Draft regulations concerning the manufacture, placing on the market and import of fertilising products of organic origin and certain inorganic fertilising products (Fertilising Products Regulations)

Adopted on dd.mm.yyyy by the Norwegian Ministry of Agriculture and Food and the Norwegian Ministry of Trade, Industry and Fisheries pursuant to Act No 124 of 19 December 2003 relating to food production and food safety etc. (Food Act) Section 5, Section 7, Section 9, Section 10, Section 11, Section 12, Section 14, Section 15, Section 17, Section 18, Section 19 and Section 33, cf. Delegation Decision No 1790 of 19 December 2003 and Delegation Decision No 884 of 5 May 2004.

EEA references: EEA Agreement Annex II Chapter XIX point 1 (Directive 2015/1535/ EU) and Annex XX Chapter V point 32 (Directive 86/278/EEC)

Chapter I Purpose, scope and definitions

Section 1 *Purpose*

The purpose of the regulations is to promote plant, animal and human health, promote quality and safeguard environmental considerations in connection with the manufacture, placing on the market and import of products covered by the regulations.

Section 2 *Scope*

The regulations apply to enterprises that manufacture, import or otherwise receive fertilising products of organic origin, inorganic growing media, inorganic soil improvers, biostimulants, as well as raw materials and additives for these products, either for further supply or for use in their own activities.

The regulations do not apply to:

a) manure, with the exception of:

- manure and digestive tract content from slaughterhouses other than farm slaughterhouses and small slaughterhouses that only receive animals from the same county
- manure from horse events with international participation
- manure that has been treated by biogas, composting or drying processes or similar from enterprises other than agricultural enterprises that conduct their own manure treatment for use in their own plant production

b) the following material originating in the user’s own activities for use in own plant cultivation both when untreated and when treated by methods other than incineration and pyrolysis:

- plant material
- agricultural waste
- kitchen and food waste

c) foils and mats, such as biofoils, landscape fabric and erosion mats

d) EU fertilising products covered by Regulations xxxx on EU fertilising products

e) trials that take place at research institutions as part of research.

Section 3 *Definitions*

For the purpose of these regulations, the following terms shall mean:

a) *animal by-product*: animal by-products as defined in Regulations No 1064 of 14 September 2016 on animal by-products not intended for human consumption Section 2, cf. Regulation (EC) No 1069/2009 Article 3.

b) *landscaping soil:* growing medium used in the construction of parks, urban green areas and similar.

c) *sewage sludge*: sludge, filter media and similar material from the treatment of sanitary and municipal wastewater, excluding screened debris

d) *digestate:* residual product from anaerobic digestation of organic material. Digestate is also called digestion residue.

e) *biostimulant:* product whose function is to stimulate natural processes with the aim of improving the plants' nutrient uptake, nutrient efficiency, tolerance to abiotic factors or the quality of the crop independently of the material's nutrient content. The material may be applied to the plant or the plant rhizosphere.

f) *growing medium:* basic substance of natural or artificial raw materials that, on its own or in a mixture, with or without added nutrients or other additives, is used as a product for growing plants.

g) *fish sludge*: sludge from aquaculture facilities consisting of feed residues and faeces, containing no dead fish.

h) *fertiliser*: product whose main purpose is to supply nutrients to plants and mushrooms and which, in terms of use level and nutrient content, is suitable for annual application.

i) *fertilising product:* collective term for finished products that, without further treatment or mixing, can be used to provide nutrients, for cultivation, as mulching material or otherwise to influence the growing conditions of plants and mushrooms, and additives for other fertilising products sold as separate products.

j) *fertilising product category:* one of the following categories: organic fertilisers, organic soil improvers, organic growing media, organic mulching material, organo-mineral fertilising products, inorganic growing media, inorganic soil improvers, biostimulants and additives.

k) *hygienisation*: treatment whose main aim is to reduce the risk of transmission of infective agents to humans, animals or plants through the use or other handling of the organic material.

l) *manure*: manure as defined in Section 2 of the Animal By-Products Regulations, cf. Regulation (EC) No 1069/2009 Article 3(20) and Article 3(6).

Manure can also be mixed with reasonable amounts of feed, litter or wash water, that form a natural part of the livestock production or handling of manure.

m) *soil*: natural loose deposits of inorganic and/or organic material that have been exposed to several years of biological activity.

n) *mulching material*: nutrient-poor product that is laid on top of soil or growing medium for the purpose of protecting its chemical, physical or biological condition, preventing weed growth or as decoration.

o) *soil improver*: product whose main purpose is to influence the chemical, physical and biological state of the soil or growing medium, and which thus also has an indirect effect on plant growth.

p) *agricultural waste*: feed and plant residues, residues of growing media and waste from mushroom production generated in connection with agricultural activities. Does not include thermal oxidation materials.

q) *organic fertiliser:* fertiliser exclusively of animal or vegetable origin, or a mixture thereof.

r) *organo-mineral fertiliser*: fertiliser *consisting* of products of animal *or* vegetable origin, *or a mixture thereof,* and mineral fertiliser.

s) *manufacture:* to treat or process through composting, digestion, grinding, milling, heating, drying, granulation, mixing with other materials, packing, pyrolysis, incineration and other similar treatment or processing.

t) *manufacturer*: any natural or legal person who manufactures a fertilising product or has a fertilising product designed or manufactured, and markets that fertilising product under his or her name or trademark.

u) *raw sludge:* sewage sludge that has not been hygienised or stabilised.

v) *additives*: substances and organisms used to improve product properties and production processes. This includes substances and organisms that are used in small quantities, for example to change nutrient release patterns, as surface treatment agents, to regulate the water balance, to reduce odours or to improve composting and biogas processes.

w) *heavy metal*: the heavy metals lead (Pb), cadmium (Cd), copper (Cu), chromium (Cr), mercury (Hg), nickel (Ni), zinc (Zn), in addition to the non-metal arsenic.

x) *inorganic growing medium*: growing medium produced from inorganic materials such as sand, rock wool and expanded rock minerals.

