Basic information

2023/0049(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Digital labelling of EU fertilising products Amending Regulation 2019/1009 2016/0084(COD) **Subject** 2.10.03 Standardisation, EC/EU standards and trade mark, certification, compliance 3.10.09 Plant health legislation, organic farming, agro-genetics in general 3.70.01 Protection of natural resources: fauna, flora, nature, wildlife, countryside; biodiversity 3.70.12 Waste management, domestic waste, packaging, light industrial waste 3.70.13 Dangerous substances, toxic and radioactive wastes (storage, transport)	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
IMCO Internal Market and Consumer Protection	GRAPINI Maria (S&D)	26/05/2023
	Shadow rapporteur MANDERS Antonius (EPP) RINZEMA Catharina (Renew) GUERREIRO Francisco (Greens/EFA) BIELAN Adam (ECR)	

Committee for opinion	Rapporteur for opinion	Appointed
INTA International Trade	The committee decided not to give an opinion.	
ENVI Environment, Public Health and Food Safety	The committee decided not to give an opinion.	
AGRI Agriculture and Rural Development	MOTREANU Dan-Ştefan (EPP)	19/04/2023

Council of the European Union

European Commission	Commission DG	Commissioner
	Internal Market, Industry, Entrepreneurship and SMEs	BRETON Thierry

European Economic and Social Committee

Key events

Date	Event	Reference	Summary
27/02/2023	Legislative proposal published	COM(2023)0098	Summary
13/03/2023	Committee referral announced in Parliament, 1st reading		
25/10/2023	Vote in committee, 1st reading		
25/10/2023	Committee decision to open interinstitutional negotiations with report adopted in committee		
03/11/2023	Committee report tabled for plenary, 1st reading	A9-0330/2023	Summary
08/11/2023	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 72)		
09/11/2023	Committee decision to enter into interinstitutional negotiations confirmed by plenary (Rule 72)		
13/02/2024	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	PE758.981 GEDA/A/(2024)000908	
11/03/2024	Debate in Parliament		
12/03/2024	Decision by Parliament, 1st reading	T9-0133/2024	Summary
12/03/2024	Results of vote in Parliament		
22/07/2024	Act adopted by Council after Parliament's 1st reading		
18/09/2024	Final act signed		
30/09/2024	Final act published in Official Journal		

Technical information

Procedure reference	2023/0049(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amending Regulation 2019/1009 2016/0084(COD)
Legal basis	Treaty on the Functioning of the European Union TFEU 114
Other legal basis	Rules of Procedure EP 165
Mandatory consultation of other institutions	European Economic and Social Committee
Stage reached in procedure	Procedure completed
Committee dossier	IMCO/9/11377

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE749.998	19/06/2023	
Specific opinion	AGRI	PE751.819	17/07/2023	
Amendments tabled in committee		PE752.850	06/09/2023	
Committee report tabled for plenary, 1st reading/single reading		A9-0330/2023	03/11/2023	Summary
Text agreed during interinstitutional negotiations		PE758.981	07/02/2024	
Text adopted by Parliament, 1st reading/single reading		T9-0133/2024	12/03/2024	Summary

Council of the EU

Document type	Reference	Date	Summary
Coreper letter confirming interinstitutional agreement	GEDA/A/(2024)000908	07/02/2024	
Draft final act	00013/2024/LEX	18/09/2024	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2023)0098	27/02/2023	Summary
Document attached to the procedure	SEC(2023)0099	27/02/2023	
Document attached to the procedure	SWD(2023)0048	27/02/2023	
Document attached to the procedure	SWD(2023)0049	27/02/2023	
Document attached to the procedure	SWD(2023)0050	27/02/2023	
Commission response to text adopted in plenary	SP(2024)350	22/07/2024	

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	ES_PARLIAMENT	COM(2023)0098	26/04/2023	
Contribution	RO_CHAMBER	COM(2023)0098	13/06/2023	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary

EESC	Economic and Social Committee: opinion, report	CES1740/2023	14/06/2023	

Additional information		
Source	**Document**	**Date**
EP Research Service	Briefing	06/02/2024
European Commission	EUR-Lex	

Meetings with interest representatives published in line with the Rules of Procedure

Rapporteurs, Shadow Rapporteurs and Committee Chairs

Transparency				
Name	**Role**	**Committee**	**Date**	**Interest representatives**
GUERREIRO Francisco	Shadow rapporteur	IMCO	07/12/2023	YARA BELGIUM S.A.

Other Members

Transparency		
Name	**Date**	**Interest representatives**
SCHREIJER-PIERIK Annie	16/11/2023	Growing Media Europe

Final act
Regulation 2024/2516 OJ OJ L 30.09.2024

Digital labelling of EU fertilising products

2023/0049(COD) - 27/02/2023 - Legislative proposal

PURPOSE: to improve the readability of the labels of EU fertilising products and to facilitate the management of such labels by the economic operators.

PROPOSED ACT: Regulation of the European Parliament and of the Council

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: Annex III to Regulation (EU) 2019/1009 lays down the labelling requirements applicable to EU fertilising products. The form in which EU fertilising products are labelled in accordance with that Regulation should be adapted to technological and societal changes in the field of digitalisation.

There are clear advantages to providing information on a label in digital form. Digital labelling can: (i) improve the communication of labelling information both by avoiding overcrowded physical labels and by allowing users to rely on various reading options available only for digital formats; (ii) contribute to the ongoing progress with regard to digitalisation of the European agricultural sector; (iii) facilitate the reporting obligations of farmers regarding the use of such products; (iv) lead to a more efficient management of the labelling obligations by economic operators; (v) contribute to reducing labelling costs all along the supply chain.

