II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DIRECTIVE 93/69/EEC

of 23 July 1993

adapting to technical progress Council Directive 76/116/EEC on the approximation of the laws of the Member States relating to fertilizers

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100a thereof,

Having regard to Council Directive 76/116/EEC of 18 December 1975 on the approximation of the laws of the Member States relating to fertilizers [1], as last amended by Directive 89/530/EEC [2], and in particular Article 9 (1) thereof,

Whereas Article 8a of the Treaty envisages an area without internal frontiers in which the free circulation of goods, persons, services and capital is assured;

Whereas Directive 76/116/EEC laid down rules for the marketing of EEC fertilizers;

Whereas new fertilizers need to be added to Annex I to Directive 76/116/EEC to enable them to be designated as 'EEC fertilizer'; whereas Council Directives 89/284/EEC [3] and 89/530/EEC supplementing and amending Directive 76/116/EEC both have specific Annexes which have not been incorporated into Annex I to Directive 76/116/EEC; whereas, therefore, it is necessary to restructure Annex I to Directive 76/116/EEC to make it clearer and easier to read and understand;

Whereas, in view of the scope and effects of the proposed action, the Community measures envisaged by this Directive are not only necessary but also indispensable for the attainment of the stated objectives; whereas those objectives cannot be achieved by Member States individually, and furthermore their attainment at Community level is already provided for by Directive 76/116/EEC;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee on the Adaptation to Technical Progress of the Directives for Removing Technical Barriers to Trade in Fertilizers,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex I to Directive 76/116/EEC shall be amended as follows:

(a) the straight nitrogenous fertilizers listed in Annex I to this Directive shall be added to point 1 of Part A;

(b) the compound fertilizers listed in Annex II to this Directive shall be added to Part B;

(c) the fluid fertilizer listed in Annex III to this Directive shall be added to point 1 of Part C.

Article 2

1. Annex I to Directive 89/284/EEC shall become Part D of Annex I to Directive 76/116/EEC and shall be entitled 'Secondary nutrient fertilizers'.

2. The fertilizer listed in Annex IV to this Directive shall be added to Part D of Annex I to Directive 76/116/EEC.

[1] OJ No L 24, 30. 1. 1976, p. 21.
[2] OJ No L 281, 30. 9. 1989, p. 116.
[3] OJ No L 111, 22. 4. 1989, p. 34.

Article 3

1. The Annex to Directive 89/530/EEC shall become Part E of Annex I to Directive 76/116/EEC and shall be entitled 'Trace element fertilizers'.

2. Chapter A in Part E of Annex I to Directive 76/116/EEC shall be replaced by Annex V to this Directive.

Article 4

1. Member States shall adopt and publish the laws, regulations and administrative provisions necessary to comply with this Directive no later than 30 April 1994. They shall forthwith inform the Commission thereof.

When Member States adopt these provisions, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

2. Member States shall apply these provisions with effect from 1 May 1994.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 23 July 1993.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX I

ANNEX I

A. STRAIGHT FERTILIZERS

1. NITROGENOUS FERTILIZERS

Number	Type designation	Data on method of production and essential ingredients	Minimum content of nutrients (percentage by weight) Data on the expression of nutrients Other requirements	Other data on the type designation	Nutrient content to be declared Forms and solubilities of the nutrients Other criteria
1	2	3	4	5	6
1 c	Magnesium nitrate	Chemically obtained product containing as its essential ingredient hexahydrated magnesium nitrate	10 % N Nitrogen expressed as nitric nitrogen 14 % MgO Magnesium expressed as water-soluble magnesium oxide	When marketed in the form of crystals as note 'in crystallized form' may be added	Nitric nitrogen Water-soluble magnesium oxide
10	Crotonylidene diurea	Product obtained by reaction of urea with crotonaldehyde Monomeric compound	28 % N Nitrogen expressed as total nitrogen At least 25 % N from the crotonylidene diurea. Maximum ureic nitrogen content: 3 %		Total nitrogen Ureic nitrogen where this is at least 1 % by weight Nitrogen from crotonylidene diurea
11	Isobutylidene diurea	Product obtained by reaction of urea with isobutyraldehyde Monomeric compound	28 % N Nitrogen expressed as total nitrogen At least 25 % N from isobutylidene diurea Maximum ureic nitrogen content: 3 %		Total nitrogen Ureic nitrogen where this is at least 1 % by weight Nitrogen from isobutylidene diurea
12	Urea formaldehyde	Product obtained by reaction of urea with formaldehyde and containing as its essential ingredients molecules of urea formaldehyde Polymeric compound	36 % total nitrogen Nitrogen expressed as total nitrogen At least 3/5 of the declared total nitrogen content must be soluble in hot water At least 31 % N from urea formaldehyde Maximum ureic nitrogen content: 5 %		Total nitrogen Ureic nitrogen where this is at least 1 % by weight Nitrogen from formaldehyde urea that is soluble in cold water Nitrogen from formaldehyde urea that is only soluble in hot water