Chapter II. General requirements for enterprises

Section 4 *Registration of enterprises*

Manufacturers and those who place on the market or import fertilising products shall be registered before start-up. The registration obligation also applies to sewage treatment plants that generate raw sludge and enterprises that decide that a waste or by-product shall be used as a fertilising product.

If an enterprise has several sub-entities with separate organisation numbers in the Central Coordinating Register for Legal Entities, each sub-entity that conducts activities pursuant to the first paragraph shall be registered.

Enterprises that only carry out the following activities are exempt from the registration obligation:

a) retail-level supply of pre-packaged and labelled products

b) manufacture, placing on the market or import of products containing only straw, bark, coconut fibre, wood chips and peat

Section 5 *Content of the registration*

The registration shall be made in the manner determined by the Norwegian Food Safety Authority and shall contain at least the following information:

a) name and address of the enterprise

b) contact person at the enterprise

c) activities and scope of the enterprise

d) fertilising product categories or raw materials the enterprise manufactures, places on the market or imports

e) raw materials included in the products

f) hygienisation methods used

g) date of the enterprise's commencement, change and termination

The Norwegian Food Safety Authority may require documentation of registered information. Material changes to the enterprise, including termination of business activity, or to registered information shall be registered no later than one month after the changes have taken place.

Section 6 *Internal control*

Enterprises subject to a registration obligation shall implement and exercise internal control.

The internal control obligation entails that the enterprise shall:

a) maintain an overview of the requirements of the Food Act and the regulations applicable to the enterprise

b) maintain an overview of organisation and responsibilities

c) identify the risk of infringing the regulations based on the enterprise's activities and take measures to mitigate such risk

d) have procedures in place to detect, rectify and prevent recurrence of infringements

e) regular carry out a systematic review of internal control to ensure it works as intended

Measures pursuant to the second paragraph (a) to (e) shall be documented in writing in the form and to the extent necessary based on the nature of the enterprise, its scope, activities, risk factors and size. The documentation shall be available to the Norwegian Food Safety Authority.

Section 7 *Sampling*

The following requirements apply to sampling:

a) representative samples shall be taken of products and raw materials.

b) the samples shall be taken from units that are considered homogenous.

c) the sampling frequency shall reflect the risk of exceeding limit values and the risk of deviating from declared values.

d) enterprises that take samples of treated sewage sludge may not take samples less frequently than every six months.

Section 8 *Methods of analysis*

Analyses shall be performed by laboratories with certified or accredited quality systems.

Where no specific methods of analysis are specified in the labelling requirements in Section 31 to Section 44, analyses shall be carried out according to recognised methods relevant to the product in question. Analyses of plant-available nutrients shall be carried out according to methods of analysis that are relevant to Norwegian growing conditions.

Section 9 *Storage to prevent product deterioration*

Enterprises that manufacture, place on the market or import fertilising products shall store the products in such a way as to ensure:

a) no contamination or growth of pathogenic organisms that may pose a risk to animal or public health

b) no contamination of the products with heavy metals, organic pollutants or plant pests

c) no deterioration in quality due to humidity or microbiological influences

d) no changes in the composition to the effect that the products are no longer in accordance with the information given in the product declaration.

Section 10 *Traceability*

Enterprises that manufacture, place on the market or import fertilising products shall keep a record of which enterprises they have received the fertilising products, raw materials and additives from, and which enterprises they have been supplied to.

The record shall contain the following information:

a) name and address of the supplier, the date of delivery and the quantity received stated as dry matter

b) name and address of the recipient, the date of delivery and the quantity *supplied* stated as dry matter

The duty to record information does not apply to information about supply to users of fertilising products, with the following exceptions where information shall nevertheless be recorded:

a) supply of sewage sludge, including sewage sludge based fertilisers with specific use restrictions supplied to agricultural enterprises.
b) supply of digestate and fish sludge in bulk form
c) supply of other fertilising products in bulk form with a phosphorus content of 75 kg or more per recipient and year

The information in the record shall be stored for at least ten years.

Section 11 *Use of the product designations 'sterilised sewage sludge' and 'sewage sludge based fertilisers with specific use restrictions'*.

The product designation 'sterilised sewage sludge' may only be used to denote fertilising products containing sewage sludge that have been treated using thermal hydrolysis or other hygienisation methods that entail sterilisation of the material.

Use of the product designation 'sewage sludge based fertilisers with specific use restrictions' is subject to approval by the Norwegian Food Safety Authority. Upon application, the Norwegian Food Safety Authority may grant approval for use of this designation for sewage sludge products that meet the following requirements:

a) they are suitable for annual fertilising where the annual use level of the sewage sludge component is less than 100 kg of dry matter per decare.

b) they have an available nitrogen, phosphorus and potassium content that is balanced and adapted to the annual agronomic needs of the plants.

c) they are in solid form and are suitable for even spreading on the area that is to be fertilised.

d) they have been treated using methods where the temperature during the hygienisation period is at least 55 degrees Celsius.

Section 12 *Applications for approval for use of the product designation 'sewage sludge based fertilisers with specific use restrictions*'

Applications for approval for use of the product designation 'sewage sludge based fertilisers with specific use restrictions' shall be submitted in the manner determined by the Norwegian Food Safety Authority and shall contain at least the following information:

a) name and address of the enterprise

b) contact person at the enterprise

c) information necessary to document that the sewage sludge product meets the conditions in Section 11 second paragraph (a) to (d).

Section 13 *Duty to report on sewage sludge etc*. *placed on the market*

Manufacturers of sewage sludge shall provide information to the recipient municipalities each year about sewage sludge supplied to recipients in each municipality and the amount supplied to each recipient. Enterprises that supply sterilised sewage sludge and sewage sludge based fertilisers with specific use restrictions to end-users engaged in agricultural activities shall provide such information to the recipient municipalities on an annual basis. The municipalities shall store this information for at least ten years.

The information specified in the first paragraph shall be provided in the manner and within the deadlines determined by the Norwegian Food Safety Authority.