The current difficult political and economic context speaks in favour of, firstly, accelerating the existing trend of improving the use efficiency of fertilising products and, secondly, streamlining the costs of bringing fertilising products to the market. This proposal supports both trends in the fertilising products policy.

This proposal feeds into the broader digitalisation process of the agricultural sector, a priority for most Member State who signed a declaration for ‘a smart and sustainable digital future for European agriculture and rural areas’ on 9 April 2019.

CONTENT: the proposal introduces **voluntary digitisation of the labels of EU fertilising products**. The choice is with the manufacturers, importers or distributors of EU fertilising products.

Under the proposal, economic operators would be allowed to provide all the labelling elements required under Annex III to Regulation (EU) 2019/1009 only in a digital format in the following two situations: the EU fertilising products are sold without a packaging, or the EU fertilising products are sold to economic operators (which are not end-users of the products).

The economic operators opting for the digital labelling of EU fertilising products supplied to end-users in packaging will have to provide also a physical label, containing the most important information. The physical label will contain all the information concerning the protection of human health and the environment, as well as the most important information on the agronomic efficiency and content of the product, or information used after purchase.

The proposal lays down the **general rules regarding the digitisation of labels**. In particular, the economic operators will have to ensure that the digital label can be accessed free of charge and is easily accessible all over the EU, and they will have to take into account the needs of vulnerable population groups.

The Commission may adopt delegated acts to supplement the general digital labelling requirements and further adapt Annex III by deciding which labelling elements could be provided digitally when EU fertilising products are made available to end-users in packaging, depending on the evolution of the society.

Digital labelling of EU fertilising products

2023/0049(COD) - 12/03/2024 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 596 votes to 7, with 5 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) 2019/1009 as regards the digital labelling of EU fertilising products.

The proposed Regulation aims to improve the readability of the labels of EU fertilising products and to facilitate the management of such labels by the economic operators in order to guarantee the functioning of the internal market.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amends the proposal as follows:

Obligations of manufacturers

Manufacturers should ensure that EU fertilising products are accompanied by the labelling elements:

- in a language which can be easily understood by end-users, as determined by the Member State concerned;

- **clear, understandable, accurate, intelligible** and prominently placed on the packaging;

- accessible for inspection purposes when the EU fertilising product is made available on the market.

Where EU fertilising products are made available to economic operators on the market in packaging, they should be accompanied by the labelling elements set out in Annex III in the following form:

- on a **label in a digital form** or;

- on a **label in a physical form** attached to the packaging or, for the labelling elements that cannot be provided on the label due to the packaging being too small, in a separate leaflet accompanying the packaging.

The digital label may include recommendations and best practices for the use of the EU fertilising product.

The digital label should be:

- presented in a way that also addresses the needs of vulnerable groups and supports, as relevant, the necessary adaptations to facilitate access by those groups, in particular those consisting of **persons with disabilities**;

- **available for a period of 10 years** from the moment that the EU fertilising product was placed on the market, including in the event of the insolvency, liquidation or cessation of activity in the Union of the economic operator that created it.

Where EU fertilising products are made available on the market with a digital label, the economic operator supplying them to end-users should post the labelling information in a visible place at the point of sale. This will help to ensure that potential end-users are properly informed and enable them to make an informed purchase.

Evaluation

By **7 years** from the date of entry into force of this amending Regulation, the Commission should carry out an evaluation of the digital labelling of EU fertilising products as introduced by the Regulation. As part of that evaluation, it should assess in particular:

- the impact of digital labelling of EU fertilising products on the proper functioning of the internal market, the level of consumer protection and impact of digital labelling of EU fertilising products on businesses, in particular micro, small and medium-sized enterprises;

- the impact of Article 11a (form of labelling) and in particular the extent to which economic operators opted for the use of a digital label.

The Commission should draw up a report on the main findings and submit it to the European Parliament, the Council and the European Economic and Social Committee. Member States should provide the Commission with the information necessary for the preparation of that report.

The report should be accompanied, where appropriate, by a legislative proposal.

Digital labelling of EU fertilising products

2023/0049(COD) - 03/11/2023 - Committee report tabled for plenary, 1st reading/single reading

The Committee on the Internal Market and Consumer Protection adopted the report by Maria GRAPINI (S&D, RO) on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) 2019/1009 as regards the digital labelling of EU fertilising products.

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

Improved accessibility

Websites or online platforms may not be designed with proper accessibility features, making it difficult for individuals with visual, hearing or motor disabilities to access the information effectively. To address these access and difficulty issues, Members considered that efforts should be made to ensure that digital labels are accessible, user-friendly, and available in multiple formats to accommodate diverse populations.

Digital labelling

Members stressed that since digital labels are meant to provide mandatory information on EU fertilising products, the economic operators should ensure free access to digital labels for a period of at least 10 years from the moment the EU fertilising product is placed on the market.

It is essential that where economic operators choose the digital labelling of EU fertilising products supplied to consumers in a packaging, they should therefore ensure that a minimum set of relevant information is also available on the physical label. It is also important that the digital labels do not excessively increase the cost of products.

Moreover, the digital label may include recommendations and best practices for the use of the EU fertilising product.

Evaluation

By 5 years from the entry into force of this Regulation, the Commission should carry out an evaluation of this Regulation assessing its impact on the proper functioning of the internal market, the level of consumer protection and its impact on businesses, particularly on micro, small and medium-sized enterprises and to what extent economic operators opted for the use of a digital instead of a physical label.