Commission Regulation (EC) No 2076/2004 of 3 December 2004 adapting for the first time Annex I of Regulation (EC) No 2003/2003 of the European Parliament and of the Council relating to fertilisers (EDDHSA and triple superphosphate) (Text with EEA relevance)

COMMISSION REGULATION (EC) No 2076/2004

of 3 December 2004

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(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 Articles 31 (1) and (3) thereof,

Whereas:

(1) Article 3 of Regulation (EC) No 2003/2003 provides that a fertiliser belonging to a type of fertiliser listed in Annex I thereto and complying with the conditions laid down in that Regulation may be designated 'EC FERTILISER'.

(2) Among the phosphatic fertilisers listed in table A2 of Annex I to Regulation (EC) No 2003/2003 is Triple superphosphate (TSP) and one of the criteria for its labelling is 'phosphorus expressed as P_2O_5 soluble in neutral ammonium citrate, at least 93 % of the declared content of P_2O_5 being water soluble'.

(3) The higher the water solubility of the TSP fertiliser, the better is its agronomic efficiency. In the past, European soils were in general deficient in phosphorous and a high minimum value of 93 % water solubility was justified in order to correct this deficiency.

(4) Today, the situation has changed in that many soils are no longer deficient in phosphorous and while there are soil conditions or crops for which TSP with a minimum of 93 % water solubility is still desirable, TSP with a minimum of 85 % of water solubility will be equally effective for many European soils and crops.

(5) TSP users should therefore be allowed to choose between a TSP with a minimum water solubility of 85 %, or one with a higher solubility, to suit the local soil and crop requirements. The entry concerning TSP in table A2 of Annex I to Regulation (EC) 2003/2003 should be adapted accordingly.

(6) Sodium salt of EDDHSA and its condensation products (EDDHSA) have been in use, particularly in Spain, France and Italy for 15 years as an organic chelating agent for

Changes to legislation: *Commission Regulation (EC) No 2076/2004 is up to date with all changes known to be in force on or before 26 December 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

micro-nutrients. Experience shows that it is an efficient fertilising agent and that it poses no risk to the environment.

(7) In particular, iron chelated with EDDHSA is used to correct iron shortages and to remedy ferric chlorosis. It is recommended for a large variety of vegetal species, particularly fruit trees such as citrus fruit, apricot, avocado plum and peach; it is also used for grapes, for small bushes and strawberries.

(8) The elimination of ferric chlorosis and its symptoms ensures green foliage, with good growth and development of the fruit for harvest.

(9) Concerning the effect on the soil and the environment, EDDHSA undergoes a chemical degradation process in the soil which is relatively slow but which does not create any dangerous substances. Nor does it cause any salinity problems in the soil.

(10) EDDHSA should therefore be added to the list of authorised organic chelating agents for micro-nutrients in Annex I to Regulation (EC) No 2003/2003.

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

(12) 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

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

Article 2

This Regulation shall enter into force on the twentieth day following 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, 3 December 2004.

For the Commission

Günter VERHEUGEN

Member of the Commission