Number	Type designation	Data on method of production and essential ingredients	Minimum content of nutrients (percentage by weight) Data on the expression of nutrients Other requirements	Other data on the type designation	Nutrient content to be declared Forms and solubilities of the nutrients Other criteria
1	2	3	4	5	6
13	Nitrogenous fertilizer containing crotonylidene diurea	Product obtained chemically containing crotonylidene diurea and a straight nitrogen fertilizer [List A-1 in Directive 76/116/EEC, excluding products 3 (a), 3 (b) and 5]	18 % N expressed as total nitrogen At least 3 % nitrogen in ammoniacal and/or nitric and/or ureic form At least 1/3 of the declared total nitrogen content must be derived from crotonylidene diurea Maximum biuret content : (ureic N + crotonylidene diurea N) × 0,026		Tota nitrogen For each form amounting to at least 1 % : nitric nitrogen ammoniacal nitrogen ureic nitrogen Nitrogen from crotonylidene diurea
14	Nitrogeneous fertilizer containing isobutylidene diurea	Product obtained chemically containing isobutylidene diurea and a straight nitrogenous fertilizer [List A-1 in Directive 76/116/EEC, excluding products 3 (a), 3 (b) and 5]	18 % N expressed as total nitrogen At least 3 % nitrogen in ammoniacal and/or nitric and/or ureic form. At least 1/3 of the declared total nitrogen content must derive from isobutylidene diurea Maximum biuret content : (Ureic N + isobutylidene diurea N) × 0,026		Total nitrogen For each form amounting to at least 1 % : nitric nitrogen ammoniacal nitrogen ureic nitrogen Nitrogen from isobutylidene diurea
15	Nitrogenous fertilizer containing urea formaldehyde	Product obtained chemically containing urea formaldehyde and a straight nitrogenous fertilizer [List A-1 in Directive 76/116//EEC, excluding products 3 (a), 3 (b) and 5]	18 % N expressed as total nitrogen At least 3 % nitrogen in ammoniacal and/or nitric and/or ureic form At least 1/3 of the declared total nitrogen content must derive from urea formaldehyde The nitrogen from the urea formaldehyde must contain at least 3/5 nitrogen that is soluble in hot water Maximum biuret content : (Ureic N + urea formaldehyde) × 0,026		Total nitrogen For each form amounting to at least 1 % : nitric nitrogen ammoniacal nitrogen ureic nitrogen Nitrogen from urea formaldehyde Nitrogen from urea formaldehyde that is soluble in cold water Nitrogen from urea formaldehyde that is only soluble in hot water

Number	Type designation	Data on method of production and essential ingredients	Minimum content of nutrients (percentage by weight) Data on the expression of nutrients Other requirements	Other data on the type designation	Nutrient content to be declared Forms and solubilities of the nutrients Other criteria
1	2	3	4	5	6
16	Ammonium sulphate with nitrification inhibitor (dicyandiamide)	Chemically obtained product containing ammonium sulphate and dicyandiamide	20 % N Nitrogen expressed as total nitrogen Minimum ammoniacal nitrogen content : 18 % Minimum content of nitrogen from dicyandiamide : 1,5 %		Total nitrogen Ammoniacal nitrogen Nitrogen from dicyandiamide Technical information (1)
17	Ammonium sulphonitrate with nitrification inhibitor (dicyandiamide)	Chemically obtained product containing ammonium sulphonitrate and dicyandiamide	24 % N Nitrogen expressed as total nitrogen Minimum nitric nitrogen content : 3 % Minimum content of nitrogen from dicyandiamide : 1,5 %		Total nitrogen Nitric nitrogen Ammoniacal nitrogen Nitrogen from dicyandiamide Technical information (1)

(1) Technical information as complete as possible must be provided with each package or bulk consignment by the person responsible for marketing. This information must in particular enable the user to determine the rates and timing of application in relation to the crop being grown.