



# Draft Fertilising Products Regulation

## Plant-based components of fertilising products and REACH: today and tomorrow

11 April 2018

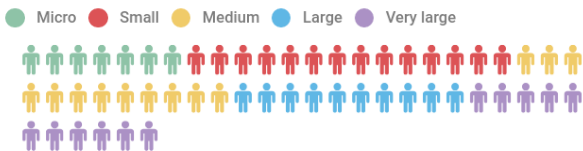
Renaissance Marriott | Brussels

## About EBIC

Founded in 2011 to promote the contribution of plant biostimulants to make agriculture more sustainable and resilient and in doing so to promote the growth and development of the European biostimulant industry

### 54 member companies (2018)

Breakdown by category (based on global turnover and headcount)



## REACH & plant-derived substances and materials today

- Whether CE-marked or placed on the market under national rules, substances in fertilizing products must be REACH compliant today:
  - Registration according to the fertilizer exposure scenario or exemption
  - Tonnage bands to keep costs proportionate to exposure levels
  - Coherent approach of same substances used for fertilizers, feed or cosmetics

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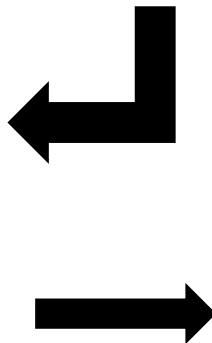


## Case 1: Producer manufactures own ingredients that must be REACH-registered



Producer registers substance according to quantities manufactured

Producer manufactures final fertilizing product. If any component(s) or the product itself are classified as hazardous, safety data sheets are provided. Other data sheets and correspondence provide information about other ingredients, including those exempted from REACH.



Documentation follows the product to the final point-of-sale

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## Case 2: Producer purchases substances incorporated into fertilizing product(s)



Supplier registers substance according to quantities manufactured



If any component(s) or the product itself are classified as hazardous, safety data sheets (SDS) are provided. Other data sheets and correspondence provide information about other ingredients, including those exempted from REACH.

Buyer incorporates the substance into a fertilizing product, using the documentation from the supplier to demonstrate REACH compliance.

Documentation follows the product to the final point-of-sale



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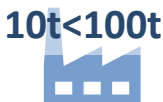
## The buyer is not the registrant and therefore can only demonstrate REACH compliance to the supplier's level



Supplier producing less than 1 tonne of the substance provides a certificate that no registration is needed to be REACH compliant



Supplier provides a SDS corresponding to data requirements in annex VI and VII



Supplier provides a SDS corresponding to data requirements in annex VI, VII and VIII



Supplier provides a SDS corresponding to data requirements in annex VI, VII, VIII and IX

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Under the draft fertilizing products regulation, SMEs will have to bear disproportionate costs or lose customers

**<1t** Supplier producing less than 1 tonne of the substance provides a declaration that no registration is needed to be REACH compliant

**1t<10t** Supplier provides an SDS corresponding to data requirements in annex VI and VII

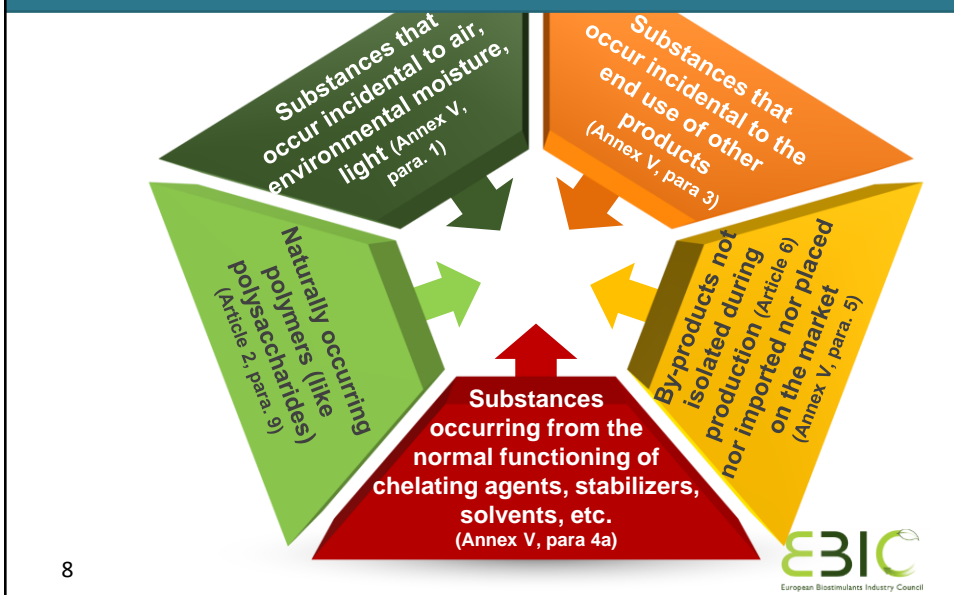
**10t<100t** Supplier provides a SDS corresponding to data requirements in annex VI, VII and VIII

**>100t** Supplier provides a SDS corresponding to data requirements in annex VI, VII, VIII and IX

**Only these 2 can provide documentation needed for conformity assessment**

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Some substances that are currently exempted from REACH registration would now have to be REACH registered



## Negative effects of the stricter REACH requirements proposed by the Commission

- **Discrimination against SMEs** compared to large producers
- A resulting **reduction in competition** among suppliers
- **Additional animal testing** would be needed for substances produced <1 tonne, even if they are only for R&D and never come to the market and for testing substances that were previously exempted
- **Disproportionate regulatory burden** compared to same substances used in animal feed or cosmetics applied directly to the skin (and even ingested)



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## EBIC proposal: REWIND to

- Normal REACH requirements based on tonnage and the fertilizer exposure scenario
- All exemptions from REACH registration according to reg (EC) 1907/2006



They have a good track record for protecting human and environmental health related to the use of fertilizing products.

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## For more information

**Contact the speaker**

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Thank you