Chapter III. Product requirements

Section 14 *General product requirements*

It is prohibited to manufacture, place on the market or import fertilising products that do not comply with the requirements in this chapter, unless otherwise follows from Section 45, or the Regulations on EU fertilising products xxxx that incorporate Regulation (EU) 2019/1009.

The Norwegian Food Safety Authority may restrict or prohibit the manufacture, placing on the market or import of fertilising products that do not comply with the requirements in this chapter or that for other reasons may cause harm to human, animal or plant health or to the environment.

Section 15 *Raw materials for use in fertilising products*

Only the raw materials specified in Annex 1 may be used in the production of fertilising products unless the Norwegian Food Safety Authority permits the use of other raw materials.

Upon application, the Norwegian Food Safety Authority may grant permission for the use of raw materials that are not listed in Annex 1 if they have a documented beneficial effect on the product or the production process they will be used in and do not pose a risk of harm to health or the environment. Conditions may be attached to the permission. Permission may be withdrawn if

new information, changes in the knowledge base or other circumstances arise that indicate that the conditions for the permission are no longer met.

The raw materials permitted pursuant to the second paragraph shall not require specific conditions of use for the finished product in order for their use to be considered acceptable for health and the environment. Nor shall it be necessary to set quantitative limits for the share of the raw material in the finished product in order for its use to be acceptable to health and the environment.

The Norwegian Food Safety Authority may adopt changes to Annex 1.

Section 16 *Applications for permission for the use of raw materials*

Applications for permission for the use of raw materials shall be submitted in the manner determined by the Norwegian Food Safety Authority and shall contain at least the following information:

a) information about the applicant, with contact information

b) information about the manufacturer of the raw material

c) information about the intended use of the raw material

d) documentation of the raw material's utility value and a risk assessment of the raw material

e) relevant analysis results

Section 17 *Additives*

Additives may only be marketed for use in fertilising products or used in the manufacture of fertilising products if a risk assessment has been carried out. The additive shall not entail an increased risk of significant harm to health or the environment. The total concentration of all additives shall not exceed five per cent of the total weight of the raw materials.

Oils, alcohols or similar substances used to increase the gas yield in biogas production are considered raw materials and not additives.

Section 18 *Hygiene*

Fertilising products that may entail a risk of transmission of diseases to animals or humans or of the spread of plant pests during normal use or possible misuse shall be treated with methods that have been validated in accordance with the requirements in Section 19.

For animal by-products, the requirements in this section only apply in cases where the requirements are intended to prevent the spread of plant pests.

The fertilising products shall meet the following requirements:

a) absence of *Salmonella* in a sample of 25 grams

b) *E.coli* content of less than 1,000 colony forming units (CFU) per gram wet weight

c) less than two germinable seeds or other plant parts that may give rise to new plants per litre of finished product.

Manure treated in a biogas plant, which is exempt from the requirements for a hygiene unit under the Animal By-Products Regulations, is only covered by this section if the manure originates from horse events with international participation or from slaughterhouses other than farm slaughterhouses and small slaughterhouses that only receive animals from the same county.

Section 19 *Validation of hygienisation methods*

The validation of new hygienisation methods shall:

a) demonstrate, through scientific evidence under relevant experimental conditions, that the risk has been reduced to an acceptable level

b) demonstrate, through inoculation, that the content of the indicator organism *Ascaris suum* has been reduced to zero

c) demonstrate, through inoculation, that the method results in a minimum of 99.9 per cent (5 $\log_{10}$) inactivation of *Salmonella Senftenberg (775W, H2S-negative)*

d) demonstrate that the content of *E.coli* has been reduced to 1,000 CFU per gram wet weight for fertilising products, where relevant

e) demonstrate, through inoculation, that the number of infective cysts of the potato cyst nematode has been reduced to zero for fertilising products, where relevant

f) As an alternative to (b), (c), (d) and (e), where these are not relevant, other suitable indicator organisms may be identified and it shall be demonstrated that the treatment reduces these to an acceptable level.

g) identify where in the treatment process the hygienisation takes place

h) identify which process parameters are critical for the hygienisation

i) determine critical limits for relevant process parameters in the various steps of hygienising treatment.

Section 20 *Stability*

Fertilising products shall be stabilised so that they do not cause harm to the environment or inconveniences relating to odour over and above what is generally expected in the area of use. Compost and digestate shall be sufficiently degraded to prevent growth-inhibiting effects during use.

Section 21 *Heavy metals*

Fertilising products shall be classified in classes of heavy metals. The following limit values apply to the content of fertilising products in the different classes:

Heavy metal	Heavy metal classes in milligrams per kilogram of dry matter			
	0	**I**	**II**	**III**
Cadmium	0.4	0.8	2	5
Lead	40	60	80	160
Lead in growing media	40	52	52	52
Mercury	0.2	0.6	3	5
Nickel	20	30	50	80
Zinc	150	400	800	1500
Copper	50	150	650	1000
Chromium	50	70	*100*	*150*
Arsenic	5	8	16	32

The first paragraph applies correspondingly to the classification of the raw materials the products contain. The following requirements apply to the raw materials' heavy metal content:

a) The heavy metal content of raw materials included in fertilising products in heavy metal class 0 cannot exceed the limit values for class I.

b) The heavy metal content of raw materials included in fertilising products in heavy metal classes I and II cannot exceed the limit values for class II.

c) The heavy metal content of raw materials included in fertilising products in heavy metal class III cannot exceed the limit value for class III.

Manure and ash in heavy metal class III may nonetheless be included in fertilising products in class I or II.

Section 22 *Special phosphorus-based limit values for heavy metal content*

The requirements in Section 21 do not apply to fertilising products with a phosphorus content that accounts for more than two per cent of the dry matter. The ratio of phosphorus to heavy metal/arsenic in such fertilising products shall not be lower than:

Heavy metal/Arsenic	Ratio of milligrams of phosphorus to milligrams of heavy metals/arsenic
Cadmium	6,250
Lead	160
Mercury	4,200
Nickel	250
Zinc	16
Copper	19
Chromium	125
Arsenic	780

The heavy metal content of the raw materials shall nonetheless not exceed the limit value for heavy metal class II specified in Section 21 first paragraph, with the exception of manure and ash in heavy metal class III.

