

Technical Regulations TR EEU 039/2016

In accordance with Article 52 of the Treaty on the Eurasian Economic Union dated 29 May 2014 and Clause 29 of Annex No. 1 to the Rules of Procedure of the Eurasian Economic Commission approved by Decision No. 98 of the Supreme Council of the Eurasian Economic Union dated 23 December 2014, the Council of the Eurasian Economic Commission **resolved:**

1. To adopt the attached Technical Regulation of the Eurasian Economic Union "On Requirements for Mineral Fertilizers" (TR EEU 39/2016).
2. To establish that the Technical Regulation of the Eurasian Economic Union "On Requirements for Mineral Fertilizers" (TR EEU 39/2016) shall enter into force on the date of entry into force of the Technical Regulation of the Eurasian Economic Union "On the Safety of Chemical Products" or on the date of entry into force of the Decision of the Council of the Eurasian Economic Commission on the procedure for establishing and maintaining the Unified Register of Mineral Fertilizers Permitted for Placing on the Eurasian Economic Union Market, whichever date is later, but not earlier than upon expiry of 180 calendar days from the date of entry into force of this Decision.
3. This Decision shall enter into force upon expiry of 30 calendar days from the date of its official publication.

Members of the Council of the Eurasian Economic Commission:

For the Republic of Armenia	For the Republic of Belarus	For the Republic of Kazakhstan	For the Kyrgyz Republic	For the Russian Federation
V. Gabrielyan	V. Matyushevsky	A. Mamin	O. Pankratov	I. Shuvalov

ADOPTED
by Decision of the Council
of the Eurasian Economic
Commission
dated 30 November 2016 No. 150

Technical Regulation of the Eurasian Economic Union "On Requirements for Mineral Fertilizers" (TR EEU 39/2016)

This Technical Regulation has been developed in accordance with Article 52 of the Treaty on the Eurasian Economic Union dated 29 May 2014.

This Technical Regulation establishes mandatory safety requirements applicable and enforceable in the territory of the Eurasian Economic Union (hereinafter referred to as the Union) for Mineral Fertilizers placed on the Union market, as well as for the storage, transportation and marking processes related to the requirements for Mineral Fertilizers.

I. Scope

1. This Technical Regulation has been developed for the purpose of protecting human, animal and plant life and health, the environment and

property in the territory of the Union, and preventing actions that may mislead consumers of Mineral Fertilizers regarding their intended use and safety.

2. This Technical Regulation applies to:

- a) Mineral Fertilizers listed in Annex No. 1 and manufactured or brought into (imported into) the customs territory of the Union;
- b) the storage, transportation and marking processes related to the requirements for Mineral Fertilizers.

3. The requirements of this Technical Regulation do not apply to organic fertilizers and organomineral fertilizers.

4. With regard to Mineral Fertilizers and their components, the hazard factors are:

- a) fire and explosion hazard;
- b) oxidizing properties;
- c) corrosive properties;
- d) hazard to humans: oral, dermal and inhalation toxicity, irritating effects on the skin and mucous membranes, skin-resorptive effects, allergenicity, ability to bioaccumulate in the human body and accumulate in environmental media (water, soil and plants);
- e) radioactive hazard;
- f) effects on ecosystems.

II. Basic Concepts

5. For the purposes of applying this Technical Regulation, the following concepts are used:

"manufacturer" means a legal entity or an individual registered as an individual entrepreneur, including a foreign manufacturer, who manufactures or manufactures and sells Mineral Fertilizers in its own name and is responsible for their compliance with the requirements of this Technical Regulation;

"importer" means a resident of a Member State of the Union who has concluded a foreign trade agreement with a non-resident of a Member State of the Union for the importation of Mineral Fertilizers into the territory of the Union, sells Mineral Fertilizers and is responsible for their compliance with the requirements of this Technical Regulation;

"micronutrient fertilizer" means a Mineral Fertilizer in which the nutrients are micronutrients;

"mineral fertilizer" means a fertilizer of industrial or mineral origin containing nutrients in mineral form;

"Safety Data Sheet" means a document in the prescribed form containing information on the hazardous properties of a Mineral Fertilizer, information on the manufacturer (person authorised by the manufacturer) and importer of the Mineral Fertilizer, precautionary measures and safety requirements for ensuring the safe circulation of the Mineral Fertilizer in the territory of the Union;

