

REGULATIONS NOT HARMONISED AT EUROPEAN LEVEL

FERTILISING MATERIALS AND GROWING MEDIA

SCOPE

Fertilising materials comprise fertilisers, soil improvement additives and generally all products that are used to ensure or improve plant nutrition and the physical, chemical and biological properties of the soil.

Growing media are products intended for use as culture media for certain plants.

FRENCH REGULATIONS

■ Rural Code - Chapter V: Marketing fertilising materials and growing media

- Section 1: General provisions ([Articles L.255-1 to L.255-2](#))
- Section 2: Verification ([Articles L.255-3 to L.255-7](#))
- Section 3: Criminal law and sundry provisions ([Articles L.255-8 to L.255-11](#))

■ [Decree No 80-478 of 16 June 1980](#) implementing Articles L.214-1 and L.214-2 of the Consumer Code as regards fertilising materials and growing media

*This Decree provides for several implementing Orders on the control and verification work to be carried out by the person **responsible for marketing***

■ [Order of 21 December 1998](#) on the certification of fertilising materials and growing media

EU REGULATIONS

■ [Regulation \(EC\) No 2003/2003](#) of 13 October 2003 relating to fertilisers (Mineral fertilisers with the “EC fertiliser” label)

FURTHER INFORMATION

A full [overview](#) of regulations on fertilisers is available on the website of the Directorate General for Competition Policy, Consumer Affairs and Fraud Control (DGCCRF).

MARKETING PROCEDURES IN FRANCE

1 – GENERALLY :

→ Pursuant to Article L.255-2 of the Rural Code, fertilising materials and growing media may be marketed, imported, distributed or even transferred free of charge in France, provided they have been subject to approval or a temporary sales authorisation (APV) or import authorisation.

→ To market these types of products in France, an assessment file must be sent to the regulated products department of the *Agence nationale de sécurité sanitaire de l'alimentation, de l'environnement et du travail* (ANSES formerly AFSSA [*Agence française de Sécurité Sanitaire des Aliments*]).

→ For information on procedures, refer to the ANSES website : <http://www.anses.fr/>

or :

the Ministry for Agriculture's website : http://mesdemarches.agriculture.gouv.fr/rubrique.php3?id_rubrique=48.

→ In this case, the person responsible for marketing must send a technical file to the ANSES for the product's harmlessness for humans, animals and their environment, and its effectiveness when used in prescribed or normal conditions, to be verified. A third criterion is the permanence of the products' composition, without which effectiveness and harmlessness cannot be established.

2 – PRODUCTS ALREADY AUTHORISED IN ANOTHER MEMBER STATE :

→ Where applicable, fertilising materials lawfully marketed in other EU Member States or in a State which was party to the Agreement on the European Economic Area may be subject to an application for prior approval (shorter procedure). The assessment timeframe is specified in the [Order of 21 December 1998](#).

→ The mutual recognition application must also be sent to the ANSES-DPR (formerly AFSSA-DIVE) which is responsible for handling and assessing the application.

Technical information directly concerning the assessment may be obtained from the ANSES, either by e-mail (dpr.ugamm@anses.fr) or by telephone (+33 1 49 77 46 73).

Publications and test reports may be drafted in English but the administrative file (Appendix II to the Order of 21 December 1998) and the CERFA forms specified in Appendix I to the Order must be completed in French.

3 – DEROGATION :

As a departure from the general provision for prior approval, fertilising materials and growing media may be marketed **without prior approval** if they comply with:

- [Regulation \(EC\) No 2003/2003](#) of 13 October 2003 relating to fertilisers, which defines "EC fertilisers" and only relates to "inorganic" fertilisers

- a French *Dénominations, Spécifications, Marquage* (DSM) standard, the implementation of which was made mandatory by an Interministerial order published in the *Journal Officiel de la République Française*. Standards whose implementation is mandatory may be consulted on the AFNOR's website (<http://www.afnor.org/>). They are defined by the [Order of 5 September 2003](#) (amended, on [2 September 2010](#) for the last time) and by the [Order of 18 March 2004](#) (amended, [18 February 2011](#) for the last time).

CONTACTS

➤ **AUTHORITIES RESPONSIBLE FOR REGULATIONS**

- *Ministère de l'agriculture, de l'agroalimentaire et de la forêt* (Ministry for Agriculture, the Food Processing Industry and Forestry) :

- DGAL – SPRSPP – SDQPV – Bureau de la réglementation et de la mise sur le marché des intrants (BRMMI) – brmmi.sdqpv.dgal@agriculture.gouv.fr

- *Ministère de l'économie et des finances* (Ministry for the Economy and Finance) :

- DGCCRF – Bureau Marchés des produits d'origine végétale et des boissons 4C
bureau-4c@dgccrf.finances.gouv.fr

➤ **MARKET SURVEILLANCE AUTHORITIES**

- Ministry for the Economy and Finance :

- DGCCRF – Bureau Marchés des produits d'origine végétale et des boissons 4C
bureau-4c@dgccrf.finances.gouv.fr
- DGDDI (Customs) – Bureau D2 – dg-d2@douane.finances.gouv.fr

➤ **BUSINESS FEDERATIONS**

- Union des Industries de la Fertilisation (UNIFA)

Le Diamant A – 14 rue de la République – 92909 Paris La défense Cedex

Telephone: +33 1 46 53 10 30 – <http://www.unifa.fr>

- Chambre Syndicale des Améliorants organiques et Supports de culture (CAS)

Angers Technopole – 7 rue Alexandre Fleming – 49066 ANGERS cedex 02

Telephone: +33 2 41 20 19 09 – <http://www.cas-asso.com/>

- Union des industries pour la Protection des Jardins et des espaces publics (UPJ)

59 avenue de Saxe – 75007 Paris

Telephone: +33 1 53 69 60 90 – <http://www.upj.fr>

- Association Nationale Professionnelle pour les Engrais et les Amendements (ANPEA)

Le Diamant A – 14 rue de la République – 92909 Paris La défense Cedex

Telephone: +33 1 46 53 10 30 – <http://www.anpea.com>