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If a whole or part of a paragraph has been amended, the date of the amending regulation appears in square brackets at the end of the paragraph. If a whole paragraph or sub-paragraph has been deleted, the date of the deletion appears in square brackets beside the deleted paragraph or sub-paragraph.

Republic of Latvia

Cabinet

Regulation No. 506

Adopted 1 September 2015

## **Regulations Regarding the Identification, Quality Conformity Assessment and Sale of Fertilisers and Substrates**

*Issued pursuant to  
Section 4, Paragraph one, Clause 1 of the Law On Circulation of Fertilisers*

### **I. General Provisions**

1. This Regulation prescribes:

1.1. in relation to fertilisers without the “EK mēslošanas līdzeklis” [EC fertiliser] marking, as well as substrate:

1.1.1. the conformity with the requirements for identification, quality and sale;

1.1.2. the conditions and procedures for registration;

1.1.3. the acceptable deviations from the declared quality of fertilisers and substrates;

1.1.4. the maximum permissible concentration of undesirable impurity;

1.1.5. the procedures for supervision and control;

1.1.6. the procedures for the quality conformity assessment required for supervision and control;

1.1.7. the requirements for the label, marking and packaging;

1.2. the requirements for the declared plant nutrition element form of such fertiliser which has the “EK mēslošanas līdzeklis” [EC fertiliser] marking;

1.3. the procedures for the reporting and submission of documents, the maximum permissible concentration of undesirable impurity, the procedures for supervision and control, as well as the procedures for the quality conformity assessment required for supervision and control of a fertiliser and substrate (hereinafter – the notified fertiliser and substrate) introduced in Latvia in accordance with Regulation (EC) No 764/2008 of the European Parliament and of the Council of 9 July 2008 laying down procedures relating to the application of certain national technical rules to products lawfully marketed in another Member State and repealing Decision No 3052/95/EC;

1.4. the procedures by which a permit is received for sale or importation of those fertilisers and substrates which are not included in the Fertiliser and Substrate State Register of the State Information System for Monitoring of Agricultural Plants (hereinafter – the Register) or which do not conform to the quality declared or quality or identification requirements.

2. The circulation of organic fertilisers and substrates of animal origin shall be carried out in accordance with the requirements laid down in the laws and regulation regarding the veterinary requirements for by-products of animal origin and such processed products which are not intended to be used in food, as well as in conformity with Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (hereinafter – Regulation No 1069/2009) and Commission Regulation (EU) No 142/2011 of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive (hereinafter – Regulation No 142/2011).

## **II. Requirements for Fertiliser and Substrate Identification, Quality and Sale**

3. The requirements for fertiliser and substrate identification and quality, as well as the quality indicators to be declared are presented in Annex 1 to this Regulation.

4. The declared quality of a fertiliser and substrate shall conform to the requirements of this Regulation if the negative deviation of the specific indicator does not exceed the deviation referred to in Annex 2 to this Regulation.

5. No deviations from the minimum and maximum numerical values of the quality indicator referred to in Annex 1 to this Regulation are permitted, except the fertilisers referred to in Section H.

6. If in Annex 1 to this Regulation the maximum content of the plant nutrition elements of the specific fertiliser is not specified, it is permitted to increase it in the fertiliser more than the declared content. If in Annex 1 to this Regulation the minimum content of the plant nutrition elements of the specific fertiliser is specified, its increase in the fertiliser is restricted to the maximum content referred to in Annex 1 to this Regulation.

7. Concentration of undesirable impurity in a fertiliser or substrate shall not exceed the maximum permissible concentration (Annex 3).

8. The minimum content of micronutrients to be declared in a fertiliser is specified in Annex 4 to this Regulation.

9. A laboratory which is accredited by the national accreditation authority in accordance with the laws and regulations regarding assessment, accreditation, and supervision of conformity assessment authorities, or by an accreditation authority of another European Union Member State or a Member State of the European Economic Area (hereinafter – accredited laboratory) shall issue a test report for the fertiliser and substrate. A test report of viable micro-organisms in a microbiological preparation and biologically active compounds in the composition of a plant growth promoter may be issued also by a scientific institution which in accordance with the Law On Scientific Activity has been registered in the Register of Scientific Institutions, or a scientific institution officially registered by another European Union Member State.

10. An accredited laboratory shall test a fertiliser according to the methods specified in Regulation (EC) No 2003/2003 of the European Parliament and of the Council of 13 October 2003 relating to fertilisers (hereinafter – Regulation No 2003/2003). If the testing

method has not been specified in Regulation No 2003/2003, the fertiliser may be tested according to the applicable standards recommended by the Ministry of Agriculture which are published by the national standardisation authority on its website (www.lvs.lv).

11. The testing expenditure that is related to registration of a fertiliser or substrate or to the receipt of a permit for importation or sale thereof shall be covered by its producer or importer.

12. A producer, packer, importer or seller of a fertiliser or substrate shall do the following at a wholesale or retail site:

12.1. upon request of the State Plant Protection Service (hereinafter – the Service), ensure access to the accounting documents and accompanying documents of fertilisers and substrates, as well as provide information regarding circulation of fertilisers and substrates;

12.2. ensure the storage conditions of the fertiliser or substrate according to the requirements referred to on the label, marking or in an accompanying document and the safety data sheet (if any).

### **III. Registration of a Fertiliser and Substrate**

13. Fertilisers and substrates shall be registered and the register shall be maintained by the Service.

14. A legal person or a natural person who produces, packs or imports a fertiliser and substrate or prepares mixtures of fertilisers (except mixtures, which according to a specific contract are prepared upon an individual order for an end user) (hereinafter – person) shall submit a submission for registration of the fertiliser. If the fertiliser or substrate has been registered by a producer, it may be freely imported.