"nutrient, active substance" means a chemical element of a fertilizer necessary for the growth and development of plants;

"hazard labelling" means an integral part of information consisting of a set of data (in the form of brief text, individual graphic or colour symbols and combinations thereof) applied to packaging or a label;

"fertilizer" means a substance used to nourish plants and increase soil fertility;

"micronutrient-containing fertilizer" means a Mineral Fertilizer containing macronutrients and micronutrients;

"person authorised by the manufacturer" means a legal entity or an individual registered in the territory of a Member State of the Union in accordance with the procedure established by the legislation of that Member State as an individual entrepreneur, which, on the basis of an agreement with the manufacturer, including a foreign manufacturer, acts on behalf of that manufacturer in conformity assessment and placing Mineral Fertilizers on the market in the territory of the Union, and is also responsible for the non-compliance of Mineral Fertilizers with the requirements of the Technical Regulations of the Union (Customs Union) applicable to them.

III. Rules for the Identification of Mineral Fertilizers

6. Mineral Fertilizers shall be identified by the manufacturer (person authorised by the manufacturer), importer, body of a Member State of the Union (hereinafter referred to as the Member State) responsible for state control (supervision), and other interested persons.

7. Mineral Fertilizers shall be identified by establishing the conformity of the appearance and composition of the Mineral Fertilizer and the content of nutrients, including macronutrients and micronutrients, indicated on the packaging, label or tag and in the accompanying documents, with the data obtained during a laboratory examination of a sample of the Mineral

Fertilizer.

IV. Rules for Placing Mineral Fertilizers on the Union Market

8. Mineral Fertilizers shall be placed on the Union market if they comply with the requirements of this Technical Regulation and other effective Technical Regulations of the Union (Customs Union) applicable to them, provided that they have undergone conformity assessment in accordance with Section IX of this Technical Regulation.

9. Mineral Fertilizers whose compliance with the requirements of this Technical Regulation and other effective Technical Regulations of the Union (Customs Union) applicable to them has not been confirmed shall not bear the single mark of product circulation on the Union market.

10. Mineral Fertilizers not bearing the single mark of product circulation on the Union market shall not be permitted to be placed on the Union market.

V. Safety Requirements for Mineral Fertilizers

11. Mineral Fertilizers shall comply with the safety requirements established by this Section, as well as with the radiation safety and chemical safety standards in accordance with Annex No. 2.

12. Mineral Fertilizers shall be classified according to hazard factors, information on which is provided in the Safety Data Sheet and hazard labelling.

13. Mineral Fertilizers intended for sale through a trade network (wholesale and retail enterprises or organisations) shall be packaged. The retail sale of Mineral Fertilizers with damaged packaging is not permitted.

VI. Requirements for the Storage and Transportation Processes of Mineral Fertilizers

14. Mineral Fertilizers shall be stored in accordance with the legislation of the Member States.

15. Solid Mineral Fertilizers shall be transported in covered railway wagons, gondola cars, closed transport compartments of vessels (holds, tanks), and by road transport with mandatory covering in the vehicle body. Solid Mineral Fertilizers packaged in flexible containers with polymer liners may be transported in gondola cars, on open-deck vessels and by road transport without covering in the vehicle body. Solid Mineral Fertilizers packaged in polymer bags may be transported by road transport without covering in the vehicle body.

16. The bulk transportation in one railway wagon, vessel transport compartment (hold or tank) or vehicle body of other cargoes simultaneously with Mineral Fertilizers is not permitted.

17. The transportation of Mineral Fertilizers classified as dangerous goods, including those possessing fire and explosion hazard properties, shall be carried out in accordance with the standards and rules for the transportation of dangerous goods applicable in the territories of the Member States.

18. Liquid Mineral Fertilizers (ammonia water, ammonium carbonate solution and liquid compound Mineral Fertilizers) shall be transported in bulk by rail and road, in containers or packaging, in accordance with the provisions set out in the Safety Data Sheet.

The bulk transportation of liquid Mineral Fertilizers by water shall be carried out in accordance with the requirements stipulated by regulatory and technical documents for the specific type of Mineral Fertilizer.

