



Brussels, 1st October 2009
M/454 EN

SECOND AMENDMENT TO:
STANDARDISATION MANDATE M/335
ASSIGNED TO CEN CONCERNING THE MODERNISATION OF THE
METHODS OF ANALYSIS OF FERTILISERS

(1) BACKGROUND

This extension of the standardisation Mandate M/335 falls within the framework of the following legal act:

- Regulation (EC) No 2003/2003¹ of the European Parliament and of the Council relating to fertilisers.

Standardized methods of analysis are essential elements in guaranteeing a high level of quality and safety of EC fertilisers for the benefit of farmers. In order to avoid any improper use of the term “EC fertiliser” Member States are required to check the nutrient content of such fertilisers. In this perspective, the representative sampling is a prerequisite for reliable analytical results.

To facilitate the future adaptation to technical progress of the sampling methods, their updated version delivered by CEN will not be annexed to community law but will exist in the form of separate standards to which the community law will refer.

Mandate M/418 (twice revised) has been issued to CEN as an amendment to the original Mandate M/335 in order to develop analytical methods for the determination of heavy metals and to adapt to technical progress the tolerance values of Annex II to Regulation (EC) No 2003/2003. This second amendment aims at extending the scope of EN 1482-1 to the sampling of static fertilisers heaps.

The Commission intends to propose amendments to the above-mentioned legal act in order to ensure that CEN standards can be considered as official methods of sampling to be used as reference for official controls.

(2) JUSTIFICATION FOR AMENDMENT

In its Article 2, Mandate M/335 highlights that the Commission invites CEN to update and adapt to technical progress methods of analysis in order to be able to control in an

¹ OJ L 304, 21.11.2003, p 1

efficient and modernised way the compliance with the provisions of Community legislation in the field of fertilisers for:

- All the methods of analysis described in the Annexes II, III and IV of Regulation (EC) 2003/2003 on fertilisers.
- Any other new methods of analysis in the field governed by the Community legislation on fertilisers if these are added to the list annexed to the present mandate by the Commission, after consultation of the Member States within the Standards and Technical Regulations Committee.

CEN has been working for a number of years under standardisation mandate M/335 to convert the sampling and test methods described in Annex IV of Regulation (EC) No 2003/2003 into EN Standards. In this framework, CEN developed EN 1482-1 which specifies that the sampling of a static heap must be done when the heap is in motion.

On 19 March 2009, a meeting of the Fertilisers Working Group took place to better define the current sampling practices in the different Member States. Two Member States recommended further improvements of EN 1482-1 as regards the sampling of static heaps. In some cases, e.g. sampling from a silo, sampling large amounts of fertilisers in motion does not necessarily represent the whole lot.

Moreover, consultation of the Member States showed that industrial and national authorities practices in the sampling of fertilisers are sometimes different.

Fertiliser manufacturers do not sample large static heaps. Instead, they sample fertiliser before it is added to the heap; it may also be sampled again when it is loaded for transport. Industry believes that sampling of moving heaps is not only more practical but also more reliable and more relevant. Hence no sampling methods for large static heaps are available within the fertiliser industry. Other industry sectors have methods which might possibly be adapted for fertilisers² even if a large amount of work would be needed to investigate their suitability for fertilisers and to develop a standard, especially in establishing the statistical errors.

Competent authorities have limited resources for conformity assessment, and there are most efficiently deployed at the downstream end of the supply chain, i.e. at retailer or farmers premises. To recall, the purpose of Regulation (EC) No 2003/2003 is to guarantee to the farmer the quality of the fertiliser, that is to say their nutrient content. Therefore, nutrient content compliance should be ideally controlled at the point of sale to the end user, i.e. at the end of the supply chain.

Therefore EN 1482-1 might not fully satisfy the needs of Member States and an evaluation should be carried out by CEN to see which size of fertiliser heaps could be sampled at affordable costs and the method to be used.

² EN 932-1 – General properties of aggregates – Part 1 : Methods of sampling
ISO 10381-8 – Soil quality – Sampling. Part 8 – guidance on sampling of stockpiles

(3) NEW ELEMENT TO BE ADDED TO ANNEX I OF MANDATE M/335

Regarding the previous elements, the current Mandate M/335 is to be extended to the sampling of static heaps.

A well-mixed fertiliser consisting of granules of varying size or density, such as a blended NPK fertiliser will tend to segregate out when transported or when piled onto a heap. Large granules rise to the top of the load during transport and roll to the bottom during heaping. Thus the nutrient content of a sample taken from the bottom of a heap may differ significantly from one taken from the top of a heap, even to the extent of falling outside the fertiliser type specification in some places.

However, it can be argued that the significance of any such segregation cannot be decided without knowing how the heap will be used. For example, when part of the heap is sold, a certain amount of remixing will take place when it is loaded for transport. The probability that the mean nutrient content of the sold portion differs from that of the overall composition of the heap depend largely on the size of the sold portion relative to the size of the heap.

CEN should:

- a) consider the desire of competent authorities to carry out controls further down the supply chain where smaller heaps are involved for the supply of the final consumer and where adequate equipment and sampling methods might exist, CEN is required to develop a method of sampling large static heap that could be sampled with existing sampling instruments.
- b) check the accuracy of the sampling method developed in point (a) by comparing the nutrient content in a fertiliser sampled in static heaps and in motion.
- c) discuss the costs to develop new specialised equipments that would be required for the sampling of larger static heap.

DESCRIPTION OF THE MANDATED WORK:

CEN is requested to provide the deliverables in accordance with the modification of the original annex of Mandate M/335 as contained in the annex to this mandate amendment and within the time schedule stated. CEN is requested to further investigate the possibility of the development of a European Standard and, if appropriate, to develop such a standard giving a sampling method of static fertiliser heaps for official controls that guarantees reliable analytical results in nutrient content determination.

The mandated work should be carried out in conjunction with other work being undertaken by CEN, with a view to preventing duplication and finding synergies with similarly developed methods and approaches that may be able to make use of the same validation and presentation of test results. In particular, the project HORIZONTAL should be considered in this regard as appropriate.

The work should be based where possible on existing international standards available in other industrial sectors and in close cooperation with national competent authorities.

ANNEX

Mandated work programme covered by the present amendment (1 page)

Project	Time estimation/remarks	Revision / Ring tests
<p><u>Sampling of static heaps</u></p> <p>CEN is required:</p> <p>To determine which size of static fertiliser heap could be sampled using existing sampling instrument.</p> <p>To check the accuracy of the sampling method developed compared to the sampling of the same fertiliser in motion.</p>	<p><u>Approval of new work item</u> WI 00xxxxxx:</p> <p><u>Title:</u></p> <p>"xxxxxxxxxxxxxxxxxxxxxxxxxxxx"</p> <p><u>Deliverable:</u> EN Standard</p> <p><u>Timing:</u> 36 months</p>	<p>To be completed by CEN if needed</p>