser shall be indicated, expressed as % by mass of the product passing through a determined sieve.*’;	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
(ii) point 4 is amended as follows:	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
– the introductory sentence is replaced by the following:	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
‘For coated solid inorganic macronutrient fertilisers, the following shall be indicated:’;	FR:	BE:

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
	To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
– the following points (-a) and (-aa) are inserted:		
‘(-a) the name of the coating agents;	BE: (i) the name of the coating agents;	BE: <u>Editorial proposal</u> There is a point a) and a point b) that give information on the claims to indicate. The proposal includes a point “-a” and a point “-aa”. (-a and -a bis in French). This is confusing.
		BE: <u>Language correction (FR)</u> “-a) le nom des agents <i>de revêtement</i> ” should be replaced by “-a) le nom des agents <i>d’enrobage</i> ”

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
(-aa) the percentage of fertiliser coated by each coating agent;*	BE: (ii) the percentage of fertiliser coated by each coating agent;*	
(iii) point 8 is amended as follows:	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
– in point (b), the second indent is replaced by the following:	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
‘–where the soluble content of those micronutrients is at least a quarter of the total content of those micronutrients,	FR:	FR:

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
	To be deleted	The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
(1) as the total content; and	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
(2) as the content soluble in water;*’;	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
– in point (c), the second indent is replaced by the following:	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
		the product and should therefore be kept on the physical label.
‘– the amount of chelated/complexed micronutrient(s) as % by mass;*’;	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
– point (ca) is replaced by the following:		
‘(ca) where the declared micronutrients are chelated by chelating agent(s), the pH range guaranteeing acceptable stability;*’;	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
(f) section ‘PFC 1(C)(I)(b): LIQUID INORGANIC MACRONUTRIENT FERTILISER’ is amended as follows:		
(i) point 1 is replaced by the following:	BE:	

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
	To be deleted	
‘1. The label shall indicate whether the liquid inorganic macronutrient fertiliser is in suspension or in solution.*’;	BE: To be deleted FR: To be deleted	BE: The indication of the type of formulation (suspension or solution) may be important when the product is mixed into the spray tank by the farmer. This information should be indicated on the label. FR: The indication of the type of formulation (suspension or solution) is important when the product is mixed into the spray tank by the end-users This information should be indicated on the physical label.
(ii) point 6 is amended as follows:	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
– in point (b), the second indent is replaced by the following:		
‘– where the soluble content of those micronutrients is at least a quarter of the total content of those micronutrients,		
(1) as the total content; and		
(2) as the content soluble in water;*’;		
– in point (c), the second indent is replaced by the following:		
‘– the amount of chelated/complexed micronutrient(s) as % by mass;*’;	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
– point (ca) is replaced by the following:		
‘(ca) where the declared micronutrients are chelated by chelating agent(s), the pH range	FR:	FR:

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
guaranteeing acceptable stability;*’;	To be deleted	The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
(g) section ‘PFC 1(C)(II): INORGANIC MICRONUTRIENT FERTILISER’ is amended as follows:		
(i) point 1 is replaced by the following:		
‘1. In the inorganic micronutrient fertiliser, the following shall be indicated:		
– the declared micronutrients listed by their names and chemical symbols of the declared micronutrients, in the following order: boron (B), cobalt (Co), copper (Cu), iron (Fe), manganese (Mn), molybdenum (Mo) and zinc (Zn);		
– the names of their counter-ions when the declared micronutrients are intentionally added.*’;		
(ii) in point 2, the second indent is replaced by the following:		

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
‘– the amount of chelated/complexed micronutrient(s) as % by mass.*’;	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
(iii) point 2a is replaced by the following:		
‘2a. Where the declared micronutrients are chelated by chelating agent(s), the pH range guaranteeing acceptable stability shall be indicated.*’;		
(h) section ‘PFC 1(C)(II)(a): STRAIGHT INORGANIC MICRONUTRIENT FERTILISER’ is amended as follows:		
(i) point 1 is replaced by the following:		
‘1. The label shall indicate the relevant typology, as referred to in the table under PFC 1(C)(II)(a) in Part II of Annex I.*’;		FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
		physical label.
(ii) in point 2, the second indent is replaced by the following:		
‘– where the soluble content of the micronutrient is at least a quarter of the total content of that micronutrient:		
(1) as the total content; and		
(2) as the content soluble in water;*’;		FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
(i) in section ‘PFC 1(C)(II)(b): COMPOUND INORGANIC MICRONUTRIENT FERTILISER’, point 3, the second indent is replaced by the following:		
‘– where the soluble content of the micronutrients is at least half of the total content of those micronutrients:		