15. In order to register a fertiliser or substrate, the person shall submit the following to the Service:

15.1. a submission (Annex 5);

15.2. a producer or importer – a test report issued by an accredited laboratory (for a fertiliser and substrate produced in a European Union Member State and Member State of the European Economic Area only a test report issued by the producer may be submitted); in turn, for biologically active compounds in the composition of plant growth promoters – also a test report issued by a scientific institution, which has been registered in the Register of Scientific Institutions in accordance with the Law On Scientific Activity, or a scientific institution officially registered by another European Union Member State may be submitted. The test report submitted for registration shall not be older than 12 months;

15.3. a packer – a copy of registration certificate of a fertiliser or substrate;

15.4. an opinion issued by a scientific institution conforming to the requirements referred to in Sub-paragraph 21.4 of this Regulation (Annex 6) stating that a non-typical fertiliser, plant growth promoter or microbiological preparation has given a positive efficiency result of the fertiliser. The plant used in the trial shall be indicated in the opinion;

15.5. the text of the label, marking or accompanying document with the information in Latvian in accordance with Paragraph 52 of this Regulation – for a fertiliser (except a microbiological preparation), in accordance with Paragraph 53 of this Regulation – for a microbiological preparation, and in accordance with Paragraph 54 of this Regulation – for a substrate;

15.6. the test report (copy) on the detonation safety for ammonium nitrate fertilisers with a nitrogen content exceeding 28 per cent;

15.7. the safety data sheet if provided for in Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration,

Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC;

15.8. a list of the planned sales locations;

15.9. information regarding the granted registration or the official number of recognition, and indication to the website of the competent authority where there is information that the producer of the fertiliser or substrate has been recognised or registered in accordance with the requirements of Regulation No 1069/2009, if the fertiliser or substrate contains animal by-products or derived products, not intended for human consumption (hereinafter – animal by-products);

15.10. a written permit of the producer to re-package the microbiological preparation, if it is planned to do it.

16. In order to register a mechanical mixture of fertilisers prepared in Latvia, the following shall be submitted by the person to the Service:

16.1. a submission (Annex 7);

16.2. a copy of the technical description of the mechanical mixture (except a packer);

16.3. a copy of the test report on detonation safety for a fertiliser with a nitrogen content that exceeds 28 per cent of the mass of the fertiliser;

16.4. a statement of the person preparing the mixture that the mechanical mixture has been prepared from registered fertilisers or from fertilisers with “EK mēslošanas līdzeklis” [EC fertiliser] marking, and that the quantity of the non-registered ingredients therein (if any) does not exceed 0.5 per cent of the total mass (a packer shall submit a copy of the registration certificate of the mixture);

16.5. a sample of the text of the label, marking or accompanying document with the information in Latvian in accordance with Paragraph 52 of this Regulation;

16.6. a list of the planned sales locations.

17. The person registering shall be responsible for the conformity of the documents referred to in Paragraphs 15 and 16 of this Regulation.

18. The Service shall start evaluation of the conformity with the requirements of this Regulation for identification, quality, and sale of a fertiliser or substrate applied for registration after the receipt of all the fully completed documents referred to in Paragraph 15 or 16 of this Regulation.

19. In order to take a decision to register a fertiliser or substrate, the Service, specifying the reason thereof, may request the person to provide additional information, as well as invite appropriately qualified experts.

20. If the person has failed to submit the additional information referred to in Paragraph 19 of this Regulation by the end of the specified term, the Service shall reject the submission.

21. Within a month after receipt of the documents referred to in Paragraphs 15 and 16 of this Regulation the Service shall take a decision to register a fertiliser or substrate, provided that the following conditions have been observed:

21.1. it conforms to the quality requirements referred to in Annexes 1 and 3 to this Regulation;

21.2. the sample of the text of the label, marking or accompanying document conforms to the requirements of this Regulation;

21.3. the test of resistance to detonation has been performed for an ammonium nitrate fertiliser with a nitrogen content exceeding 28 per cent in accordance with the methods specified in Regulation No 2003/2003, and the fertiliser has been recognised as explosion-proof;

21.4. for a non-typical fertiliser, plant growth promoter or microbiological preparation (except a microbiological preparation which is offered only as a composter) a positive trial result has been received in the fertiliser efficiency test, if the trial has been carried out in zone A or B in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC, or in third countries in similar latitudes, and it has been carried out by a scientific institution which has been registered in the Register of Scientific Institutions in accordance with the Law On Scientific Activity, or a scientific institution of another country which has been registered in the Register of Scientific Institutions in accordance with the requirements of the laws and regulations of the respective country;

21.5. a non-typical fertiliser, plant growth promoter or microbiological preparation in a trial in which the sole difference principle has been observed and which has been carried out with field crops during the past 10 years at least two years in a row, but with covered area crops – at least two harvest cycles, during the test period has given an average of at least 10 per cent harvest increase (except ornamental plants). In the fertiliser marking the crop or group of crops shall be indicated for which a positive efficiency test result has been obtained;

21.6. the State fee has been paid in accordance with the laws and regulations regarding the State fee for the registration of fertilisers and substrates or receipt of a permit for sale or importation of fertilisers and substrates.

22. If the conditions referred to in Paragraph 21 of this Regulation are not observed, the Service shall take a decision to refuse to register the fertiliser or substrate.

23. The Service shall:

23.1. within three working days after taking a decision, inform the person thereof in writing;

23.2. if the decision referred to in Paragraph 21 of this Regulation has been taken:

23.2.1. make an entry in the register, including all the data referred to in the submission, as well as information on the declared quality parameters of a fertiliser and substrate and the essential composition of fertilisers (except microbiological preparations);

23.2.2. within 10 working days, issue to the person a registration certificate by which it is attested that the fertiliser or substrate has been included in the register.

24. The holder of a registration certificate shall be responsible for the conformity of fertilisers and substrates to the requirements laid down in the laws and regulations regarding the circulation of fertilisers and chemical substances and products, the circulation of by-products of animal origin, as well as for the conformity with the requirements of Regulation No 1069/2009 and Regulation No 142/2011.

25. In the registration certificate of a fertiliser (except microbiological preparations) information in accordance with Annex 8 to this Regulation shall be specified; in a registration certificate of a microbiological preparation – in accordance with Annex 9 to this Regulation; and in a registration certificate of a substrate – in accordance with Annex 10 to this Regulation.

26. The holder of the registration certificate shall, within 10 days, inform the Service in writing regarding amendments which have occurred in the documents submitted for registration.