Liquid compound Mineral Fertilizers packaged in consumer packaging shall be transported by rail and road, in transport packages on pallets, in containers or packaging, in accordance with the provisions set out in the Safety Data Sheet.

19. The filling level of containers for transporting liquid Mineral Fertilizers shall be determined taking into account the volumetric expansion of the product in the event of a possible temperature change during transportation.

20. The transportation of Mineral Fertilizers by air shall be carried out in accordance with the requirements stipulated by regulatory and technical documents for the specific type of Mineral Fertilizer.

VII. Requirements for the Labelling of Mineral Fertilizers

21. The labelling of mineral fertilizers shall contain the following information:

- a) the name of the mineral fertilizer and its intended use;
- b) the name and content of nutrients, including micronutrients and macronutrients;
- c) the name (trade name) of the manufacturer and its location (address of the legal entity, actual address – for a legal entity; surname, first name and patronymic (if available), place of residence, information on the State Registration of an individual registered as an individual entrepreneur – for an individual), and the name of the country where the mineral fertilizers were manufactured;
- d) the manufacturer's trademark (if available);

- e) the designation of the document in accordance with which the mineral fertilizer is manufactured and supplied;
- f) the grade and (or) variety of the mineral fertilizer (if available);
- g) the batch number (for packaged mineral fertilizers);
- h) the nominal quantity of the mineral fertilizer (mass or volume) (for packaged mineral fertilizers);
- i) recommendations for the transportation, use and storage of the mineral fertilizer;
- j) the registration number of the mineral fertilizer registered in a Member State;
- k) the Date of Manufacture or the date of shipment of the mineral fertilizer (month, year);
- l) the packaging date (month, year – for packaged mineral fertilizers, if they are packaged by a person other than the manufacturer of those mineral fertilizers);
- m) the storage conditions for the mineral fertilizer;
- n) the guaranteed storage period of the mineral fertilizer;
- o) the barcode identification code of the mineral fertilizer (a code representing characters by means of sets of parallel bars of varying thickness and pitch, which are read optically by transverse scanning) – for mineral fertilizers sold through a retail trade network;
- p) restrictions on the use of the mineral fertilizer (compatibility with plant protection products, phytotoxicity);

q) precautions when handling, transporting and storing the mineral fertilizer, including methods for neutralizing spilled or scattered mineral fertilizer;

r) methods for neutralizing and disposing of packaging that contained the mineral fertilizer;

s) a description of the clinical presentation of acute poisoning (if data are available), medical recommendations, including an indication of the antidote (if available), and first aid measures in case of poisoning.

22. The labelling of mineral fertilizers shall contain the relevant hazard labelling if the mineral fertilizer is classified as hazardous.

23. The labelling of packaged mineral fertilizers shall be applied to the packaging or to a label or tag attached to the packaging in a manner ensuring their preservation.

If there is insufficient space to apply the labelling in full to the packaging, label or tag, part of the information shall be applied to a package insert enclosed with each unit of packaging, label or tag and containing the information specified in clause 21 of this Technical Regulation, or the labelling shall be applied to both sides of the packaging.

24. When unpackaged mineral fertilizers are supplied, the information specified in clause 21 of this Technical Regulation (except subparagraphs "g", "h", "l" and "o") shall be provided as part of the accompanying documents.

25. The transport marking of mineral fertilizers shall comply with the rules and regulations for the transportation of dangerous goods in force in the territories of the Member States.

26. The labelling of mineral fertilizers shall be provided in Russian and, where required by the legislation of the Member States, in the state language (state languages) of the Member State in whose territory the mineral fertilizers are sold.

27. The labelling of mineral fertilizers shall be clear and legible and shall be located in a place accessible for inspection.

VIII. Ensuring the Compliance of Mineral Fertilizers with Safety Requirements

28. Compliance of mineral fertilizers with this Technical Regulation shall be ensured by fulfilling its requirements and the requirements of other effective Technical Regulations of the Union (Customs Union) whose scope covers mineral fertilizers, either directly or by fulfilling the requirements of standards included in the list of standards, the application of which on a voluntary basis ensures compliance with the requirements of this Technical Regulation.

