# Commission Regulation (EC) No 162/2007 of 19 February 2007 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 thereto to technical progress (Text with EEA relevance)

## COMMISSION REGULATION (EC) No 162/2007

## of 19 February 2007

## 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 thereto to technical progress

## (Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

(1) Section E of Annex I to Regulation (EC) No 2003/2003 lists those types of inorganic micronutrient fertilisers which may be designated ‘EC fertiliser’ in accordance with Article 3 of that Regulation. The list includes a number of fertilisers in which the micronutrient is chemically combined with a chelating agent. A list of authorised chelating agents is provided in table E.3.1 of that Annex.

(2) The specification of the fertiliser type in which the chelated micronutrient is iron allows the use of either a single authorised chelating agent, or of a mixture of them, provided that chelated fraction can be quantified by the method described in European Standard EN 13366, and the individual chelating agents in the mixture can be separately identified and quantified by EN 13368.

(3) The provisions for iron micronutrient fertiliser containing chelated iron should be updated in three respects. First, to make clear that at least 50 % of the water-soluble iron must be chelated by the authorised chelating agents. Second, to specify that an authorised chelating agent can be mentioned on the fertiliser type designation only if it chelates at least 1 % of the water-soluble iron. Third, to generalise the reference to European Standards in order to allow the use of additional European Standards.

(4) The chemical names of the authorised chelating agents listed in section E.3.1 of Annex I to Regulation (EC) No 2003/2003 are intended to distinguish between different isomers of the same substance in a descriptive way. As there are several different nomenclatures in common use in the scientific community for those substances, there is a risk of misidentification. In order to ensure unambiguous identification of the chelating agents, the corresponding CAS numbers (Chemical Abstracts Service of the

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American Chemical Society), which uniquely identify the different isomers of the chelating agents, should be provided for each entry of that Annex. It is therefore appropriate to delete three chelating agents isomers which cannot be unambiguously identified by a CAS number.

(5) A more consistent nomenclature should be used for the chelating agents, and the statement according to which authorised chelating agents must also comply with other Community legislation should be made more precise.

(6) Annex IV to Regulation (EC) No 2003/2003 provides detailed descriptions of the methods of analysis to be used to measure the nutrient content of EC fertilisers. Those descriptions need to be adjusted in order to have correct analysis values.

(7) Regulation (EC) No 2003/2003 should therefore be amended accordingly.

(8) 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*

1 Annex I to Regulation (EC) No 2003/2003 is amended in accordance with Annex I to this Regulation.

2 Annex IV to Regulation (EC) No 2003/2003 is amended in accordance with Annex II to this Regulation.

*Article 2*

This Regulation shall enter into force on the 20th 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, 19 February 2007.

*For the Commission*

Günter VERHEUGEN

*Vice-President*

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ANNEX I

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

1. Table E.1.4 is replaced by the following table:

E.1.4. Iron

| No | Type designation | Data on method of production and essential ingredients | Minimum content of nutrients(percentage by weight)Data on the expression of nutrientsOther requirements | Other data on the type of designation | Nutrient content to be declaredForms and solubilities of the nutrientsOther criteria |
|---|---|---|---|---|---|
| **1** | **2** | **3** | **4** | **5** | **6** |
| 4a | Iron salt | Chemically obtained product containing a mineral iron salt as its essential ingredient | 12 % water-soluble Fe | The designation must include the name of the mineral anion | Water-soluble iron (Fe) |
| 4b | Iron chelate | Water-soluble product obtained by chemical reaction of iron with chelating agent(s) mentioned in the list of Annex I section E.3. | 5 % of water-soluble iron, of which the chelated fraction is at least 80 %, and at least 50 % of the water-soluble iron is chelated by the declared chelating agent(s) | Name of each one of the chelating agents mentioned in the list of Annex I section E.3.1 that chelates at least 1 % water-soluble iron | Water-soluble iron (Fe)<br>Iron (Fe) chelated by each chelating agent that is declared in the type-designation and that can be identified and quantified by a European Standard |
| 4c | Iron fertiliser solution | Product obtained by dissolving types 4a and/or one of the type 4b in water | 2 % of water soluble Fe | The designation must include:<br>1. the name(s) of | Water-soluble iron (Fe)<br>Chelated iron (Fe) if present |

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| | | | | | |
|---|---|---|---|---|---|
| | | | | 2. the mineral anion(s), the name of any chelating agent if present that chelates at least 1 % water-soluble iron (Fe) | Iron (Fe) chelated by each chelating agent that is declared in the type-designation and that can be identified and quantified by a European Standard |

2. Section E.3 is replaced by the following:

E.3. List of authorised organic chelating and complexing agents for micro-nutrients

The following substances are authorised provided that their corresponding nutrient chelate has complied with the requirements of Council Directive 67/548/EEC[(2)].

E.3.1. Chelating agents[(3)]

Acids, or sodium, potassium or ammonium salts of:

| | | | **CAS number of the acid**[a] |
|---|---|---|---|
| **Ethylenediaminetetraacetic acid** | **EDTA** | $C_{10}H_{16}O_8N_2$ | 60-00-4 |
| **2-hydroxyethylethylenediaminetriacetic acid** | HEEDTA | $C_{10}H_{18}O_7N_2$ | 150-39-0 |
| **diethylenetriaminepentaacetic acid** | **DTPA** | $C_{14}H_{23}O_{10}N_3$ | 67-43-6 |
| **ethylenediamine-N,N′-di[(ortho-hydroxyphenyl)acetic acid]** | [o,o] EDDHA | $C_{18}H_{20}O_6N_2$ | 1170-02-1 |
| **ethylenediamine-N-[(ortho-hydroxyphenyl)acetic acid]-N′-[(para-hydroxyphenyl)acetic acid]** | [o,p] EDDHA | $C_{18}H_{20}O_6N_2$ | 475475-49-1 |

**a** For information only.

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| | | | |
|---|---|---|---|
| **ethylenediamine-N,N′-di[(ortho-hydroxy-methylphenyl)acetic acid]** | [o,o] EDDHMA | $C_{20}H_{24}O_6N_2$ | 641632-90-8 |
| **ethylenediamine-N-[(ortho-hydroxy-methylphenyl)acetic acid]-N′-[(para-hydroxy-methylphenyl)acetic acid]** | [o,p] EDDHMA | $C_{20}H_{24}O_6N_2$ | 641633-41-2 |
| **ethylenediamine-N,N′-di[(5-carboxy-2-hydroxyphenyl)acetic acid]** | EDDCHA | $C_{20}H_{20}O_{10}N_2$ | 85120-53-2 |
| **ethylenediamine-N,N′-di[(2-hydroxy-5-sulfophenyl)acetic acid] and its condensation products** | EDDHSA | $C_{18}H_{20}O_{12}N_2S_2$ + n*($C_{12}H_{14}O_8N_2S$) | 57368-07-7 and 642045-40-7 |

**a** For information only.

E.3.2. Complexing agents:

List to be drawn up.

## ANNEX II

Annex IV, B, to Regulation (EC) No 2003/2003 is amended as follows:

1. Method 2 is amended as follows:

(a) Method 2.1 is amended as follows:

(i) points 4.2 to 4.7 are replaced by the following:

| | |
|---|---|
| 4.2. Sulphuric acid: 0,05 mol/l | for variant a. |
| 4.3. Sodium or potassium hydroxide solution, carbonate free: 0,1 mol/l | |