
EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations, which apply throughout Great Britain, re-enact with amendments the Fertilisers Regulations 1990. They implement the Directives listed in paragraph 2 below and incorporate changes in the law which are described in paragraph 5 below.

2. The Directives implemented are—

Council Directive [76/116/EEC](#) (OJNo. L24, 30.1.76, p.21) on the approximation of the laws of the Member States relating to fertilisers;

Council Directive [80/876/EEC](#) (OJ No. L250, 23.9.80, p.7) on the approximation of the laws of the Member States relating to straight ammonium nitrate fertilisers of high nitrogen content;

Council Directive [88/183/EEC](#) (OJ No. L83, 29.3.88, p.33) amending Directive [76/116/EEC](#) in respect of fluid fertilisers;

Council Directive [89/284/EEC](#) (OJ No. L111, 22.4.89, p.34) supplementing and amending Directive [76/116/EEC](#) in respect of the calcium, magnesium, sodium and sulphur content of fertilisers;

Council Directive [89/530/EEC](#) (OJ No. L281, 30.9.89, p.116) supplementing and amending Directive [76/116/EEC](#) in respect of the trace elements boron, cobalt, copper, iron, manganese, molybdenum and zinc contained in fertilisers.

3. The Regulations specify the requirements which must be met before materials may be designated and sold as EEC fertilisers and apply also to materials intended for use as fertilisers which are not so designated (regulations 2 and 3). They prescribe names for and descriptions of such materials (regulations 4 and 5 and Schedule 1) and particulars and information to be given in the statutory statements required by law to be provided when such materials are sold for such use (regulation 5 and Schedule 2). The marking and labelling of materials held for sale are controlled by regulation 8 and Schedule 2.

4. Special provision for the marking of certain imported materials is made in regulation 9. Regulation 10 provides for the use in certain cases of a mark, the meaning of which can be ascertained from a register kept in accordance with that regulation. The enforcement of certain provisions is provided for in regulation 11 and the use of metric measures in the sampling of materials is specified in regulation 12. Provisions in respect of EEC fluid fertilisers are to be found in regulations 4(1) and (5), 7(c), 9(c) and 10(1)(c), Section C of Schedule 1 and Part I of Schedule 2.

5. The principal changes in the law consist of provisions relating to the declaration of the calcium, magnesium, sodium and sulphur content of EEC fertilisers and the incorporation in EEC fertilisers and declaration of the trace elements boron, cobalt, copper, iron, manganese, molybdenum and zinc. These provisions are to be found in regulations 1(4) (interpretation) and 2(4) (packaging), Schedule 1 (Sections D and E) and Schedule 2, paragraphs 1(k), (l) and (m), 6 and 7. Provision is also made in the Table in Schedule 1 for EEC fertilisers kieserite with potassium sulphate and calcium nitrate solution.

6. The Regulations come into force on 1st November 1991, but subject to regulation 1(2) in the case of material, not designated as an EEC fertiliser, sold or offered for sale loose or in large containers before 1st June 1992 or in small containers before 1st February 1993.