



European Consortium
of the Organic-Based Fertilizer
Industry

Simplifying EU Fertiliser Rules to Unlock Circular, Sustainable Agriculture

Out of Balance: Regulatory Burdens on Organic-Based Fertilisers

Organic-based fertilisers (OBFs) provide farmers with a reliable, safe source of nutrients derived from organic materials. Simplifying these rules is critical not only for improving regulatory efficiency, but also for reinforcing Europe's competitiveness in global markets and ensuring strategic autonomy in food and agricultural production. OBFs are vital for enhancing soil health, contributing to integrated plant nutrition strategies, and advancing circularity by revalorising organic residues that would otherwise go to waste. These products are increasingly important as the EU works to strengthen the competitiveness, resilience, and sustainability of its agricultural sector – while reducing dependency on external inputs and improving food security.

Yet today, many of these products remain excluded from the internal market, not because of safety concerns, but because of regulatory complexity and fragmentation. The Fertilising Products Regulation (FPR) was designed to simplify and harmonise access to market across the EU, especially for innovative and circular products—but in practice, a range of outdated and misaligned rules continue to hold back safe, effective, and innovative materials.

This position outlines three practical areas for simplification where the European Commission can deliver rapid improvements for both manufacturers and farmers – without compromising safety or starting from scratch. These are opportunities for low-cost, high-impact adjustments that would help the FPR deliver on its original objectives.

Due to resource constraints, the European Commission has been forced to lengthen the timelines for key elements of the FPR, such as the inclusion of additional Animal By-Products (ABPs) under CMC 10. These delays make it difficult for industry stakeholders to plan, creating uncertainty and preventing the timely introduction of innovative solutions. Predictable timelines are critical for enabling industry players to operate effectively and for achieving the EU's broader circular economy and food security goals.

Three Areas Where Simplification Can Make a Real Difference

1. Animal By-Products (ABPs): Unlocking a Critical Resource for Circular Agriculture and Healthy Soils

The current rules for using ABP-derived materials under the FPR – particularly CMC 10 – are narrow and rigid. Their eligibility depends on references in the Animal By-Products

Regulation (ABPR) and Commission Delegated Regulation (EU) 2023/1605, which were not designed with fertilising products in mind.

As a result, safe and nutrient-rich ABP materials – such as bone meal, blood meal, and other widely-used nutrient sources – are often:

- **Excluded from CE-marked fertilising products**, despite being widely and safely used in many national markets;
- **Discarded or underutilised**, even when they could reduce pollution or replace less sustainable inputs.

These exclusions are not the result of scientific concerns, but of regulatory processes that are outdated, unclear, or dependent on assessments that never took place. Individual companies must fund EFSA assessments, facing both cost and data protection challenges – a major disincentive for bringing even well-established materials forward.

ECOFI proposes:

- **Reviewing the ABPR references in the FPR** to allow a broader range of safe, treated ABPs to qualify for use in fertilising products;
- Facilitating the use of animal by-products by **allowing the end point to be reached at any step during the production process**, prior to the final product being placed on the market;
- **Basing eligibility on the overall safety and quality of the final product, not just the raw material origin, will support industry innovation and sustainable practices;**
- Applying the “**one substance, one assessment**” principle to eliminate redundant procedures and increase predictability.

2. REACH: Disproportionate Burdens That Undermine Circular Solutions

REACH obligations – including REACH+ requirements like substance identity, safety data sheets, and downstream communication – continue to block access to market for OBFs made from low-risk, recycled, or biologically derived materials, even when they are already regulated under other EU frameworks.

In many cases, the cost and complexity of REACH compliance outweigh the commercial benefit of placing a product on the EU market under the FPR. These materials are not unsafe – they are simply overregulated relative to their actual risk, especially when they are used only in fertilising products and have already been assessed elsewhere.

ECOFI proposes:

- **Developing streamlined REACH pathways** for fertiliser-use-only substances derived from organic materials;

- **Coordinating more closely** between ECHA and the European Commission on REACH–FPR interactions;
- Extending the “**one substance, one assessment**” principle to avoid duplication for materials already evaluated under ABPR, national fertiliser rules, or FPR authorisations.

You can find out more about ECOFI's position on the need to restore normal REACH requirements for EU fertilising products in our joint position paper with EBIC and other stakeholders.

3. Missing Materials, Missing Processes, Missing Innovation in the Circular Economy: Fixing the Gaps in a Static System

Many safe and widely used materials are excluded from the FPR simply because they do not fit neatly into the existing Component Material Categories (CMCs). One example is oilseed cakes treated with chemical solvents, which are excluded from CMC 2 despite their broad national use and absence of safety concerns.

Moreover, innovation using materials from the circular economy often involves new processes that result in different material characteristics.

The issue is systemic:

- There is no recurring mechanism to identify and add new materials or production processes;
- The interface between FPR, ABPR, and WFD is not designed to support circularity today – let alone innovation in circularity tomorrow;
- Regulatory fragmentation leads to varying interpretations by Member States, undermining legal certainty and the goal of EU harmonisation.

The FPR was created to facilitate cross-border trade in fertilising products, especially those aligned with the circular economy. But unless the system can evolve, this objective cannot be met.

ECOFI proposes:

- An open system for submitting new materials to the FPR, based on **clearly defined, transparent criteria**, which would allow companies to propose new materials for inclusion in CMCs **at any time**, rather than waiting for fixed review cycles;

- This system should be efficient, ensuring that new materials can be added promptly when they meet established criteria, **supporting flexibility and innovation in the circular economy**;
- **Improving regulatory coherence across FPR, REACH, ABPR, and WFD**, including better coordination across Commission services (GROW, SANTE, ENVI, AGRI).

This approach will help drive innovation in the bioeconomy and ensure Europe's leadership in sustainable, circular agricultural practices while reinforcing food security and strategic autonomy.

A Focused Path Forward

The simplification actions proposed in this paper do not require legislative overhaul. They offer a practical way forward – for manufacturers, farmers, and policymakers alike.

By taking targeted steps to:

- **Remove unnecessary ABP exclusions**,
- **Streamline REACH** for safe, recycled inputs,
- **Improve procedures** for expanding material categories, and
- **Reinforce regulatory coherence** across EU frameworks,

...the European Commission can help the FPR deliver on its original promise: to increase cross-border trade in sustainable fertilising products and support the circular economy.

ECOFI remains committed to contributing constructively to this work, offering technical insights, real-world examples, and alignment with broader EU policy goals on food security, soil health, and strategic autonomy.