This section does nonetheless not apply to fertilising products containing sewage sludge or mineral fertiliser. Section 21 applies to such fertilising products.

Section 23 *Special threshold values for the content of heavy metals in landscaping soil and soil as a raw material*

The requirements in Section 21 do not apply to landscaping soil and soil as a raw material in fertilising products. The following limit values apply to these:

Heavy metal	**Limit value in milligrams per kilogram of dry matter**
Cadmium	1
Lead	52
Mercury	1
Nickel	50
Zinc	150
Copper	100
Chromium	100

Arsenic	8

Where soil is included as one of several raw material in landscaping soil or in other fertilising products, the limit values in the first paragraph also apply to the soil component. The heavy metal content of other raw materials in landscaping soil shall not exceed the limit values for heavy metal class III specified in Section 21 first paragraph.

Section 24 *Special limit values for the content of organic pollutants in raw sludge*

For raw sludge, the following limit values apply to the content of organic pollutants stated as mg/kg dry matter:

Organic pollutant	**Content in milligrams per kilogram of dry matter**
DEHP	50
Sum of PFOS and PFOA	0.04
PCB7	0.04

Section 25 *Special requirements for ash*

Ash may be produced from all raw materials in Group 1 in Annex 1. The use of raw materials from other groups in the annex or raw materials that are not listed in Annex 1 is subject to permission pursuant to Section 15 second paragraph.

Ash shall be produced in such a way that a temperature of at least 450°C for at least two seconds is reached. The total content of organic carbon shall account for less than six per cent dry matter of the material.

For ash, the following limit value applies to the content of organic pollutants:

Organic pollutant	**Limit value**
PAH16	6 mg PAH16 per kg dry matter
PCDD/F	20 ng WHO toxicity equivalents of PCDD/F per kg dry matter

Section 26 *Special requirements for biochar*

Biochar may be produced from all raw materials in Group 1 in Annex 1. The use of raw materials from other groups in the annex or raw materials that are not listed in Annex 1 is subject to permission pursuant to Section 15 second paragraph. Biochar produced from sewage sludge is still considered sewage sludge.

Biochar shall be produced under oxygen-limiting conditions in such a way that a temperature of at least 180°C for at least two seconds is reached. Biochar must have a molar ratio of hydrogen to organic carbon of less than 0.7.

For biochar, the following limit value applies to the content of organic pollutants:

Organic pollutant	**Limit value**
PAH16	6 mg PAH16 per kg dry matter
PCDD/F	20 ng WHO toxicity equivalents of PCDD/F per kg dry matter

Section 27 *Duty of care for the content of undesirable substances*

The enterprises shall show due care and take reasonable measures to:

a) ensure that they have sufficient knowledge about the content of organic pollutants, pesticide residues, pharmaceutical residues and other substances harmful to health or the environment in raw materials and fertilising products

b) prevent, limit or preclude raw materials and fertilising products from having such a content of substances mentioned in (a) that their use may cause harm to health or the environment.

For raw sludge, ash and biochar, the duty in the first paragraph is considered to be met for the pollutants for which limit values have been specified in Sections 24, 25 and 26.

Section 28 *Impurities*

The total amount of impurities in the finished fertilising product in the form of glass, metal and plastics above two millimetres shall be no more than five grams per kilogram of dry matter. In fertilising products manufactured after 1 January 2026, the amount of impurities in the form of plastics shall nonetheless be no more than 2.5 grams per kilogram of dry matter.

Enterprises shall implement measures to remove these impurities prior to treatment or storage.

Section 29 *Nutrient content*

The fertilising products' nutrient content shall be adapted to the recommended area of use and use level.

In landscaping soil, the content of readily soluble phosphorus measured by the AL method shall be no more than 40 milligrams per 100 grams of dry matter.

In landscaping soil containing sewage sludge, the content of mineral nitrogen shall be no more than 20 milligrams per 100 grams of dry matter.

Section 30 *Quality*

The storage, spreading and usage properties of the products shall be suited to their purpose and have a documentable effect.

Fertilising products other than mulching material shall not have a germination-inhibiting or other growth-inhibiting effect under the recommended conditions of use.

Chapter IV. Labelling and marketing requirements

Section 31 *General labelling requirements*

Fertilising products shall, before being supplied to users, be marked with a product declaration that contains information about:

a) the manufacturer or importer's name and address

b) the product category

c) if relevant, a product designation as specified in Section 11

d) the product's form of non-solid fertilising product

e) content by weight or volume

f) dry matter

g) organic carbon or organic content as % by mass for fertilising products with organic content

h) a list of all ingredients above five per cent by product weight, in descending order by dry weight

i) specification of added organisms

j) specification of treatment process for organic raw materials

k) nutrient content expressed in element form and other properties where this is stated for different product categories in Sections 33 to 39

l) properties and other factors as specified for fertilising products containing certain raw materials in Sections 38 to 43

m) recommended precautions to ensure that use of the product does not entail a safety risk, an environmental risk or a risk to human, animal or plant health.

n) recommended area of use, including recommended quantity and recommended target plants.

o) heavy metal class for fertilising products covered by Section 18

p) heavy metal content in milligrams per kilogram of dry matter for fertilising products covered by Section 21

q) heavy metal content in milligrams per kilogram of dry matter and the following designation ‘phosphorus-based limit values for heavy metal content’ for fertilising products covered by Section 22

r) production number or batch number.

The labelling may also contain other information than that to be stated in the product declaration. The product declaration shall be separate from other information in the labelling and shall not contain information other than that set out in the first paragraph. Information in the form of a more detailed description of the product type and analyses of other chemical and physical parameters than those specified in the first paragraph may nonetheless be included as part of the product declaration.

