

ECN Feedback on Item 5.3 Draft delegated act on clarification of certain rules

Reference: EU Expert Group meeting on Fertilising Products 4-5 November 2025

Item: 5.3 Draft delegated act on clarification of certain rules

Note from GROW/F2 on envisaged amendments aimed at clarifying certain requirements

2) Deletion of requirement of 20% dry matter in organic soil improvers (PFC 3(A))

Proposed amendment by DG GROW:

“In Annex I, Part II, PFC 3(A): ORGANIC SOIL IMPROVER, point 5 is deleted.”

Explanation:

The current provision in point 5 of PFC 3(A) requires that “An organic soil improver shall contain 20 % or more dry matter”. This provision excludes certain liquid products from the scope of PFC 3(A). As a consequence, certain liquid soil improvers made from organic material e.g. digestate, which comply with all other requirements of PFC 3(A), except point 5, can currently only be certified as PFC 3(B): INORGANIC SOIL IMPROVER.

Question to the Expert group:

Are there specific reasons for which liquid products with less than 20% of dry matter should be excluded from the scope of PFC (3)A?

ECN does not agree to delete the dry matter content requirement for organic soil improvers. Organic soil improvers should contain at least 20% dry matter. It is absolutely necessary to respect the function of a soil improver, which is to maintain, improve or protect the soil's physical, chemical or biological properties and structure. In addition, the purpose of an organic soil improver is to maintain and enhance soil organic matter, as well as protect and improve soil structure. This can only be achieved by adding a solid, structured material.

The proposal to delete the requirement for dry matter content for organic soil improvers is based on the fact that some component materials do not fulfil the requirements for being declared as organic fertilisers (as the minimum nutrient content is not reached) or organic soil improvers. This highlights the need to examine the function of the different component materials. Digestate (solid or liquid) is applied to soil as a fertiliser because it provides plants with available nutrients.

Therefore, ECN proposes lowering the minimum nutrient content requirements for organic fertilisers (PFC 1 (A)), relating them to the dry matter content. Additionally, the

minimum organic carbon content for both types of fertilisers should be related to the dry matter content.

Alternatively, it could be considered whether to differentiate between solid and liquid organic soil improvers. However, it is questionable whether a liquid material fulfils the function of a soil improver.

Therefore, the ECN proposes to revise the criteria for an organic mineral fertiliser (PFC 1 (A)(I) and (II)) and to add specific requirements for an inorganic soil improver:

Proposed requirements for PFC 1(A) (I): Solid Organic Fertiliser

1. A solid organic fertiliser shall be in solid form **and shall contain 20% or more dry matter by mass.**
2. A solid organic fertiliser shall contain at least one of the following declared primary nutrients: nitrogen (N), phosphorus pentoxide (P₂O₅) or potassium oxide (K₂O).

Where a solid organic fertiliser contains only one declared primary nutrient, that nutrient content shall be at least the following:

- 2,5% **by dry mass** of total nitrogen (N), out of which 1 % **by dry matter** shall be organic nitrogen (Norg)
- 2% **by dry mass** of total phosphorus pentoxide (P₂O₅), or
- 2% **by dry mass** of total potassium oxide (K₂O).

Where a solid organic fertiliser contains more than one declared primary nutrient, those nutrient contents shall be at least the following:

- 1% **by dry mass** of total nitrogen (N), out of which 0,5 % **by dry matter** shall be organic nitrogen (Norg)
- 0,5% **by dry mass** of total phosphorus pentoxide (P₂O₅), or
- 0,5% **by dry mass** of total potassium oxide (K₂O).

The sum of those nutrient contents shall be at least 2 % **by dry mass.**

3. Organic carbon (C) content in a solid organic fertiliser shall be least 15 % **by dry mass.**

Justification: In order to make requirements more comparable and to classify fertilising products more effectively within the different product function categories, a dry matter basis is essential. The declaration of nutrients in marked products remains on a fresh matter basis.

Proposed requirements for PFC 1(A) (II): Liquid Organic Fertiliser

1. A liquid organic fertiliser shall be in liquid form **and shall contain less than 20% dry matter by mass.**

2. A liquid organic fertiliser shall contain at least one of the following declared primary nutrients: nitrogen (N), phosphorus pentoxide (P_2O_5) or potassium oxide (K_2O).

Where a liquid organic fertiliser contains only one declared primary nutrient, that nutrient content shall be at least the following:

- **2 % by dry mass** of total nitrogen (N), out of which **0,5 % by dry matter** shall be organic nitrogen (Norg)
- **1% by dry mass** of total phosphorus pentoxide (P_2O_5), or
- **2% by dry mass of total potassium oxide (K_2O).**

Where a liquid organic fertiliser contains more than one declared primary nutrient, those nutrient contents shall be at least the following:

- **0,75% by dry mass** of total nitrogen (N), out of which **0,5 % by dry matter** shall be organic nitrogen (Norg)
- **0,5 % by dry mass** of total phosphorus pentoxide (P_2O_5), or
- **0,5 % by dry mass** of total potassium oxide (K_2O).

The sum of those nutrient contents shall be at least **3 % by dry mass.**

3. Organic carbon (C) content in a liquid organic fertiliser shall be least **5 % by dry mass.**

Justification: In order to make requirements more comparable and to classify fertilising products more effectively within the different product function categories, a dry matter basis is essential. The declaration of nutrients in marked products remains on a fresh matter basis.

Proposed changed requirements for PFC 3: Inorganic Soil Improver

1. An inorganic soil improver shall be a soil improver without any organic carbon.