27. Amendments to the register shall be made after a decision of the Service which has been taken on the basis of a submission of the holder of the registration certificate and the documents appended thereto. The holder of the registration certificate shall indicate the reasons for making amendments to the submission.

28. After making amendments to the register (if data of the registration certificate are being changed), the Service shall issue a new registration certificate with the same registration number and cancel the previous registration certificate.

29. The Service shall, within two weeks, cancel the registration of a fertiliser or substrate and the registration certificate, if the person, upon registering a fertiliser or substrate has provided false information or in accordance with Section 11, Paragraph one of the Law On Circulation of Fertilisers.

30. The Service shall publish a decision to cancel the registration and registration certificate of a fertiliser and substrate in the official gazette *Latvijas Vēstnesis*. The cancelled stocks of fertilisers may be present in a trade network for three years after publishing of the decision if they are not hazardous to human and animal health and the environment.

31. An indication “Bioloģiskā lauksaimniecība” [Organic farming] or "Atļauts lietot bioloģiskajā lauksaimniecībā" [Permitted to be used in organic farming] shall be used on the label, marking or in an accompanying document of a fertiliser and substrate if the control authority specified in the laws and regulations regarding supervision and control of organic farming (hereinafter – control authority) has issued a certificate containing an attestation concerning the conformity of the fertiliser for marking or labelling with the indication “Bioloģiskā lauksaimniecība” [Organic farming] or "Atļauts lietot bioloģiskajā lauksaimniecībā" [Permitted to be used in organic farming].

32. The control authority shall issue a certificate containing an attestation concerning the conformity of the fertiliser for marking or labelling with the indication “Bioloģiskā lauksaimniecība” [Organic farming] or "Atļauts lietot bioloģiskajā lauksaimniecībā" [Permitted to be used in organic farming] in accordance with the laws and regulations regarding supervision and control of organic farming. The control authority shall, within five working days after issuing the certificate with attestation, notify the Service thereof.

33. The Service shall, within five working days after registration of a fertiliser and substrate, post on its website information regarding the registered fertiliser or substrate: its name (trade name), the essential composition (except a microbiological preparation and substrate), raw materials (for substrate only), the name or given name and surname of the person registering the respective fertiliser or substrate, the name and country of the producer, the number of the registration certificate, stage of circulation of the fertiliser or substrate, and the indication “Bioloģiskā lauksaimniecība” [Organic farming] or "Atļauts lietot bioloģiskajā lauksaimniecībā" [Permitted to be used in organic farming], if the requirements of this Regulation for the use of the respective indications have been observed.

#### **IV. Procedures for Notifying a Fertiliser and Substrate**

34. To sell a notified fertiliser or substrate in Latvia, the importer or producer shall, not later than within 20 working days before the initial placement of the fertiliser and substrate on the Latvian market, submit the following to the Service:

34.1. a submission (Annex 11);

34.2. an attestation of the competent authority of the respective country regarding legal sale of the respective fertiliser or substrate in a European Union Member State, in a Member State of the European Economic Area or in Turkey or an attestation of the producer, if an attestation issued by the competent authority of the respective country has been appended to the submission stating that the producer has been recognised in accordance with the laws and regulations of the respective country;

34.3. the text of the label, marking or accompanying document with the information in Latvian which conforms to the text in the language of the country which has recognised the fertiliser and substrate. If the submission is submitted in printed form, the submitter shall also submit the text of the label or marking electronically;

34.4. information regarding raw materials of the organic fertiliser and substrate;

34.5. information regarding the organic fertiliser or substrate, if it contains animal by-products, indicating the granted registration or the official number of recognition, as well as an indication to the website of the competent authority containing information that the producer of the fertiliser and substrate has been recognised or registered in accordance with the requirements of Regulation (EC) No 1069/2009.

*[3 May 2016]*

35. The importer or producer shall be responsible for the conformity of the documents referred to in Paragraph 34 of this Regulation.

*[3 May 2016]*

36. The Service shall, within five working days after receipt of the documents referred to in Paragraph 34 of this Regulation, include the information regarding the notified fertiliser and substrate in the list of notified fertilisers and substrates. On its website the Service shall indicate the group of the fertiliser or substrate (if it has been indicated in the attestation of the Member State or in Paragraph 7 of Annex 11 to this Regulation) and the trade name, producer, submitter, Member State which has recognised it, and the date and number of the attestation (if any) of the competent authority of the respective Member State or the producer, as well as the validity term of the attestation (if it has been indicated), and the date of attestation in Latvia.

*[3 May 2016]*

37. *[3 May 2016]*

38. *[3 May 2016]*

39. *[3 May 2016]*

## **V. Supervision and Control**

40. The Service shall, in accordance with the laws and regulations regarding the procedures for the taking and preparation of control samples or fertilisers and substrates, take a control sample of a fertiliser and substrate and submit it to an accredited laboratory. To determine the quantity of viable micro-organisms in the microbiological preparation or the content of biologically active compounds in a plant growth promoter, the control sample may also be submitted to the scientific institution referred to in Paragraph 9 of this Regulation.

*[3 May 2016]*

41. [3 May 2016]

42. The accredited laboratory or the scientific institution shall, within a time period coordinated in writing with the Service, transfer to it the test report of the identification and quality indicators of the fertiliser or substrate.

43. The Service, based on the test report submitted by the accredited laboratory or scientific institution which includes the respective indicators referred to in this Regulation, shall assess the quality conformity of the control sample of the fertiliser or substrate with the requirements of this Regulation or Regulation No 2003/2003. If the quality of the fertiliser or substrate conforms to the requirements of this Regulation, the control expenditure shall be covered from the funds from the State budget provided for such purposes.