When declaring soil improvers, mulching material and landscaping soil, declared values other than heavy metal content may be stated in the form of intervals. The requirement for information about heavy metal content under the first paragraph (m) does nonetheless not apply to the declaration of additives or biostimulants in heavy metal class 0. The Norwegian Food Safety Authority may order enterprises that are granted permission pursuant to Section 15 second paragraph to declare further information in addition to what follows from this section.

The labelling should be applied to the product packaging or label or be provided in accompanying documents. The packaging labelling or label shall be clearly and visibly affixed and shall not be erasable. The labelling shall be in Norwegian or in a language with spelling similar to Norwegian.

Section 32 *Permissible tolerances for declared values*

pH values that deviate by more than ± 0.5 pH units from the measured values may not be declared. For other substances and values, values that deviate by more than ± 20 per cent from the values measured may not be declared. A product may nonetheless not be declared in a heavy metal class if the values measured exceed the limit values for that heavy metal class.

If the content is entered as an interval, the analysis value shall be within that interval.

Section 33. *Declaration of organic fertiliser and organo-mineral fertiliser*

When declaring organic fertiliser and organo-mineral fertiliser, the product declaration shall contain the following information stated as % by mass:

a) total nitrogen content

b) nitrogen in the form of nitrate

c) nitrogen in the form of ammonium

d) nitrogen in the form of urea for organo-mineral fertiliser

e) total phosphorus content

f) plant-available phosphorus

g) plant-available potassium content

Information about plant-available phosphorus in the product declaration pursuant to the first paragraph (f) shall be based on analyses according to the Olsen P method.

The plant-available content of calcium, magnesium and sodium and the total content of sulphur, boron, cobalt, copper, iron, manganese, molybdenum and zinc shall and may only be declared if the content of the individual nutrient amounts to an equivalent or greater amount by % of the product mass than the following:

Nutrient	**Fertiliser for use on crops and grassland**	**Fertiliser for horticultural use**
Calcium	0.6	0.6
Magnesium	0.8	0.8
Sodium	2.2	2.2
Sulphur	0.8	0.8
Boron	0.01	0.01
Cobalt	0.002	*NA*
Copper	0.01	0.002
Iron	0.5	0.02
Manganese	0.1	0.01
Molybdenum	0.001	0.001
Zinc	0.01	0.002

In addition, the following information shall be declared:

a) a description of the expected liming effect shall be declared for fertilising products containing ash, bone meal, concrete sludge or to which lime has been added

b) the content of water-soluble chlorine in the product shall be declared if it exceeds 50 milligrams per litre

c) the total sodium content in the product shall be declared if it exceeds 25 milligrams per litre

The information about nutrient content specified in the first paragraph (a) to (g) shall be stated as % by mass. When declaring inorganic soil improvers, the requirements in the first paragraph concerning information about the content of main nutrients only apply if this is of significance for plant growth.

Section 34. *Declaration of soil improvers*

The product declaration for soil improvers shall contain the following information:

a. total nitrogen content

b. nitrate content

c. ammonium content

d. total phosphorus content

e. plant-available phosphorus

f. total potassium content

g. plant-available content of other nutrients

h. pH level

In addition, the following information shall be declared:

a. a description of the expected liming effect shall be declared for products containing ash, bone meal, concrete sludge or to which lime has been added

b. the content of water-soluble chlorine in the product shall be declared if it exceeds 50 milligrams per litre

c. the total sodium content in the product shall be declared if it exceeds 25 milligrams per litre

The information about nutrient content specified in the first paragraph (a) to (g) shall be stated as % by mass. Information about plant-available phosphorus in the product declaration as specified in the first paragraph (e) shall be based on analyses according to the Olsen P method. When declaring inorganic soil improvers, the requirements in the first paragraph concerning information about the content of main nutrients only apply if this is of significance for plant growth.

Section 35 *Declaration of growing media other than landscaping soil*

The product declaration for growing media other than landscaping soil shall contain the following information:

a) total nitrogen content

b) total phosphorus content

c) plant-available phosphorus

d) plant-available potassium content

e) other nutrients of significance for plant growth

f) pH level

g) electrical conductivity

h) specification of grain size distribution or texture class

In addition, the following information shall be declared:

a) the content of water-soluble chlorine in the product shall be declared if it exceeds 50 milligrams per litre

b) the total sodium content in the product shall be declared if it exceeds 25 milligrams per litre

The information about nutrient content specified in the first paragraph (a) and (b) may be stated as % by mass or as milligrams per litre (mg/l). The information about nutrient content specified in the first paragraph (c) to (e) shall also include the unit of measurement and method of analysis. When declaring inorganic growing media, the requirements in the first paragraph concerning information about the content of main nutrients only apply if this is of significance for plant growth.

The requirement in the second paragraph about declaring the calcium content does nonetheless not apply if the product has been analysed using the CAT method specified in EN 13651.

Section 36 *Declaration of landscaping soil*

The product declaration for landscaping soil shall contain the following information:

a) total nitrogen content

b) nitrate content

c) ammonium content

d) total phosphorus content

e) plant-available phosphorus

f) plant-available potassium content

g) other nutrients of significance for plant growth

h) pH level

i) electrical conductivity

j) grain size distribution or texture class

In addition, the following information shall be declared:

a) the content of water-soluble chlorine in the product shall be declared if it exceeds 50 milligrams per litre.

b) the total sodium content in the product shall be declared if it exceeds 25 milligrams per litre.

The information about nutrient content specified in the first paragraph (a) to (d) shall be stated as % by mass. Information about plant-available phosphorus in the product declaration pursuant to the first paragraph (e) shall be based on analyses according to the AL method and be stated in milligrams per kilogram of dry matter. The information about nutrient content specified in the first paragraph (f) and (g) shall include the unit of measurement and method of analysis.

The requirement in the second paragraph about declaring the calcium content does nonetheless not apply if the product has been analysed using the CAT method specified in EN 13651.

