



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs

Single Market Enforcement

Notification of Regulatory Barriers

Notification Number : 2024/0083/ES (Spain)

## **Royal Decree amending Royal Decree 1051/2022 of 27 December 2022 establishing standards for sustainable nutrition in agricultural soils.**

Date received : 16/02/2024

End of Standstill : 21/05/2024 (closed)

### **Message**

Message 001

Communication from the Commission - TRIS/(2024) 0435

Directive (EU) 2015/1535

Notification: 2024/0083/ES

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késéset - Non fa decorrere la mora - Atidējimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20240435.EN

1. MSG 001 IND 2024 0083 ES EN 16-02-2024 ES NOTIF

2. Spain

3A. Subdirección General de Asuntos Industriales, Energéticos, de Transportes y Comunicaciones, y de Medio Ambiente.  
Dirección General de Coordinación del Mercado Interior y otras Políticas Comunitarias.

Secretaría de Estado para la Unión Europea

Ministerio de Asuntos Exteriores, Unión Europea y Cooperación.

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3B. Subdirección General de Medio de Producción Agrícola y Oficina Española de Variedades Vegetales

Dirección General de Producciones y Mercados Agrarios

Ministerio de Agricultura, Pesca y Alimentación

4. 2024/0083/ES - C00A - AGRICULTURE, FISHING AND FOODSTUFFS

5. Royal Decree amending Royal Decree 1051/2022 of 27 December 2022 establishing standards for sustainable nutrition in agricultural soils.



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6. The current Royal Decree 1051/2022 of 27 February 2022 establishing standards for sustainable nutrition in agricultural soils is amended in order to facilitate the implementation thereof.

7.

8. The draft consists of a single article divided into 16 paragraphs. The single article amends Royal Decree 1051/2022 of 27 December 2022:

The definition of compost is replaced in order to supplement it in accordance with Royal Decree 506/2013 of 28 June 2013 on fertilising products. The incorporation of the fertilizing plan as an annex to the holding logbook is replaced by the inclusion of the relevant data in the logbook, so that it is digitised, allowing it to be controlled by automated means. The time for the maximum period during which the stacks may remain in the enclosures, in general, is extended from 5 to 10 days, and up to 20 days in the event that the stacked material has been composted or digested, in Article 9, thus, making the period more flexible and allowing a longer period for those materials whose risk of nitrogen losses (both emissions and leaching) is minimum.

Article 10 sets a threshold of 0.1 % ammoniacal nitrogen for the prohibition of the application of materials other than slurry on fresh matter referred to in paragraph 2. It also extends to the type of material applied, among other characteristics already foreseen, the conditions under which the competent authorities of the Autonomous Communities may establish a maximum period of less than 24 hours (extended from 12 hours to 24 hours to carry out the burial of manure and other products after its application, where mandatory).

A number of provisions are introduced to encourage the use of the electronic logbook where it is not mandatory.

In Annex II, the exclusion period for winter cereals is amended from June to August, thus allowing for basal dressing in September. In Annex III, the clarification contained in the article on the need and advantage of keeping a digital holding logbook on the part of the farmer, when he or she is not obliged to do so, is conveyed. Annex IV incorporates technical improvements in the wording by specifying that the value for arsenic refers to the total, not to the inorganic arsenic, and that the values of heavy metals refer only to residues, not to fertilising products. These are also incorporated for the chromium limits.

The application of materials that have previously been treated through composting or biodigestion (solid fractions) as a new mitigation activity is incorporated in Annex V, as these biological treatments contribute to climate change mitigation by reducing emissions and retaining more carbon in the soil, and the use of acidified slurry or urease inhibitors, and the use of urease inhibitors is adapted to the practical conditions on livestock holdings. It is also incorporated as a new measure for mitigating the emissions produced by organic and organo-mineral products and materials, the burial of manure in the first 12 hours after its application, by means of a mouldboard plough, chisel plough, rotary plow or equipment that ensures an equivalent work, except in direct seeding, in conservation agriculture or in pastures, as a result of an observation from Navarre.

Annex VIII concerning waste water treatment plant (WWTP) sludge, as a material for use in fertilising agricultural soils, states that they must be treated by one of the methods established by this Royal Decree, and four new categories of material are added to the list of materials other than fertilising and manure products that can be used in the fertilisation of agricultural soils, in order to clarify it in the light of the doubts raised in the public consultation and public hearing and information. Technical adjustments to the total organic matter requirements are also incorporated and amended for composted and digested materials, that only Salmonella and Escherichia coli should be declared.

Finally, given that technified holdings may have their own, precise systems that offer individualised and detailed recommendations for each plot or even part of the holding plot, Annex IX on good practices in the use of irrigation water relating to fertilisation, incorporates the recommendation for the use of sensors for checking soil moisture content.

9. The current Royal Decree 1051/2022 of 27 February 2022 establishing standards for sustainable nutrition in agricultural soils is amended in order to facilitate the implementation thereof.

The changes tend to specify and relax the reporting obligations to incorporate nutrient and organic material inputs into the farm register, as well as other issues in the dressing plan. They also seek to facilitate the use of manure and other organic materials, as well as to improve legal certainty, by specifying or improving the drafting of questions open to



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interpretation or with difficult feasibility.

10. References to basic texts: The basic texts were submitted with an earlier notification:  
2022/0619/E

11. No

12.

13. No

14. No

15. Yes

16.

TBT aspects: No

SPS aspects: No

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European Commission

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