44. If the quality of the fertiliser or substrate does not conform to the requirements of this Regulation, the Service shall, within 10 working days, send to the accredited laboratory or the respective scientific institution a second control sample of the respective fertiliser or substrate. Only such quality indicators of the fertiliser or substrate shall be tested in the second control sample in which non-conformity was detected. If also the second control sample shows non-conformity of the quality of the fertiliser or substrate with the requirements of this Regulation, the Service shall:

44.1. by inviting the person and appropriately qualified experts, assess the necessity to make amendments to the register or take a decision to cancel the registration of the fertiliser or substrate and the registration certificate thereof, if it refers to a registered fertiliser or substrate;

44.2. contact the competent authority of the respective Member State to obtain information regarding the quality requirements for fertilisers and substrates laid down in the laws and regulations of the respective country, if it refers to a notified fertiliser or substrate. If the quality of the fertiliser or substrate does not conform to the requirements laid down in the laws and regulations of the respective country, the Service shall, after receipt of a written attestation of the competent authority of the respective Member State, delete the fertiliser or substrate from the list of notified fertilisers and substrates, and, upon establishing hazard of the fertiliser or substrate to the environment, human or animal health, shall act in accordance with the procedures laid down in Section 9, Paragraph two, Clause 3 of the Law On Circulation of Fertilisers.

[3 May 2016]

45. If according to the repeated test report the quality of the fertiliser or substrate does not conform to the requirements of this Regulation, the person who produces, imports for sale, packs, sells the respective fertiliser or substrate or prepares mixtures of fertilisers shall cover all expenditure related to testing the control samples.

46. If the Service establishes non-conformity of the quality of a fertiliser or substrate, it shall, within five working days, inform the person of the expenditure relating to the control sample testing and the procedures for payment thereof.

47. If the Service establishes that the notified fertiliser or substrate may harm human and animal health and the environment, it shall, within five working days, inform the Ministry of Agriculture thereof in writing.

48. The Ministry of Agriculture shall assess the information referred to in Paragraph 47 of this Regulation and, if necessary, inform the European Commission and other Member States.



49. The person may import without a permit a non-registered fertiliser or substrate for non-commercial purposes (for personal use) if the fertiliser or substrate which is imported by the person from the third countries, is not applied the import duty and the value thereof does not exceed the sum specified in the laws and regulations regarding exemption from value added tax.

50. If the control authority informs the Service that a fertiliser or substrate does not conform to the requirements of organic farming, the Service shall:

50.1. take a decision to suspend the sale of the fertiliser or substrate until elimination of deficiencies;

50.2. delete the indication "Bioloģiskā lauksaimniecība" [Organic farming] or "Atļauts lietot bioloģiskajā lauksaimniecībā" [Permitted to be used in organic farming] in the list of registered fertilisers and substrates.

## **VI. Requirements for Label, Marking and Packaging of a Fertiliser and Substrate**

51. Information regarding a fertiliser and substrate shall be indicated on the label or marking of the packaging of the fertiliser or substrate, for unpacked fertilisers and substrates – in the accompanying document. If the packaging mass of a fertiliser and substrate exceeds 25 kilograms, the information on the fertiliser or substrate in Latvian in accordance with requirements of this Regulation may be indicated in the accompanying document of the fertiliser. If a microbiological preparation and fertiliser which has the indication "Bioloģiskā lauksaimniecība" [Organic farming] or "Atļauts lietot bioloģiskajā lauksaimniecībā" [Permitted to be used in organic farming] is in a packaging which weighs more than 25 kilograms, the information shall be indicated on the label or marking.

52. The mandatory information to be indicated on the packaging label, marking or in an accompanying document of a fertiliser (except microbiological preparations) is referred to in Annex 12 to this Regulation.

53. The mandatory information to be indicated on the packaging label, marking or in an accompanying document of a microbiological preparation is referred to in Annex 13 to this Regulation.

54. The mandatory information to be indicated on the packaging label, marking or in an accompanying document of a substrate is referred to in Annex 14 to this Regulation.

55. The label or marking of a fertiliser and substrate submitted for registration the text of which has been submitted for the registration of a fertiliser or substrate, shall be placed on the packaging in a visible place and clearly separated from any other information that may not contradict the submitted text of the label or marking.

56. The fertiliser packaging shall be closed in such a way that, when opened, the fastening, fastening seal or the package itself would be completely damaged.

57. The information on the label or marking shall be in Latvian, and clearly legible.

58. The label or marking shall be resistant to environmental conditions.

59. A producer, packer, and importer of a fertiliser and substrate, as well as a person preparing a mixture of these fertilisers shall ensure the following:

59.1. the durability and safety of the packaging of the fertiliser or substrate in order to retain the declared quality of the fertiliser;

59.2. delivery of ammonium nitrate fertilisers with a high nitrogen content (more than 28 per cent), liquid mineral fertilisers and solid mineral fertilisers containing solely micronutrients for sale to the final consumer in packaged form.

60. The microbiological preparation shall be in circulation only in the packaging of the producer or, if a written permit for re-packaging thereof has been submitted by the producer to the Service, also in the packaging of the packer.

61. The person registering a fertiliser or substrate or the recipient of the permit shall be responsible for the information indicated on the label, marking, and in the accompanying document.

## **VII. Procedures for Receipt of a Permit for the Sale or Import of Such Fertilisers and Substrate which are not Included in the Register or do not Conform to the Declared Quality or Quality Requirements, or Identification Requirements**

62. The Service shall issue the following permits (Annex 15) for the sale or import of a fertiliser and substrate:

62.1. a permit for the importation of fertiliser and substrate for testing and registration;

62.2. a permit for the importation or sale of such fertiliser and substrate which is not referred to in Annex 1 to this Regulation;

62.3. a permit for the sale of a registered fertiliser and substrate if results of testing show non-conformity with the quality declared in the register;

62.4. a permit for the sale of relevant lots of fertiliser and substrate imported for testing and registration;

62.5. a permit for the importation of an unregistered fertiliser for effectiveness trials and research;

62.6. a permit for the importation and sale of a particular lot of a fertiliser, if the lot of the fertiliser does not conform to the quality requirements referred to in Annex 1 to this Regulation.

63. In order to receive a permit, a submission (Annex 16) and corresponding documents in accordance with the requirements referred to in Paragraphs 65, 67, 69, 71, 73, and 75 of this Regulation shall be submitted to the Service.

64. A permit for the importation of a fertiliser and substrate for testing and registration shall be issued if the fertiliser and substrate are referred to in Annex 1 to this Regulation, but are not registered.

