

How to place fertilising products on the EU market?

As from 16 July 2022 the Fertilising Products Regulation (EU) 2019/1009 (FPR) is fully applicable, and the ancient Fertiliser Regulation (EU) 2003/2003 is repealed.

The FPR in a Nutshell!

(1) What are the FPR Milestones?

The FPR regulates product formulations by defining a set of Product Function Categories (Table 1). This is a major difference from the regular EU Commission approach, where substances require approval decisions from competent authorities for registration and classification prior to placing products on the market. Secondly, the FPR is a non-compulsory voluntary certification system for defined inorganic and organic fertilising products. For a number of products this constitutes a self-certification system. Thirdly, the origin and identity of each ingredient in the fertilising product formulation require a conformity assessment according to a binding legal set of quality criteria. The FPR appears a 'living' regulation, not a static, which means that the FPR is continuously subject to changes and developments, which are published via delegated acts. This article provides some highlights for consideration when placing fertilising products on the EU market.

Table 1: Product Function Categories (PFC)

PFC 1A	Organic fertiliser (solid vs liquid)
PFC 1B	Organo-mineral fertiliser
PFC 1C	Inorganic fertiliser (macro and micro)
PFC 2	Liming material
PFC 3A	Organic soil improver
PFC 3B	Inorganic soil improver
PFC 4	Growing medium
PFC 5A	Nitrification inhibitor
PFC 5B	Denitrification inhibitor
PFC 5C	Urease inhibitor
PFC 6A	Microbial plant biostimulant
PFC 6B	Non-microbial plant biostimulant
PFC 7	Fertilising product blend

(2) A certification system for fertilising product formulation

The EU Commission decided to make use of product certification schemes from other European sectors, like the CE-marking of electrical sockets, batteries, machinery, etc. The FPR recognise three major certification processes. One is the CE-marking of fertilising products by self-certification and

the other is the CE-marking based on dossier submission and evaluation by non-governmental, private organisations. Such organisations are called Notified Bodies (NoBo) and require national accreditation for their FPR activities from National Accreditation Institutes (NAI). The NAI's will nominate such organisations as an EU Notified Body for specified product and compound categories as well as for the appropriate assessment. The approved NoBo's, with their particular accreditation are listing in the NANDO -database. The third road to certification fertilising products is via auditing the production process according through NoBo's.

Table 2: Component Material Categories (CMC)

CMC 1	Virgin material substances and mixtures
CMC 2	Plants, plant parts or plant extracts
CMC 3	Compost
CMC 4	Fresh crop digestate
CMC 5	Digestate other than fresh crop digestate
CMC 6	Food industry by-products
CMC 7	Micro-organisms
CMC 8	Nutrient polymers
CMC 9	Polymers other than nutrient polymers
CMC10	Derived products within the meaning of Regulation 1069/2009 (on animal by-products)
CMC 11	By-products within the meaning of Directive 2008/98/EC (waste-products)
CMC 12	Precipitated phosphate salts & derivatives (e.g. struvite)
CMC 13	Thermal oxidation materials & derivatives (e.g. ash-based materials)
CMC 14	Pyrolysis & gasification materials (e.g. biochar)
CMC 15	Recovered high purity materials

(3) Conformity Assessment according to quality criteria

Any manufacturer that would like to place a fertilising product on the market should identify an appropriate Component Material Categories (CMC) for each ingredient of the fertilising product, as specified in Table 2. For each CMC an appropriate set of quality criteria and a number of requirements are defined. A fertilising product may consist of one or more CMCs, which are under a given set of definitions, and criteria funnelled into a designated Product Function Category (PFC) as specified in Table 1. Further, the EU Commission has mandated the EU Standardisation Institute CEN to develop standards and methods to analyse the quality criteria of a