



Notification Number: 2005/663/F

## Order relating to permissible deviations regarding fertilisers and growth mediums

Date received : 29/11/2005

End of Standstill : 28/02/2006

### Message

Message 002

Communication from the Commission - SG(2005) D/52828

Directive 98/34/EC

Translation of the message 001

Notification: 2005/0663/F

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist.

(MSG: 200502828.EN)

#### 1. Structured Information Line

MSG 002 IND 2005 0663 F EN 28-02-2006 29-11-2005 F NOTIF 28-02-2006

#### 2. Member State

France

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#### **4. Notification Number**

2005/0663/F - C40C

#### **5. Title**

Order relating to permissible deviations regarding fertilisers and growth mediums

#### **6. Products Concerned**

fertilisers and growth mediums

#### **7. Notification Under Another Act**

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#### **8. Main Content**

National provisions lay down the specifications applicable to fertilisers and growth mediums other than 'EC fertilisers' subject to Regulation 2003/2003 of 13 October 2003.

This Order aims to lay down the permissible deviations between the value found upon analysis and the value declared on the packaging or accompanying document regarding the physico-chemical criteria of these products laid down by national legislation. These values, which may not be subject to systematic application, shall therefore apply to fertilisers and culture mediums subject to a provisional sales authorisation, standardisation or compliant with a standard for which implementation is obligatory. This text allows a decision to be made on the conformity, or not, of products placed on the market following inspection carried out by the competent services.

The deviations laid down in the Annex shall apply upwards and/or downwards. In the absence of a value laid down by the Order for certain characteristics, the permissible deviation to be applied shall be 10% upwards and downwards.

Keywords: permissible deviations, nutrients, physico-chemical criteria, inspection, conformity.

#### **9. Brief Statement of Grounds**

The laying down of permissible deviations applicable to the technical specifications laid down by national legislation shall allow for variations which may appear during manufacture, sampling and analysis of the products to be taken into account. This text shall replace the Order of 16 June 1980 with the same purpose. It shall take account of developments in legislation brought about by the revision of national standards, developments in analysis methods, manufacturing methods as well as technical innovations.

Furthermore, the publication of Regulation 2003/2003 of 13 October 2003 on fertilisers bearing the inscription 'EC fertiliser' requires that products covered by a Community text be excluded from the scope of this Order.

The draft Order takes Decree No 80-478 of 16 June 1980 as its legal basis, currently being amended and which shall include a mutual recognition clause. This draft Order will soon be notified within the framework of the 98/34 Procedure.

#### **10. Reference Documents - Basic Texts**

Article 8 of Decree No 80-478 of 16 June 1980 amended implementing Articles L. 214-1 and L. 214-2 of the Consumer Code regarding fertilisers and culture mediums.



**11. Invocation of the Emergency Procedure**

NO

**12. Grounds for the Emergency**

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**13. Confidentiality**

NO

**14. Fiscal measures**

NO

**15. Impact assessment**

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**16. TBT and SPS aspects**

TBT aspect (Agreement on technical barriers to trade)

will not be notified within the TBT framework

iii) The draft does not have any notable impact on international trade.

SPS Aspect (Agreement on sanitary and phytosanitary measures)

will not be notified within the SPS framework

iii) The draft does not have any notable impact on international trade.

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