65. In order to receive the permit referred to in Paragraph 64 of this Regulation, a producer or importer of a fertiliser shall submit the following to the Service:

65.1. a test report issued by the producer or a copy thereof;

65.2. the test of resistance to detonation or a copy thereof for ammonium nitrate fertilisers with a high nitrogen content exceeding 28 per cent;

65.3. information regarding the storage site of the imported fertiliser and substrate until termination of testing and registration thereof, specifying the actual address;

65.4. information regarding the quantity of the fertiliser and substrate.

66. A permit for the importation or sale of such fertiliser and substrate which is not referred to in Annex 1 to this Regulation, shall be issued if the fertiliser and substrate do not conform to

the requirements of this Regulation; however, it is not hazardous to human and animal health and the environment.

67. In order to receive the permit referred to in Paragraph 66 of this Regulation, a producer or importer of a fertiliser shall submit the following to the Service:

67.1. a test report issued by the producer (if the fertiliser and substrate is produced in a European Union Member State and a Member State of the European Economic Area) or a test report of an accredited laboratory in which the content of the undesirable impurity is indicated in accordance with Annex 3 to this Regulation;

67.2. a copy of the test report on the detonation safety for ammonium nitrate fertilisers with a nitrogen content exceeding 28 per cent;

67.5. a sample of the text of the label or marking with the information in Latvian in accordance with Paragraph 52 or 54 of this Regulation;

67.4. a list of sales locations.

68. A permit for sale of a registered fertiliser and substrate if results of testing show non-conformity with the quality declared in the register shall be issued provided that the maximum acceptable concentration of the undesirable impurity is not exceeded.

69. In order to receive the permit referred to in Paragraph 68 of this Regulation, the person shall submit the following to the Service:

69.1. a sample of the text of a label, marking or an accompanying document, respectively, containing the actual quality indicators of the fertiliser and substrate;

69.2. information regarding the number and quantity of the lot of the fertiliser and substrate.

70. A permit for the sale of the respective lot of a fertiliser and substrate imported for testing and registration shall be issued if the test results of an accredited laboratory demonstrate non-conformity of the fertiliser and substrate with the quality requirements referred to in Annex 1 to this Regulation, however, the quantity of undesirable impurity does not exceed the maximum acceptable concentration of the undesirable impurity.

71. In order to receive the permit referred to in Paragraph 70 of this Regulation, a producer or importer of a fertiliser shall submit the following to the Service:

71.1. a test report issued by an accredited laboratory in which the content of the undesirable impurity is indicated in accordance with Annex 3 to this Regulation;

71.2. the number and quantity of the imported lot of the fertiliser and substrate;

71.3. a sample of the text of the label or marking with the information in Latvian in accordance with Paragraph 52 or 54 of this Regulation;

71.4. a list of sales locations.

72. A permit for the importation of an unregistered fertiliser for effectiveness trials and research shall be issued if the fertiliser is not registered and is not hazardous to human and animal health and the environment.

73. In order to receive the permit referred to in Paragraph 72 of this Regulation, a producer or importer of a fertiliser shall submit the following to the Service:

73.1. a test report issued by the producer (if the fertiliser is produced in a European Union Member State and a Member State of the European Economic Area) or the test report of an accredited laboratory, in which the content of the undesirable impurity is indicated in accordance with Annex 3 to this Regulation;

73.2. a copy for the test report on the detonation safety for ammonium nitrate fertilisers with a nitrogen content exceeding 28 per cent;

73.3. information regarding the place, time and performer of trials and research, the quantity of the fertiliser, the objective of the trials and research.

74. A permit for the importation and sale of a particular lot of a fertiliser if the lot of the fertiliser does not conform to the quality requirements referred to in Annex 1 to this Regulation shall be issued if the fertiliser is not hazardous to human and animal health and the environment.

75. In order to receive the permit referred to in Paragraph 74 of this Regulation, a producer or importer of a fertiliser shall submit the following to the Service:

75.1. a test report issued by an accredited laboratory<sup>3</sup> in which the content of the undesirable impurity is indicated in accordance with Annex 3 to this Regulation;

75.2. the test report (a copy) on the detonation safety for ammonium nitrate fertilisers with a nitrogen content exceeding 28 per cent;

75.3. the number and quantity of the lot of the fertiliser;

75.4. a sample of the text of the label or marking with the information in Latvian in accordance with Paragraph 52 of this Regulation;

75.5. a list of sales locations.

76. The Service shall, within 15 working days after receipt of all the documents referred to in Paragraphs 65, 67, 69, 71, 73, and 75 of this Regulation, take a decision to issue the respective permit. The validity period of the permit shall be 18 months. The validity period of the permit referred to in Paragraph 65 of this Regulation shall be three months.

77. If a fertiliser or substrate is hazardous to human or animal health and the environment, the Service shall take a decision not to issue the permit.

78. The holder of a permit shall be responsible for the conformity of a fertiliser and substrate with the quality indicators declared in the permit.

79. The Service shall, within five working days after issuing a permit for a fertiliser and substrate, post on its website information regarding the permit issued for the fertiliser and substrate: the name, the essential composition of the fertiliser and substrate (except a microbiological preparation and substrate), raw materials (for substrate only), the recipient of the permit, the producer, the number of the permit, the date of the issue of the permit, and the validity term.

### **VIII. Closing Provisions**

80. Cabinet Regulation No. 530 of 27 June 2006, Regulations Regarding the Identification, Quality Conformity Assessment and Marketing of Fertilisers, (*Latvijas Vēstnesis*, 2006, No. 101; 2008, No. 100; 2009, No. 57; 2011, No. 198; 2012, No. 83) is repealed.

81. Until 1 January 2016 it is permitted to sell a substrate without its registration and receipt of the permit.

82. The requirement referred to in Paragraph 6 of Annex 12 to this Regulation shall come into force on 1 January 2016.

83. The requirements of this Regulation regarding indication of the number of the registration certificate or the number of the permit in the label, marking or accompanying document shall come into force on 1 January 2017.

84. An earthworm-processed organic fertiliser registered before 1 January 2017 shall not be applied the requirement referred to in Sub-paragraph 15.9 of this Regulation.

