



Council of the
European Union

Brussels, 15 March 2019
(OR. en)

7558/19

ENT 73
MI 262
AGRILEG 59
ENV 301
CHIMIE 50
IND 95

COVER NOTE

From:	European Commission
To:	General Secretariat of the Council
No. Cion doc.:	D060815/01
Subject:	COMMISSION REGULATION (EU) .../... of XXX amending Regulation (EC) No 2003/2003 of the European Parliament and of the Council relating to fertilisers for the purposes of adapting Annexes I and IV

Delegations will find attached document D060815/01.

Encl.: D060815/01



Brussels, **XXX**
D060815/01
[...] (2019) **XXX** draft

COMMISSION REGULATION (EU) .../...

of **XXX**

**amending Regulation (EC) No 2003/2003 of the European Parliament and of the Council
relating to fertilisers for the purposes of adapting Annexes I and IV**

(Text with EEA relevance)

COMMISSION REGULATION (EU) .../...

of **XXX**

amending Regulation (EC) No 2003/2003 of the European Parliament and of the Council relating to fertilisers for the purposes of adapting Annexes I and IV

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to Regulation (EC) No 2003/2003 of the European Parliament and of the Council of 13 October 2003 relating to fertilisers¹, and in particular Article 29(4) and Article 31(1) and (3) thereof,

Whereas:

- (1) A manufacturer of isomeric mixture of 2-(3,4-dimethylpyrazole-1-yl)-succinic acid and 2-(4,5-dimethylpyrazole-1-yl)-succinic acid ("DMPSA") has via the Czech authorities submitted a request to the Commission to include DMPSA as a new entry in Annex I to Regulation (EC) No 2003/2003. DMPSA is a nitrification inhibitor that used together with mineral nitrogen fertilisers reduces the risk of nitrogen losses in the form of N₂O emissions that leads to a higher nitrogen efficiency of fertilisers containing DMPSA.
- (2) DMPSA fulfils the requirements laid down in Article 14 of Regulation (EC) No 2003/2003. It should therefore be included in the list of fertiliser types in Annex I to that Regulation.
- (3) Regulation (EC) No 2003/2003 requires the control of EC fertiliser in accordance with the methods of sampling and analysis that are described in Annex IV thereto. The inclusion of DMPSA in Annex I to Regulation (EC) No 2003/2003 requires the addition of an analytical method to be applied for the official controls of this fertiliser type in Annex IV to that Regulation.
- (4) In addition, Method 1 on Preparation of the sample for analysis should be further developed by including additional European standards on sampling in general, as well as on sampling of static heaps. Lastly, the current Methods 9 for micro-nutrients at a concentration of less than or equal to 10 % and Methods 10 for micro-nutrients at a concentration greater than 10 % in Annex IV are not internationally recognised and should be replaced by European standards recently developed by the European Committee for Standardisation.

¹ OJ L 304, 21.11.2003, p.1.

- (5) Regulation (EC) No 2003/2003 should therefore be amended accordingly.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 32 of Regulation (EC) No 2003/2003,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2003/2003 is amended as follows:

- (1) Annex I is amended in accordance with Annex I to this Regulation;
- (2) Annex IV is amended in accordance with Annex II to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

*For the Commission
The President
Jean-Claude Juncker*