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
(1) as the total content; and		
(2) as the content soluble in water;*’;	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
(j) in section ‘PFC 2: LIMING MATERIAL’, the fifth indent is replaced by the following:		
‘– reactivity and method of determination of reactivity, except for oxide and hydroxide limes.*’;	FR: ‘– reactivity and method* of determination of reactivity, except for oxide and hydroxide limes.’;	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
(k) section ‘PFC 3(A): ORGANIC SOIL IMPROVER’ is amended as follows:		
(i) the first indent is replaced by the following:	FR:	FR:

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
	To be deleted	The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
‘– pH;*’;	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
	BE: To add: (ii) The second indent is replaced by the following: ‘- electrical conductivity, in ms/m*	BE: The declaration of electrical conductivity may be optional on the label. To add
(ii) the third indent is replaced by the following:	BE: To be deleted	

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
‘– organic carbon (C _{org}) content, expressed as % by mass,*’;	BE: To be deleted FR: To be deleted	BE: This amendment means that the indication of the organic carbon (C _{org}) content ratio is optional. To ensure the fertility of an agricultural soil, a sufficient organic carbon content (C _{org}) is necessary. The organic carbon content (C _{org}) of the product gives an indication of the rate/ha to be applied to maintain soil fertility. A product with a high organic carbon (C _{org}) content is applied in smaller quantities. Thus the agronomic value of the organic soil improver is derived from these parameter. This information must be indicated on the label. FR: Organic soil improver provide organic matters to the soils. So organic Carbon content is an essential labelling elements to be kept on the physical label.
(iii) the fifth indent is replaced by the following:	BE: To be deleted	

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
‘– the ratio of organic carbon to total nitrogen (C _{org} /N).*’;	BE: To be deleted	BE: This amendment means that the indication the C _{org} /N ratio is optional. The C _{org} /N ratio gives information on how fast the fertiliser works. For an organic soil improver, the ideal ratio is 10. If this ratio is higher than 20, the product may be phytotoxic to the crop. Soil bacteria need nitrogen to convert the organic carbon in the product into stable organic carbon. If the C _{org} /N ratio is high, the nitrogen consumed by the bacteria is no longer available to the crop. The plant may be stunted in its growth or die in extreme cases. This information must be indicated on the label.
(l) section ‘PFC 4: GROWING MEDIUM’ is amended as follows:		
(i) the second indent is replaced by the following:		
‘– pH;*’;	FR:	FR:

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
	To be deleted	The pH is important agronomic information for growing media. Each plant needs a specific pH to express its growth potential (alkaline plant versus acid plant). Thus, it is an essential labelling element and should be kept on a physical label
(ii) the fourth, fifth, sixth and seventh indents are replaced by the following:		
‘– nitrogen (N) extractable by CaCl ₂ /DTPA (calcium chloride/ diethylenetriaminepentaacetic acid; ‘CAT-soluble’), if above 150 mg/l;*	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
– phosphorus pentoxide (P ₂ O ₅) extractable by CaCl ₂ /DTPA (calcium chloride/ diethylenetriaminepentaacetic acid; ‘CAT-soluble’), if above 20 mg/l;*	FR: To be deleted	
– potassium oxide (K ₂ O) extractable by CaCl ₂ /DTPA (calcium chloride/ diethylenetriaminepentaacetic acid; ‘CAT-soluble’), if above 150 mg/l;*	FR: To be deleted	FR: The FAs consider this information to be

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
		essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
– production date*.’;	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
(m) section ‘PFC 5: INHIBITOR’ is replaced by the following:		
‘PFC 5: INHIBITOR		
1. All ingredients shall be declared by product weight or volume in descending order of magnitude.*	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
2. The content of the inhibiting compound(s) as	FR:	FR:

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
% by mass or volume shall be declared.*	To be deleted	The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
3. The use instructions referred to in point 1(da) of Part I of this Annex shall contain information on:		
(a) the types of EU fertilising products with which the inhibitor may be mixed*, in particular:	FR: To be deleted	FR: It is important to know the type of EU fertilising with which the inhibitor may be mixed for the safety and efficiency of the mixture.
(i) for the nitrification inhibitor referred to in PFC 5(A) in Part II of Annex I, an EU fertilising product in which at least 50 % of the total nitrogen (N) content consists of the nitrogen (N) forms ammonium (NH ₄ ⁺) and urea (CH ₄ N ₂ O);*	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
(ii) for the urease inhibitor referred to in PFC 5(C) in Part II of Annex I, an EU fertilising product in which at least 50 % of the total nitrogen (N) content consists of the nitrogen (N) form urea (CH ₄ N ₂ O);*	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
(b) the minimum and maximum recommended concentration of inhibiting compound(s) when mixed with a fertiliser prior to its use:	BE: To be deleted FR: To be deleted	BE: This amendment means that the information needed by the farmer is optional. The minimum and maximum recommended concentration of inhibiting compound(s) mixed with a fertiliser prior to its use is important information for the farmer. This type of product must be mixed safely. Consultation of the digital label is not recommended at this stage. This information must be indicated on the label. FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
(i) for the nitrification inhibitor referred to in PFC 5(A) in Part II of Annex I, expressed as a % by mass of the total nitrogen (N) present as ammonium nitrogen (NH_4^+) and urea nitrogen ($\text{CH}_4\text{N}_2\text{O}$);*	BE: To be deleted FR: To be deleted	BE: This information must be indicated on the label. FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
(ii) for the denitrification inhibitor referred to in PFC 5(B) in Part II of Annex I, expressed as a % by mass of the nitrate (NO_3^-) present;*	BE: To be deleted FR: To be deleted	BE: This information must be indicated on the label. FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
(iii) for the urease inhibitor referred to in PFC 5(C) in Part II of Annex I, expressed as a % by	BE:	BE:

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
mass of the total nitrogen (N) present as urea nitrogen (CH ₄ N ₂ O).*’;	To be deleted FR: To be deleted	This information must be indicated on the label. FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
(n) section ‘PFC 6: PLANT BIOSTIMULANT’ is replaced by the following:		
‘PFC 6: PLANT BIOSTIMULANT’	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
The following information shall be provided:		
(a) physical form;	FR:	FR:

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
	To be deleted	The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
(b) production date;*	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
(ba) expiry date;		
(c) application method(s);*	BE: To be deleted FR: To be deleted	BE: The method of application influences the effectiveness of the product. This information must be indicated on the label. FR: The FAs consider this information to be

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
		essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
(d) effect claimed for each target plant;* and	BE: To be deleted FR: To be deleted	BE: Plant biostimulants do not contain nutrients. The effectiveness of the product is indicated in the claims. The user makes his choice based on the claims. This information must be indicated on the label. FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
(e) any relevant instructions related to the efficacy of the product, including soil management practices, chemical fertilisation, incompatibility with plant protection products, recommended spraying nozzles size, sprayer pressure and other anti-drift measures.*’;	FR: To be deleted	FR: The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
		physical label.
(o) section ‘PFC 6(A): MICROBIAL PLANT BIOSTIMULANT’ is replaced by the following:		
‘PFC 6(A): MICROBIAL PLANT BIOSTIMULANT’		BE: <u>Editorial redaction</u> The separation of this paragraph into 3 points is clearer.
1. All intentionally added micro-organisms shall be indicated.		
2. Where the micro-organism has several strains, the intentionally added strains shall be indicated.		
3. The concentration of micro-organisms and, where applicable, strains shall be expressed as the number of active units per volume or weight, or in any other manner that is relevant to the micro-organism, e.g. colony forming units per gram (cfu/g).*	BE: “ * ” To be deleted FR: To be deleted	BE: The content of micro-organisms allows products to be compared with each other. This information should be indicated on the label. FR:

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
		The FAs consider this information to be essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
4. The label shall contain the following phrase: 'Micro-organisms may have the potential to provoke sensitising reactions'.';		
(p) in section 'PFC 7: FERTILISING PRODUCT BLEND', the second paragraph is replaced by the following:	BE: To be deleted	
'Where the fertilising product blend contains one or more plant biostimulants belonging to PFC 6, the concentration of each plant biostimulant in the blend shall be indicated in g/kg or g/l at 20 °C.*'.	BE: To be deleted FR: To be deleted	BE: This change means that the plant biostimulante content is optional. The plant biostimulant content makes it possible to compare products. This information should be indicated on the label. FR: The FAs consider this information to be

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
		essential for assessing the agronomic efficacy of the product and should therefore be kept on the physical label.
–		
ANNEX II		
Part II of Annex IV to Regulation (EU) 2019/1009 is amended as follows:		
(1) in section ‘Module A – INTERNAL PRODUCTION CONTROL’, point 2.2. is amended as follows:		
(a) point (c) is replaced by the following:		
‘(c) the EU declarations of conformity for the component EU fertilising products of the fertilising product blend and a specimen of their physical label or leaflet in accordance with Article 11a and, if the information is provided only on a digital label in accordance with that Article, a specimen of the data carrier of the component EU fertilising products,’;	FR: ‘(c) the EU declarations of conformity for the component EU fertilising products of the fertilising product blend and a specimen of their physical label or leaflet in accordance with Article 11a and, if the information is provided on a digital label in accordance with that Article, a specimen of the data carrier of the component EU fertilising products,’;	FR: A specimen of the data carrier should be provided even if the manufacturer of the EU fertilising product chooses to provide only some labelling elements in a digital label. To be deleted: “only”