29. Methods for the examination (testing) and measurement of mineral fertilizers shall be established in the standards included in the list of standards containing rules and methods for examination (testing) and measurement, including sampling rules, necessary for the application and fulfilment of the requirements of this Technical Regulation and for conformity assessment of technical regulation objects.

IX. Conformity Assessment of Mineral Fertilizers

30. Conformity assessment of mineral fertilizers with the requirements of this Technical Regulation shall be carried out in the form of registration.

31. Registration of mineral fertilizers shall be carried out by the competent authorities of the Member States (hereinafter referred to as the competent

authorities) in accordance with the procedure established by the Eurasian Economic Commission. Mineral fertilizers shall be entered in the Unified Register of Mineral Fertilizers Permitted for Placing on the Union Market.

The Unified Register of Mineral Fertilizers Permitted for Placing on the Union Market shall be formed from national sections.

The procedure for registration of mineral fertilizers and for the formation and maintenance of the Unified Register of Mineral Fertilizers Permitted for Placing on the Union Market shall be developed and approved by the Eurasian Economic Commission.

32. When registering mineral fertilizers, the applicants may be a legal entity or an individual registered in the territory of a Member State in accordance with its legislation as an individual entrepreneur, who are the manufacturer, a person authorised by the manufacturer, or the importer.

33. The competent authority shall:

- a) review and verify the submitted documents and the information contained therein;
- b) take a decision on registration of the mineral fertilizer;
- c) assign a unique registration number to the mineral fertilizer;
- d) include the mineral fertilizer in the national section of the Unified Register of Mineral Fertilizers Permitted for Placing on the Union Market;
- e) issue a Certificate of Registration of Mineral Fertilizer in the form set out in Annex No. 3.

34. The validity period of the Certificate of Registration of Mineral Fertilizer shall not be limited.

X. Labelling of Mineral Fertilizers with the Single Mark of Product Circulation on the Union Market

35. Mineral fertilizers that comply with the requirements of this Technical Regulation and other effective Technical Regulations of the Union (Customs Union) whose scope covers them, and that have undergone conformity assessment in accordance with Section IX of this Technical Regulation, shall bear the single mark of product circulation on the Union Market.

36. The single mark of product circulation on the Union Market shall be affixed before mineral fertilizers are placed on the Union Market.

37. The single mark of product circulation on the Union Market shall be affixed to each unit of packaging of the mineral fertilizer or to the label (if it is impossible to affix the mark to the packaging), and shall also be included in the accompanying documents supplied with the batch of mineral fertilizer.

38. The single mark of product circulation on the Union Market shall be affixed by any method ensuring a clear and distinct image that remains until the mineral fertilizer has been completely used or disposed of.

XI. Safeguard Clause

39. The competent authorities of a Member State shall take all measures to restrict and prohibit the placing on the Union Market of mineral fertilizers that do not comply with the requirements of this Technical Regulation and other effective Technical Regulations of the Union (Customs Union) whose scope covers them, and to withdraw them from

circulation.

In this case, the competent authority of the Member State shall immediately inform the other Member States of the emergency measures taken and shall commence the consultation and negotiation process on this matter.

ANNEX No. 1
to the Technical Regulation
of the Eurasian Economic
Union "On Requirements
for Mineral Fertilizers"
(TR EAEU 39/2016)

L I S T

of mineral fertilizers covered by the Technical Regulation

of the Eurasian Economic Union "On Requirements for

Mineral Fertilizers"

(TR EAEU 39/2016)

1. Mineral fertilizers according to their state of aggregation:

a) solid (powdered, granular, crystalline);

b) liquid (solution, suspension).

2. Mineral fertilizers according to nutrients:

a) straight mineral fertilizers with a declared content of one primary nutrient (nitrogen, phosphorus, potassium):

nitrogen fertilizers;

phosphorus fertilizers;

potassium fertilizers;

b) compound (complex, mixed, complex mixed) mineral fertilizers with a declared content of several primary nutrients:

nitrogen-phosphorus-potassium fertilizers;

nitrogen-phosphorus fertilizers;

nitrogen-potassium fertilizers;

phosphorus-potassium fertilizers;

c) straight and compound mineral fertilizers with a declared content of primary nutrients (nitrogen, phosphorus, potassium), and (or) macronutrients (calcium, magnesium, sodium, sulfur), and (or) micronutrients (boron, manganese, copper, zinc, cobalt, molybdenum, iron);

d) micronutrient fertilizers.