85. Persons who until the day of coming into force of this Regulation have registered an earthworm-processed organic fertiliser containing material of animal origin, until 1 January 2017 shall submit to the Service information that earthworms process by-products of animal origin and derived products not intended for human consumption, including manure, processed in accordance with Regulation No 1069/2009. If information is not submitted to the Service by 1 January 2017, the Service after 1 January 2017 shall cancel the registration of the earthworm-processed organic fertiliser.

86. The requirement referred to in Sub-paragraph 21.6 of this Regulation with regard to substrates, and Paragraph 35 of this Regulation shall come into force on 1 January 2016.

Prime Minister

Laimdota Straujuma

Minister for Agriculture

Jānis Dūklavs

### Maximum Permissible Concentration of Undesirable Impurity in a Fertiliser and Substrate

No.	Fertiliser or substrate	Undesirable impurity	Maximum permissible concentration (expressing for an absolutely dry sample) if not specified otherwise	Method of determination
1.	Ammonium nitrate with high content of nitrogen (more than 28 %)	copper	10 mg/kg	To be determined in hydrochloric acid density of which at temperature 20°C is 1.18 g/ml
		chlorine	0.02 percentage by weight	To be determined in aqueous extract
2.	Fertilisers containing phosphorous	cadmium (Cd)	60 mg Cd/kg P <sub>2</sub> O <sub>5</sub>	To be determined in aqua regia extract
3.	Organic and organo-mineral fertilisers and liming materials, non-typical fertilisers and plant growth promoters	mercury (Hg)	2.0 mg/kg	To be determined in aqua regia extract
		cadmium (Cd)	3.0 mg/kg	To be determined in aqua regia extract
		arsenic (As)	50 mg/kg	To be determined in aqua regia extract
		nickel (Ni)	100 mg/kg	To be determined in aqua regia extract
		lead (Pb)	150 mg/kg	To be determined in aqua regia extract
4.	Organic and organo-mineral fertilisers, non-typical fertilisers and plant growth promoters	<i>Escherichia coli</i> and <i>Enterococaceae</i>	1000 CFU/g or 1000 CFU/ml	
		salmonellae <sup>(1)</sup>	Not determined in 25 g of product sample	
		plastic, glass or metal particles	0.5 percentage by weight	

		which are larger than 4 mm <sup>(2)</sup>		
5.	Microbiological preparations	<i>Escherichia coli</i> and <i>Enterococaceae</i>	1000 CFU/g or 1000 CFU/ml	
		salmonellae <sup>(3)</sup>	Not determined in 25 g of product sample	
6.	Substrate	mercury (Hg)	1.0 mg/kg	To be determined in aqua regia extract
		cadmium (Cd)	2 mg/kg	To be determined in aqua regia extract
		arsenic (As)	20 mg/kg	To be determined in aqua regia extract
		nickel (Ni)	50 mg/kg	To be determined in aqua regia extract
		lead (Pb)	100 mg/kg	To be determined in aqua regia extract
		copper (Cu)	100 mg/kg	To be determined in aqua regia extract
		zinc (Zn)	300 mg/kg	To be determined in aqua regia extract
		chromium (Cr)	100 mg/kg	To be determined in aqua regia extract
		<i>Escherichia coli</i> and <i>Enterococaceae</i> <sup>(4)</sup>	1000 CFU/g	
		salmonellae <sup>(5)</sup>	Not determined in 25 g of product sample	
		foreign objects (glass, plastic, stones) <sup>(6)</sup> metal, bones,	0.5 percentage by weight	

Notes.

<sup>(1)</sup> To be determined if the fertiliser contains raw materials of animal origin.

<sup>(2)</sup> To be determined if the fertiliser is in solid form.

<sup>(3)</sup> To be determined for a microbiological preparation in the production of which raw materials of animal origin have been used.

<sup>(4)</sup> To be determined for a substrate which contains raw materials of organic origin (except non-organic ion exchange and inert substrate).

<sup>(5)</sup> To be determined for a substrate which contains raw materials of animal origin.

<sup>(6)</sup> To be determined for a substrate in solid form (except non-organic ion exchange substrate and inert substrate).

Minister for Agriculture

Jānis Dūklavs





5. Producer of the fertiliser or producer of the substrate:

5.1. name \_\_\_\_\_

5.2. address \_\_\_\_\_

5.3. telephone number \_\_\_\_\_ fax number \_\_\_\_\_

e-mail  
address \_\_\_\_\_

5.4. registration number of the producer in the register of the competent authority \_\_\_\_\_

## II. Information Regarding the Fertiliser or Substrate

6. Type (group)	A	Simple mineral fertilisers	
	B	Complex mineral fertilisers	
	C	Liquid mineral fertilisers	
	D	Fertilisers containing secondary plant nutrition elements only	
	E	Fertilisers containing micronutrients only	
	F	Liming materials	
	G	Organic and organo-mineral fertilisers	
	H	Fertilisers for special usage	
	I	Microbiological preparations	
	J	Non-typical fertilisers and plant growth promoters	
	K	Substrates	

7. Name:

7.1. official name \_\_\_\_\_

7.2. trade name \_\_\_\_\_

8. Production method \_\_\_\_\_

9. Raw materials \_\_\_\_\_

10. Indications regarding usage \_\_\_\_\_

11. The intended stage of circulation of the fertiliser	Production	
	Importation	
	Packing	
	Trade	

12. Date of paying the State fee \_\_\_\_\_

I certify that the information provided is correct

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(given name, surname and signature of the submitter of the submission for registration\*)

Note. \* The detail “signature” of the document shall not be completed if the electronic document has been prepared in conformity with the laws and regulations regarding the drawing up of electronic documents.

Minister for Agriculture

Jānis Dūklavs

**To the State Plant Protection Service**

**Performer of trials:**

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(name of the scientific institution)

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(address of the scientific institution)

**ATTESTATION**  
**regarding efficiency of a non-typical fertiliser, plant growth promoter or microbiological preparation**

The name of the fertiliser	
The producer of the fertiliser <i>(name, address)</i>	
Trial site(-s) <i>(address(-es))</i>	

Information regarding the efficiency trial of the fertiliser:

Crop for which the efficiency trial of the fertiliser has been carried out	Trial years (for covered-area trials – harvest cycles)	Harvest growth established during the trial period in a % trial in which the sole difference principle has been observed

I declare that the presented trial results have been discussed in a collegiate scientific institutions and recognised as eligible for the submission to the Latvian State Plant Protection Service.