Section 37 *Declaration of mulching material*

The product declaration for mulching material shall contain the following information:

a) particle size

b) content of fines

Section 38 *Declaration of biostimulants*

The product declaration for biostimulants shall contain the following information:

a) description of effect

b) content of nutrients of significance for plant growth

c) period of use given as plant development stage or equivalent

d) recommended frequency of use

If the biostimulant contains a substance or organism for which limit values have been established in food and feed regulations, care shall be taken to ensure that the recommended use does not result in exceedance of the relevant limit value.

Section 39 *Special requirements for the declaration of fertilising product blends*

Fertilising products consisting of a blend of two or more product categories shall be declared in accordance with the requirements that apply to the different product categories of which the products consist.

Section 40 *Special requirements for the declaration of fertilising products with additives*

In the product declaration for fertilising products to which nitrification inhibitors, chelating agents or similar additives have been added for the purpose of influencing nutrient release, it shall be stated which additives have been added and their function.

Section 41 *Special requirements for the declaration of micro- and macronutrient fertilising products*

The product declaration for fertilising products marketed as containing certain micro- and macro-organisms shall contain the following information:

a) the scientific name of the organism and any Norwegian or English names

b) number or other indication of the quantity of each organism

c) description of the organism's functioning

d) description of the macro-organism's biology and appearance

Section 42 *Special requirements for the declaration of fertilising products containing sewage sludge*

The product declaration for fertilising products *containing sewage sludge* shall contain the following information:

a) the restrictions on use resulting from Regulations dd.mm.yyyy no on the storage and use of fertiliser and plant nutrition Section x and Section y

b) analysis values for arsenic, cadmium, lead, mercury, nickel, copper, zinc and chromium in the sludge component of the product

c) total product content of aluminium and iron in milligrams per kilogram of dry matter

Section 43 *Special requirements for the declaration of fertilising products not suitable for use in private gardens*

The product declaration for fertilising products in heavy metal class III shall contain the following information: 'Not for use in private gardens.'

The product declaration for fertilising products containing sewage sludge, with the exception of growing media in heavy metal classes 0, I or II, shall also contain the sentence 'Not for use in private gardens'.

Section 44 *Special requirements for the labelling of low-carbon fertiliser*

Low-carbon fertilisers that comply with the quality requirements in Regulations No 1063 of 4 July 2003 concerning trading in fertilisers and liming materials Section 7 to Section 10 may be labelled in accordance with the provisions of Section 14 to Section 25 instead of in accordance with the labelling provisions in these regulations.

Fertilising products containing sewage sludge shall nevertheless be labelled in accordance with Section 37.

By low-carbon fertilising products is meant thermal oxidation materials or fertilising products where nutrients in mineral form have been extracted from the organic material and where the carbon content does not exceed three per cent.

On fertilising products other than fertilising products in heavy metal class 0, the heavy metal class shall nevertheless appear on the labelling.

Section 45 *Marketing*

The enterprise shall ensure that labelling, presentation, advertising and marketing are correct, provide the recipient with sufficient information and not be potentially misleading.

Marketing claims about factual circumstances, including about the products' properties or effect, shall be verifiable and documentable. It follows from Regulations No 455 of 6 May 2015 on pesticides Section 3, cf. Regulation (EC) No 1107/2009 Article 2 and Article 66 that it is not permitted to make claims about preventive or direct effects against plant pests or about other pesticide properties unless the product is also approved as a pesticide.

Chapter V. Administrative provisions etc.

Section 46 *Placing fertilising products from other EEA member states on the market*

Pursuant to the EEA Goods Act, it shall be permitted to place fertilising products on the market in Norway that have been *lawfully placed on the market* in another EEA member state, provided that they have been manufactured in accordance with provisions that provide the same level of protection for health and the environment in Norway as the provisions in these regulations.

The provisions of the regulations that are justified on grounds of plant health will also apply when placing fertilising products on the market in Norway that have been lawfully manufactured and placed on the market in another EEA member state.

Section 47 *Supervision and decisions*

The Norwegian Food Safety Authority conducts supervisory activities and may make necessary individual decisions, cf. Section 23 of the Food Act, in order to ensure compliance with provisions laid down in or pursuant to these regulations. The Norwegian Food Safety Authority may also make individual decisions pursuant to Sections 24 and 26 of the Food Act.

Section 48 *Penalties*

Violation of provisions laid down in these regulations or decisions made in pursuance of these regulations is punishable under Section 28 of the Food Act.

Section 49 *Dispensation*

In specific cases, the Norwegian Food Safety Authority may grant dispensation from the provisions of these regulations, provided that this does not come into conflict with Norway's international commitments, including the EEA Agreement.

Section 50 *Entry into force*

These regulations will enter into force on dd.mm.yyyy. From the same date, Regulations No 951 of 4 July 2003 relating to fertilising products etc. of organic origin will be repealed. Upon entry into force, all decisions on dispensation from the terms of use pursuant to Regulations No 951 of 4 July 2003 on fertilising products etc. of organic origin Section 25 and Section 27 and Appendix 4 will lapse, unless otherwise follows from Section 51.

Section 51 *Transitional provisions*

a) Fertilising products and raw materials manufactured before the date on which the regulations enter into force may be used in own activities and placed on the market until stocks are depleted.

b) *Raw materials the use of which has been permitted in the manufacture of fertilising products pursuant to Regulations No 951 of 4 July 2003 relating to fertilising products etc. of organic origin Section 10, cf. Annex 4 or pursuant to a decision on dispensation pursuant to Section 31 from these provisions may be used until an application for use of the raw material pursuant to Section 13 has been finalised, but no later than until mm.yyyy [the date one year after the regulations enter into force].*

c) Enterprises that have registered fertilising products in accordance with Regulations No 951 of 4 July 2003 relating to fertilising products etc. of organic origin Section 11 shall register the information specified in Section 5 within dd.mm.yyyyy *[the date three months after the regulations enter into force].*

d) Enterprises that, before the regulations enter into force, have manufactured fertilising products that have not been subject to a duty of registration pursuant to Regulations No 951 of 4 July 2003 relating to fertilising products etc. of organic origin Section 11 shall register the information specified in Section 5 within *dd.mm.yyyy* [*the date three months after the regulations enter into force*].

e) Hygienisation methods that have been validated in accordance with the requirements of Regulations No 951 of 4 July 2003 relating to fertilising products etc. without taking into account the risk to plant health, where relevant, may be used until 1 January 2028.

f) The limit values for raw sludge in Section 24 apply from [*three years from entry into force*].