ANNEX No. 2
to the Technical Regulation
of the Eurasian Economic
Union "On Requirements
for Mineral Fertilizers"
(TR EAEU 39/2016)

S T A N D A R D S

for the radiation and chemical safety of mineral fertilizers

1. Radiation safety standards for mineral fertilizers:

a) the specific activity of naturally occurring (natural) radionuclides in mineral fertilizers shall not exceed the following value:

$$A_U + 1,5 A_{Th} \leq 1.0 \text{ kBq/kg},$$

where A_U and A_{Th} – the specific activities of uranium-238 (radium-226) and thorium-232 (thorium-228), which are in radioactive equilibrium with the remaining members of the uranium and thorium series, respectively;

b) radioactivity is not regulated in nitrogen fertilizers produced by chemical synthesis;

c) the permissible content of the potassium isotope ^{40}K in mineral fertilizers is not established.

2. Chemical safety standards:

a) mass fraction of biuret in urea – not more than 1,4 %;

b) pH of an aqueous solution with a mass fraction of ammonium nitrate of 10 % – not less than 5,0;

c) particle-size distribution of ammonium nitrate (mass fraction of fractions):

less than 1 mm – not more than 5 %;

less than 0,5 mm – not more than 3 %;

d) porosity (oil-retention capacity) of ammonium nitrate at a temperature of 25 – 50° C – not more than 4 %*;

e) content of combustible substances in ammonium nitrate:

for mineral fertilizers containing not less than 31,5 % nitrogen by mass, – not more than 0,2 %*;

for mineral fertilizers containing from 28 to 31,5 % nitrogen by mass, – not more than 0,4 %*;

f) mass fraction of chlorine in ammonium nitrate – not more than 0,02 %*;

g) copper content in ammonium nitrate – not more than 10 mg/kg*.

* The requirement shall enter into force upon the expiry of 6 months from the date of entry into force of the decision of the Eurasian Economic Commission on including interstate standards containing rules and methods for the examination (testing) and measurement of oil absorption and porosity of ammonium nitrate, the content of combustible substances, the mass fraction of chlorine and the copper content in ammonium nitrate, respectively, in the list of international and regional (interstate) standards, and in their absence, national (state) standards containing rules and methods for the examination (testing) and measurement, including sampling rules, necessary for the application and implementation of the Technical Regulation of the Eurasian Economic Union "On Requirements for Mineral Fertilizers" (TR EAEU 39/2016) and the conformity assessment of technical regulation objects.

ANNEX No. 3
to the Technical Regulation
of the Eurasian Economic
Union "On Requirements
for Mineral Fertilizers"
(TR EAEU 39/2016)
(form)

CERTIFICATE OF REGISTRATION OF MINERAL FERTILIZER

No. dated "__" 20__.

This Certificate is issued to
(details of the State Registration of the legal entity

or full name of the individual registered as an individual

entrepreneur, location, including the actual address, – for the legal entity

or place of residence – for the individual registered as an

individual entrepreneur, – specify as applicable, telephone, fax, e-mail address)

In accordance with the Technical Regulation of the Eurasian Economic Union "On Requirements for Mineral Fertilizers" (TR EAEU 39/2016), the mineral fertilizer

(name of the mineral fertilizer)

manufactured by

(name of the legal entity or full name of the individual registered

as an individual entrepreneur, location, including the actual address, – for the

legal entity or place of residence – for the individual,

registered as an

individual

entrepreneur, – specify as applicable, telephone, e-mail address)

is registered under No. ____ in

(name of the Member State of the Eurasian Economic Union)

and is permitted for circulation on the market of the Member States of the Eurasian Economic Union.

(position of the head of the competent authority (signature) (full name) of the Member State of the Eurasian Economic Union)

Seal.

Note. The Certificate of Registration of Mineral Fertilizer shall be drawn up in Russian and in the official language (official languages) of the Member State of the Eurasian Economic Union in whose territory the mineral fertilizers are sold, where the legislation of that State contains the relevant requirements.

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