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
(b) point (e) is replaced by the following:		
‘(e) a specimen of the physical label or the leaflet referred to in Article 11a providing the information required in accordance with Annex III and, if the information is provided only on a digital label in accordance with that Article, a specimen of the data carrier,’;	FR: ‘(e) a specimen of the physical label or the leaflet referred to in Article 11a providing the information required in accordance with Annex III and, if the information is provided on a digital label in accordance with that Article, a specimen of the data carrier,’;	FR: The FA is opposed to the proposal to allow the provision of all labelling information on a digital label To be deleted: “only”
(2) in section ‘Module A1 – INTERNAL PRODUCTION CONTROL PLUS SUPERVISED PRODUCT TESTING’, point 2.2. is amended as follows:		
(a) point (c) is replaced by the following:		
‘(c) the EU declarations of conformity for the component EU fertilising products of the fertilising product blend and a specimen of their physical label or leaflet in accordance with Article 11a and, if the information is provided only on a digital label in accordance with that Article, a specimen of the data carrier of the component EU fertilising products,’;	FR: ‘(c) the EU declarations of conformity for the component EU fertilising products of the fertilising product blend and a specimen of their physical label or leaflet in accordance with Article 11a and, if the information is provided on a digital label in accordance with that Article, a specimen of the data carrier of the	FR: The FA is opposed to the proposal to allow the provision of all labelling information on a digital label To be deleted: “only”

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
	component EU fertilising products,’;	
(b) point (e) is replaced by the following:		
‘(e) a specimen of the physical label or the leaflet referred to in Article 11a providing the information required in accordance with Annex III and, if the information is provided only on a digital label in accordance with that Article, a specimen of the data carrier,’;	FR: a specimen of the physical label or the leaflet referred to in Article 11a providing the information required in accordance with Annex III and, if the information is provided on a digital label in accordance with that Article, a specimen of the data carrier,’;	FR: The FA is opposed to the proposal to allow the provision of all labelling information on a digital label To be deleted: “only”
(3) in section ‘Module B – EU-TYPE EXAMINATION’, point 2.2 is amended as follows:		
(a) point (c) is replaced by the following:		
‘(c) the EU declarations of conformity for the component EU fertilising products of the fertilising product blend and a specimen of their physical label or leaflet in accordance with Article 11a and, if the information is provided only in a digital label in accordance with that Article, a specimen of the data carrier of the component EU fertilising products,’;	FR: ‘(c) the EU declarations of conformity for the component EU fertilising products of the fertilising product blend and a specimen of their physical label or leaflet in accordance with Article 11a and, if the information is provided in a digital label in accordance with that Article, a	FR: The FA is opposed to the proposal to allow the provision of all labelling information on a digital label To be deleted: “only”

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
	specimen of the data carrier of the component EU fertilising products,';	
(b) point (e) is replaced by the following:		
‘(e) a specimen of the physical label or the leaflet referred to in Article 11a providing the information required in accordance with Annex III, and if the information is provided only on a digital label in accordance with that Article, a specimen of the data carrier,’;	FR: ‘(e) a specimen of the physical label or the leaflet referred to in Article 11a providing the information required in accordance with Annex III, and if the information is provided on a digital label in accordance with that Article, a specimen of the data carrier,’;	FR: The FA is opposed to the proposal to allow the provision of all labelling information on a digital label To be deleted: “only”
(4) in ‘Module D1 – QUALITY ASSURANCE OF THE PRODUCTION PROCESS’, point 2.2. is amended as follows:		
(a) point (c) is replaced by the following:		
‘(c) the EU declarations of conformity for the component EU fertilising products of the fertilising product blend and a specimen of their physical label or leaflet in accordance with Article 11a, and if the information is provided only on a digital label in accordance with that Article, a specimen of the data carrier of the component EU fertilising products,’;	FR: the EU declarations of conformity for the component EU fertilising products of the fertilising product blend and a specimen of their physical label or leaflet in accordance with Article 11a, and if the information is provided	FR: The FA is opposed to the proposal to allow the provision of all labelling information on a digital label To be deleted:

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
	on a digital label in accordance with that Article, a specimen of the data carrier of the component EU fertilising products,’	“only”
(b) point (e) is replaced by the following:		
‘(e) a specimen of the physical label or the leaflet referred to in Article 11a providing the information required in accordance with Annex III, and if the information is provided only on a digital label in accordance with that Article, a specimen of the data carrier,’.	FR: ‘(e) a specimen of the physical label or the leaflet referred to in Article 11a providing the information required in accordance with Annex III, and if the information is provided on a digital label in accordance with that Article, a specimen of the data carrier,	FR: The FA is opposed to the proposal to allow the provision of all labelling information on a digital label To be deleted: “only”
	AT: End BE: End CZ: End	AT: End BE: End CZ: End

Commission proposal	Drafting Suggestions AT, BE, CZ, DE, FR	Comments AT, BE, CZ, DE, FR
	DE: End FR: End	DE: End FR: End