Section 52 *Amendment of other regulations*

From the date on which the regulations enter into force, the following amendments shall be made to other regulations:

1. The following amendments shall be made to Regulations No 1063 of 4 July 2003 on placing on the market of fertilisers and liming materials etc.

Section 2 shall read as follows:

Section 2 *Scope*

The regulations apply to mineral fertilisers and liming materials, including shell sand, for use in agriculture, garden nurseries, parks and urban green areas or in private gardens.

Fertilising products marketed as EU fertilising products, cf. Regulations No * of xx March 2024 on EU fertilising products and fertilising products covered by Regulations No * of dd.mm.yyyy on the manufacture, placing on the market and import of fertilising products of organic origin and certain inorganic fertilising products are exempt from these regulations.

Section 26 is repealed

In Annex 1, the definitions of composting preparations and growth-promoting substances, respectively, are repealed.

2. (*not relevant*)

3. In Regulations No 406 of 13 February 2004 on the payment of fees for specific services provided by the Norwegian Food Safety Authority, amendments shall be made to Annex 1: the following row is to be inserted in the table in Chapter II. ‘Fees for specific services provided by the Norwegian Food Safety Authority, cf. Section 5’, under the row concerning ‘Approval of GM food and feed’ etc.:

Processing of applications for permission for the use of raw materials	14,000	e

Annex 1 Raw materials that may be used in fertilising products, cf. Section 15

Group 1: Plant material

	Category of raw material	Description	Exemption
1a)	Garden and park waste	Plant material from gardens, parks and urban green areas.	
1b)	Agricultural waste	See definition	
1c)	Plants and plant extracts	Includes pure plant materials and plant extracts. For the purpose of this point, plants also include algae, but not blue-green algae.	
1d)	Wash soil from potatoes and vegetables	Soil washed off potatoes and vegetables in the food industry.	
1e)	Wood processing waste	Includes wood dust, fibre sludge, biological sludge and similar waste from the cellulose industry and other wood processing industries.	Wood processing waste with additives such as fire retardants, adhesives, paints, impregnation and similar follows Section 15 second paragraph.

Group 2: Mineral origin

	Category of raw material	Description	Exemption
2a)	Soil	See definition and Section 23	
2b)	Lignite		
2c)	Mineral fertilisers and lime	Mineral fertilisers and lime shall meet the requirements of Regulations No 1063 of 4 July 2003 concerning trading in fertilisers and liming materials etc.	
2d)	Pumice		
2e)	Rock dust	Finely crushed mineral and rock material	
2f)	Rock wool	Stone material that has been melted and spun into fibre.	

Group 3: Animal origin

	Category of raw material	Description	Exemption
3a)	Fish sludge from freshwater farming	See definition.	Sludge from saltwater farming follows Section 15 second paragraph.
3b)	Animal by-products *covered by the* Animal By-Products Regulations	As described in the Animal By-Products Regulations	Cleaning residue from fish oil production follow Section 15 second paragraph.
3c)	Wastewater sludge from plants that handle animal by-products	As described in Regulations No 1064 of 14 September 2016 on animal by-products not intended for human consumption Section 2, cf. Regulation (EC) No 142/2011 Annex IV, Chapter 1 Section 2. The solid particles in the wastewater shall not exceed 6 mm.	

Group 4: Sewage sludge

	Category of raw material	Description	Exemption
4a)	Sewage sludge	See definition.	

Group 5: Macro- and microbiological organisms

	Category of raw material	Description	Exemption
5a)	Macro-organism	See definition.	
5b)	Micro-organism	See definition.	

Group 6: Other raw materials

	Category of raw material	Description	Exemption
6a)	Newspaper	Paper from newspapers. Does not include magazines, advertising brochures etc. The newspaper should not be printed with anything other than vegetable oils.	
6b)	Waterworks sludge	Sludge from drinking water purification plants	
6c)	EU fertilising products pursuant to (insert reference to new EU fertilising regulations)		Only in blends with other raw materials
6d)	Fertiliser and liming material pursuant to Regulations No 1063 of 4 July 2003 concerning trading in fertilisers and liming materials etc.		Only in blends with other raw materials

Draft regulations on the storage and use of fertiliser etc.

Legal authority: Adopted by the Ministry of Climate and Environment, the Ministry of Agriculture and Food and the Ministry of Health and Care Services on X.X. 2024 pursuant to Act No 6 of 13 March 1981 concerning protection against pollution and concerning waste (Pollution Control Act) Section 9, Act No 23 of 12 May 1995 relating to land (Land Act) Section 3 and Section 11 first paragraph, Act No 124 of 19 December 2003 relating to food production and food safety etc. (Food Act) Section 5, Section 6, Section 7, Section 9, Section 11, Section 12, Section 14, Section 15, Section 17, Section 18, Section 23 and Section 33, Regulations No 1790 of 19 December 2003 on the distribution of authority pursuant to the Act relating to food production and food safety etc. (Food Act) and Act No 29 of 24 June 2011 relating to public health work (Public Health Act) Section 8 second paragraph.
EEA references: The EEA Agreement Annex XX point 32 (Directive 86/278/EEC), point 13b (Directive 91/676/EEC).

Chapter 1. Introductory provisions

Section 1. *Purpose*

The purpose of the regulations is to facilitate the use of fertiliser as a resource while preventing disadvantages relating to contamination, health and hygiene in connection with storage and use. The regulations are intended to contribute to environmentally sound soil management and safeguard considerations of biodiversity.

Section 2. *Scope*

The regulations apply to the storage and use of organic fertilising products and the use of mineral fertiliser. The regulations also apply to the handling of certain other substances that may come from agricultural activities such as wash water, plant residues and silage effluent.