Position

\_\_\_\_\_  
(given name, surname)

\_\_\_\_\_  
(signature)

.

day

.

month

year

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Jānis Dūklavs



## II. Information Regarding the Fertiliser and Substrate

4. Member State which has recognised the sale of the fertiliser and substrate in its country:

4.1. state \_\_\_\_\_

4.2. authority recognising (name) \_\_\_\_\_

4.3. the validity term of the recognition (if any) \_\_\_\_\_

5. Producer of the fertiliser or substrate and the attestation number of the competent authority  
\_\_\_\_\_

6. Name of the fertiliser or substrate  
\_\_\_\_\_

7. Group of the fertiliser or substrate (if it has been indicated in the attestation of the Member State)  
\_\_\_\_\_

8. [3 May 2016]

I certify that the information  
provided is correct

\_\_\_\_\_  
(given name, surname and signature of the submitter for  
registration\*)

Note. \* The detail “signature” of the document shall not be completed if the electronic document has been prepared in conformity with the laws and regulations regarding the drawing up of electronic documents.

Minister for Agriculture

Jānis Dūklavs

## **Information Regarding a Fertiliser to be Indicated on the Label or Marking and in Accompanying Documents Thereof**

1. The number of the registration certificate or permit of the fertiliser.
  
2. The official name of the fertiliser in accordance with Annex 1 to Cabinet Regulation No. 506 of 1 September 2015, Regulations Regarding the Identification, Quality Conformity Assessment and Sale of Fertilisers and Substrates (hereinafter – Regulation) and trade name of the fertiliser, if any. Trade name of the fertiliser shall not contradict its content and method of production.
  
3. Requirements for the official name of the fertiliser:
  - 3.1. if mineral fertilisers contain two or three main plant nutrition elements (nitrogen, phosphorus, potassium), the name shall contain an indication “Kompleksie minerālmēsli” [Complex mineral fertilisers]. The plant nutrition elements shall be indicated by words or by using chemical symbols. The name of mechanical mixtures shall contain an indication “Mehāniskais maisījums” [Mechanical mixture];
  - 3.2. if the fertiliser contains:
    - 3.2.1. the main plant nutrition elements and one or several secondary plant nutrition elements (for example, magnesium, calcium, sodium, sulphur), the official name shall contain an indication “Satur” [Contains] and the name or chemical symbols of the secondary elements;
    - 3.2.2. the main plant nutrition elements and one or several micronutrients (for example, boron, cobalt, copper, iron, manganese, molybdenum, zinc), the official name shall contain an indication “Ar mikroelementiem” [With micronutrients] or the word “Ar” [With] and the names or chemical symbols of the micronutrients;
    - 3.2.3. a mixture of salts of several micronutrients, the official name shall contain an indication “Mikroelementu maisījums” [Mixture of micronutrients];
  - 3.3. if there is less than 1 kg (or 1000 ml) of the respective fertiliser in a packaging of fertiliser, the names and chemical symbols of the specific secondary plant nutrition elements and micronutrients in its name on a label may be indicated in the label section of the indicators to be declared.
  
4. The essential composition of plant nutrition elements. In the essential composition of plant nutrition elements the following shall be indicated: phosphorus ( $P_2O_5$ ) and potassium ( $K_2O$ ) – in oxide form, other nutrient elements – in element form: nitrogen (N), calcium (Ca), magnesium (Mg), sodium (Na), sulphur (S), chlorine (Cl), boron (B), cobalt (Co), copper (Cu), iron (Fe), manganese (Mn), molybdenum (Mo), zinc (Zn). The abovementioned conditions shall also apply to fertilisers having the “EK mēslošanas līdzeklis” [EC fertiliser] marking.
  
5. Plant nutrition elements in accordance with Annex 1, Column 5 of the Regulation shall be declared taking into account the following conditions:

5.1. if the content of calcium, magnesium, sodium, and sulphur is not less than 1.4 % – Ca, 1.2 % – Mg, 2.2 % – Na, 2.0 % – S;

5.2. the content of one or several micronutrients in solid or liquid mixtures of salts of the micronutrients, as well as in fertilisers intended for the supply of the main or secondary plant nutrition elements shall be declared if the content thereof in the relevant fertiliser is not smaller than the one specified in Annex 4 to this Regulation;

5.3. the solubility of micronutrients shall be indicated in the section of declared indicators, that it, it shall be specified, whether the total content of the micronutrient has been indicated or the content soluble in water;

5.4. if mineral fertilisers contain micronutrients in the form of compounds of organo-mineral complexes, an indication “Helatēts ar” [Chelated with] and the designation of the chelating agent in accordance with Paragraph 2 of Annex 4 to the Regulation shall be provided in the section of the declared indicators after the name of the micronutrient.

6. Raw materials (fertilisers containing compounds of animal or vegetable origin).

7. Indications regarding the use of the fertiliser. The fertilisers containing only micronutrients, as well as plant growth promoters shall have an indication “Uzmanību! Lietošanas normas pārsniegšana var būt kaitīga” [Attention! Exceeding the norm of use may be harmful].

8. Indications regarding storage of the fertiliser (according to the safety data sheet, if any). The storage temperature shall be indicated for liquid fertilisers, other specific requirements shall be determined. The term for storage shall be indicated for a fertiliser, if any.

9. Indications regarding the hazard of the fertiliser in accordance with the laws and regulations governing the classification, labelling, and packaging of chemical substances and chemical products.

10. In the labelling of organic and organo-mineral fertilisers of animal origin there shall be an indication "Lauksaimniecības dzīvniekus nedrīkst ganīt vai kultūraugus izmantot par zāli barošanai vismaz 21 dienu pēc apstrādes" [No grazing of farmed animals or use of crops as herbage during at least 21 days following application].

