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'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. Cion doc.:	ST 5524/21 + ADD 1 - D069006/03
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 purpose of including a new type of EC fertiliser in Annex I - Decision not to oppose adoption

1. On 2 February 2021, the Commission submitted the above draft Regulation to the Council which amends Annex I in Regulation (EC) No 2003/2003¹. In accordance with its Articles 14 and 31(1), a manufacturer of potassium formate water solution has submitted a request to the Commission to include that substance as a new fertiliser which fulfils the requirements laid down in that Regulation. Potassium formate water solution has been developed to provide better absorption of potassium by the leaves of plants with a high need of this primary nutrient, such as fruit and vegetables.

The measures provided for in the above draft Regulation are in accordance with the opinion of the Committee established by Article 32 of Regulation (EC) No 2003/2003.

¹ Regulation (EC) No 2003/2003 of 13 October 2003 relating to fertilisers (Official Journal L 304 , 21/11/2003, pp. 1 - 194); Current consolidated version is of 01/12/2020;

2. Under the procedure in Articles 5 and 5a of Council Decision 1999/468/EC , such draft measures, before being formally adopted by the Commission, are submitted for scrutiny to the European Parliament and the Council. If neither the European Parliament nor the Council oppose the measures envisaged by the Commission, the Commission shall adopt the draft Regulation.
 3. On 19 November 2020, the Committee voted unanimously in favour of the draft measures in accordance with Article 5a(2) of the above Council Decision.
 4. On 2 February 2021, delegations were asked by 2 March 2021 to indicate their possible opposition to the draft Regulation. No delegation raised any grounds for opposition.
 5. Against this background, the Permanent Representatives Committee is invited to recommend to the Council to confirm its non-opposition to the draft Regulation, as set out in document ST 5524/21 + ADD 1 as an item without discussion at one of its forthcoming meetings.
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