The provisions of Chapter 2 only apply to agricultural enterprises, horse owners and parties responsible for other activities that generate manure. With the exception of Section 16 first paragraph, Section 17 first paragraph and Section 18, Chapter 3 only applies to agricultural land. The regulations do not apply to the use of fertilising products in private

Chapter 4. Special provisions on the use of fertiliser containing sewage sludge

Section 22. *Special requirements for the use of fertilising products containing sewage sludge*

The use of sewage sludge that has not been hygienised is not permitted.

The following requirements apply to the use of fertilising products containing sewage sludge on different types of land:

a) The use of fertilsing products containing sewage sludge is prohibited on meadows, in garden nurseries and where vegetables, potatoes and berries are grown or fruit harvested.
b) In areas where fertilising products containing sewage sludge has been used, vegetables, potatoes, berries and fruit may not be grown or harvested earlier than three years after the last date of spreading. Where sewage sludge based fertilising products with specific use restrictions or sterilised sewage sludge has been spread, such plants may nonetheless be grown ten months after the last date of spreading.
c) The land may be used for grazing or for harvesting of feed crops at the earliest the growing season after fertilising products containing sewage sludge has been used.
d) In areas other than agricultural land and parks and urban green areas, sewage sludge may only be used as a component of growing medium.
e) Fertilising products containing sewage sludge may not be spread on agricultural land with a phosphorus value showing a P-Al of 14 or higher. The most recent soil sample must have been taken within the last two years.
f) As regards the spreading of fertilising products containing sewage sludge on agricultural land, sewage sludge containing a maximum of 25 kg/P/decare may be applied over a period of ten

years. The amount of plant-available phosphorus may nonetheless not exceed that corresponding to the maximum permitted application of phosphorus pursuant to Section 20.

Fertilising products containing sewage sludge shall be covered with soil no later than 18 hours after spreading. The requirement nonetheless does not apply to the use of sewage sludge based fertilising products with specific use restrictions. Efforts shall be made to limit inconveniences relating to odour when spreading fertilising products containing sewage sludge.

Section 23. *Notification of the use of fertiliser containing sewage sludge*

The enterprise that is to use fertilising products containing sewage sludge on agricultural land shall notify the municipality at least two weeks before the first delivery. The notification duty nonetheless does not apply to the use of sewage sludge based fertilising products with specific use restrictions.

Notification of the use of fertilising products containing sewage sludge shall be given in the manner determined by the Norwegian Food Safety Authority and shall contain, as a minimum, information about:

a) the recipient's name and address;
b) the land and title number of the property where products containing sewage sludge are to be used;
c) the product's composition and method of treatment;
d) the quantity to be used;
e) the place of use;
f) the type of land the product is to be spread on and the size of the area;
g) soil analyses, if relevant; and
h) an assessment of conditions that may have an impact on health and hygiene in connection with use.

The municipality shall submit the notification to the municipal medical officer and authority for environmental health in the municipality for comment, pursuant to Section 9 of the Public Health Act. If the notification reveals circumstances that would entail non-compliance with the requirements of the regulations, the municipality may order the matter to be rectified pursuant to Section 14 of the Public Health Act .

Chapter 5. Special provisions on the use of fertilising products subject to use restrictions based on the product's heavy metal content

Section 24. *Permitted use level of fertilising products based on heavy metal content*

The total use level of fertilising products over a ten-year period shall not exceed

a) four tonnes of dry matter per decare when using fertilising products in heavy metal class I
b) two tonnes of dry matter per decare when using fertilising products in heavy metal class II
c) 800 kg of dry matter per decare when using fertilising products in heavy metal class II only containing thermal oxidation materials derived from pure plant material
d) one tonne of dry matter per decare when using fertilising products in heavy metal class III in parks and urban green areas
e) a quantity that ensures that the amount of heavy metal permitted for use of products in class II is not exceeded, when using a combination of fertilising products in different heavy metal classes and fertilising products with phosphorus-based limit values for heavy metal content

Fertilising products in heavy metal class 0 and fertilising products with phosphorus-based limit values may be used without quantitative limits relating to heavy metal content. Fertilising products in heavy metal class 0 may be used on all types of land. Fertilising products with phosphorus-based limit values may only be used on agricultural land. EU fertilising products shall

be used in line with the first paragraph (b) heavy metal class II, or with a relevant lower class if a lower heavy metal content than heavy metal class II can be documented.

When using sewage sludge based fertilisers with specific use restrictions, the annual quantity of the sewage sludge component used shall not exceed 100 kg of dry matter per decare. When using fertilising products in turf production, the quantitative limit set out in the first paragraph applies during each production cycle rather than over a ten-year period.

When establishing and restoring parks and urban green areas, the use level of fertilising products shall not exceed a layer that is five centimetres thick. As regards landscaping soil, this quantity limit only applies to the components of the landscaping soil made up of media other than soil, sand and silt.

Products other than landscaping soil and mulching materials shall be mixed into the soil at the place of use. Fertilising products may be used in the quantities set out in the first paragraph in the established areas.

When used as a top layer on landfill sites, the use level shall not exceed a layer that is 15 centimetres thick.

The use of quantities that follow from the first to third paragraphs is not permitted if this quantity exceeds the need, cf. Section 18, or the maximum quantity of phosphorus that may be applied to the land pursuant to Section 20 or Section 22 (f). The use of quantities set out in the fourth paragraph is not permitted if this quantity exceeds the need, cf. Section 18.

Section 25. *Special provisions on the use of fertilising products on cultivated land based on heavy metal content*

Fertilising products in heavy metal classes I, II and III or with phosphorus-based limit values for heavy metal content may not be used on agricultural land if the heavy metal content of the soil exceeds the following values:

	Milligrams per kilogram of dry matter
Cadmium	1
Lead	60
Mercury	1
Nickel	50
Zinc	150
Copper	50
Chromium	100
Arsenic	8

The agricultural enterprise shall ensure that heavy metal analyses of the soil are carried out with the necessary frequency if there is a risk that the heavy metal limits specified in the first paragraph are exceeded due to geological or other factors, such as intensive use of manure over several years.