11. Guaranteed net mass for solid mineral fertilisers and guaranteed mass (or volume) for liquid mineral fertilisers. If the gross mass (or volume) is indicated, the weight or volume of the package shall be indicated.

12. If a certification regarding conformity of the fertiliser for marking or labelling with an indication “Bioloģiskā lauksaimniecība” [Organic farming] has been issued to the fertiliser, the indication “Bioloģiskā lauksaimniecība” [Organic farming] or "Atļauts lietot bioloģiskajā lauksaimniecībā" [Permitted to be used in organic farming] shall be used in the marking or label of the fertiliser and the code of the control authority which issued the certificate containing attestation shall be indicated.

13. The name and address of the producer and importer of the fertiliser. The packer shall indicate the name and address of the producer, importer, and packer.

Notes.

1. The following formulae shall be used for recalculation of the content of phosphorus and potassium from an element to an oxide:

1.1. phosphorus (P) x 2.291 = phosphorus oxide (P<sub>2</sub>O<sub>5</sub>);

1.2. potassium (K) x 1.205 = potassium oxide (K<sub>2</sub>O).



2. The following formulae shall be used for recalculation of the content of magnesium, calcium, sodium, sulphate from an oxide to an element:

2.1.  $(\text{MgO}) \times 0.603 = \text{magnesium (Mg)}$ ;

2.2.  $(\text{CaO}) \times 0.715 = \text{calcium (Ca)}$ ;

2.3.  $(\text{Na}_2\text{O}) \times 0.742 = \text{sodium (Na)}$ ;

2.4.  $(\text{SO}_3) \times 0.400 = \text{sulphur (S)}$ .

3. For the fertilisers of Section H of Annex 1 to the Regulation in the section of the declared indicators those secondary plant nutrition elements may be specified the content of which is less than the one specified in Sub-paragraph 5.1 of Annex 12 to this Regulation, and such micronutrients the content of which is less than the content indicated in Annex 4 to this Regulation, mandatorily indicating the content of such plant nutrition elements.

Minister for Agriculture

Jānis Dūklavs

## **Information Regarding a Microbiological Preparation to be Indicated on the Label or Marking Thereof**

1. The number of the registration certificate or permit of the microbiological preparation.
2. The official name of the microbiological preparation in accordance with Annex 1 to Cabinet Regulation No. 506 of 1 September 2015, Regulations Regarding the Identification, Quality Conformity Assessment and Sale of Fertilisers and Substrates (hereinafter – the Regulation) and trade name of the microbiological preparation (if any). Trade name of the microbiological preparation shall not contradict its content and method of production.
3. The indicators to be declared in accordance with Annex 1, Section I "Microbiological Preparations", Column 4:
  - 3.1. the scientific name of micro-organisms of the microbiological preparation (genus, species, as well as strain, if any has been identified);
  - 3.2. the quantity of viable micro-organisms expressed as CFU/g or CFU/ml (CFU – colony forming units).
4. Indications regarding the use of the microbiological preparation.
5. Indications regarding plant species, genera, plant groups or regarding renewal, activation, and regulation of microbiological processes in the soil or another substrate, for which the microbiological preparation is intended.
6. Indications regarding usage and storage of the microbiological preparation (storage temperature and storage term) and other special requirements (according to the safety data sheet, if any).
7. Guaranteed net mass or volume for the microbiological preparation. If the gross mass (or volume) is indicated, the weight or volume of the package (container) shall be indicated.
8. The name and address of the producer and importer of the microbiological preparation.

Minister for Agriculture

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## **Information Regarding a Substrate to be Indicated on the Label or Marking Thereof**

1. The number of the registration certificate or permit of the substrate.
2. The official name of the substrate in accordance with Annex 1 to Cabinet Regulation No. 506 of 1 September 2015, Regulations Regarding the Identification, Quality Conformity Assessment and Sale of Fertilisers and Substrates (hereinafter – Regulation) and substrate trade name, if any. Trade name of the substrate shall not contradict its content and method of production.
3. The indicators to be declared in accordance with Annex K, Column 5 to this Regulation.
4. Raw materials.
5. For peat substrate – peat decomposition degree in accordance with the von Post scale.
6. If the substrate contains other plant nutrition elements, they may be indicated in the section of the label of the indicators to be declared.
7. Indications regarding storage of the substrate (storage temperature and storage period) and usage.
8. Guaranteed volumetric mass for peat substrate, organic soil substitute and non-organic ion exchange substrate.
9. Volume of the packaging.
10. The name and address of the producer and importer of the substrate. The packer shall indicate the name and address of the producer, importer, and packer.
11. Year and month of production.

Minister for Agriculture

Jānis Dūklavs



5. Producer of the fertiliser or substrate:

5.1. name \_\_\_\_\_

5.2. address \_\_\_\_\_

5.3. telephone number \_\_\_\_\_

Fax number \_\_\_\_\_

e-mail address \_\_\_\_\_

5.4. Registration number of the producer in the register of the competent authority \_\_\_\_\_

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## II. Information Regarding the Fertiliser or Substrate

6. Type of the fertiliser or substrate \_\_\_\_\_

7. Name:

7.1. the official name (*if any*) \_\_\_\_\_

7.2. the trade name (*if any*) \_\_\_\_\_

8. Production method<sup>1</sup> \_\_\_\_\_

9. Raw materials<sup>1</sup> \_\_\_\_\_

10. Indications regarding usage<sup>1</sup> \_\_\_\_\_

11. Fertiliser or substrate<sup>2</sup>:

11.1. the total mass (*for liquid fertilisers – it may be volume*) \_\_\_\_\_

11.2. mass of one packaging (*for liquid fertilisers - it may be volume*)

for packed fertilisers and substrates \_\_\_\_\_

11.3. number of packagings \_\_\_\_\_

11.4. lot number \_\_\_\_\_

I certify that the information provided is correct

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(given name, surname and signature of the submitter of the submission for registration<sup>3</sup>)

Notes.

<sup>1</sup> For unregistered fertilisers.

<sup>2</sup> To be completed only for those permits for which it is necessary.

<sup>3</sup> The detail of the document “signature” shall not be completed if the electronic document has been prepared in accordance with the laws and regulations regarding the drawing up of electronic documents.

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