EUROPEAN COMMISSION
Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs
Single Market Enforcement
Notification of Regulatory Barriers

Numero di notifica : 2026/0648/ES (Spain)

Proyecto de Real Decreto sobre productos fertilizantes.

Data di ricezione : 13/11/2026
Termine dello status quo : Not applicable (withdrawn)
Misure fiscali : Sì

Message

Message 001

Communication from the Commission - TRIS/(2026) 3313

Directive (EU) 2015/1535

Notification: 2026/0648/ES

Notification of a draft text from a Member State

Notification – Notification – Notifzierung – 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 - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késéseket - Non fa decorrere la mora - Atidėjimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħx 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: 20263313.EN

1. Notification Message: MSG 001 IND 2026 0648 ES EN 13-11-2026 ES NOTIF

2. Country: Spain

3A. Department Responsible: 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.
Plaza del Marqués de Salamanca, 8 (28006 Madrid)

3B. Originating Department: Subdirección General de Medios de Producción Agrícolas y Oficina Española de Variedades Vegetales.
Dirección General de Producciones y Mercados Agrarios.
Secretaría General de Recursos Agrarios y Seguridad Alimentaria.
Ministerio de Agricultura, Pesca y Alimentación.
C/ Almagro, 33, 5ª planta, 28010 (Madrid

4. Products/Services 2026/0648/ES - C00C - CHEMICALS

5. Title: Draft Royal Decree on fertiliser products.

6. Product/service details: C40C - Chemical fertilisers

7. Notification under another EU law:

8. Summary: Regulation (EU) 2019/1009 of the European Parliament and of the Council of 5 June 2019 includes in its scope organic and organo-mineral fertilising products, organic improvers, growing media and biostimulants, which were previously excluded from EC fertilisers. Furthermore, it allows for the use of SANDACH materials (animal by-products not intended for human consumption) and waste in the manufacture of EU fertilising products, and also permits the use of substances, mixtures and micro-organisms which, whilst not providing nutrients as such, do stimulate natural nutrient processes.
Another of the main changes in the new regulations is the replacement of fertiliser product types with functional product categories.
Consequently, Spanish domestic regulations are being amended to implement these provisions in our country, to bring them into line with the aforementioned Regulation, and also to provide for a specific group subject to entry in the register (Group 1.5), for so-called RENURE fertilisers (from nitrogen recovered from manure; in English, REcovered Nitrogen from manURE).

9. Brief Statement of Grounds: Regulation (EU) 2019/1009 does not prevent non-compliant fertilising products from being placed on the internal market in accordance with national law. The publication of the Regulation therefore makes it necessary to review the national legislation on fertilising products, established in Spain by Royal Decree 506/2013 of 28 June, in order to achieve greater consistency with the Regulation and to strengthen the criteria of agronomic efficiency and safety, as well as transparency.
Within this framework, Commission Directive (EU) 2026/288 of 9 February 2026 must be taken into account. Whilst it will be transposed by means of a specific regulation, this provision allows Member States to increase the amount of nitrogen derived from manure, provided that they use so-called RENURE fertilisers for this purpose. Thus, this Royal Decree creates a group of fertilising products with these characteristics, subject to registration (Group 1.5), with two types, which corresponds to sections I to V of point 2 of Annex III to Directive 91/676/EEC. In this way, in the future transposition it will be possible to establish the conditions so that, in vulnerable zones, RENURE fertilisers can be used to increase up to a maximum of 80 kg of nitrogen from manure, the amount of this nutrient supplied.

9a. Suitability of the measure to attain the pursued objective: Regulation (EU) 2019/1009 does not prevent non-compliant fertilising products from being placed on the internal market in accordance with national law. The publication of the Regulation therefore makes it necessary to review the national legislation on fertilising products, established in Spain by Royal Decree 506/2013 of 28 June, in order to achieve greater consistency with the Regulation and to strengthen the criteria of agronomic efficiency and safety, as well as transparency.
Within this framework, Commission Directive (EU) 2026/288 of 9 February 2026 must be taken into account. Whilst it will be transposed by means of a specific regulation, this provision allows Member States to increase the amount of nitrogen derived from manure, provided that they use so-called RENURE fertilisers for this purpose. Thus, this Royal Decree creates a group of fertilising products with these characteristics, subject to registration (Group 1.5), with two types, which corresponds to sections I to V of point 2 of Annex III to Directive 91/676/EEC. In this way, in the future transposition it will be possible to establish the conditions so that, in vulnerable zones, RENURE fertilisers can be used to increase up to a maximum of 80 kg of nitrogen from manure, the amount of this nutrient supplied.

9b. Necessity: The proposed regulation is appropriate to support the objectives pursued by national and European Union fertiliser regulations.
Specifically, the aim is to improve market access for effective and safe fertiliser products, whilst promoting the circular

economy and innovation within the sector, in line with scientific and technical progress.
Thus, the emergence of new fertiliser products and the promotion of nutrient recovery from secondary raw materials must not be an obstacle to overlooking their potential repercussions on human health and safety and the environment; therefore, it is appropriate to regulate the use of new ingredients in the manufacture of fertiliser products in order to prevent their potential harmful effects on water, soil, flora, fauna, and humans.

9c. Excessive burden in relation to the intended objective: This draft regulation is necessary to ensure better implementation of EU legislation in Spain, bringing our legislation into line with the aforementioned Regulation (EU) 2019/1009 of the European Parliament and of the Council of 5 June 2019 (RPF).
As explained, the RPF moves away from the old system of fertiliser product types, introducing a broader system of functional product categories, whilst also including new functions, such as growing media and biostimulants. However, the RPF itself does not prevent fertiliser products that do not comply with it from being placed on the domestic market in accordance with national law.
Whilst the national framework previously treated fertilisers and growing media as separate categories, it seems logical to follow the RPF's approach and combine the two into a single national regulation. In this way, greater consistency is achieved at the same time with the Community framework and within national legislation.
On the other hand, the RPF approach is adopted in relation to the raw materials that are allowed to be used in the manufacture of fertilising products. To this end, a new annex has been created, which includes a description of these items, as well as the requirements they must meet in each case.
It is also important to emphasise that the aim is to establish a regulatory framework that promotes innovation and adaptation to technological advances, with clear criteria designed to ensure agronomic efficacy and safety for human health, animal health, crops and the environment, as overriding reasons of general interest.
Furthermore, the administrative burdens are limited to the minimum necessary to safeguard the aforementioned overriding reasons, and the wording ensures that there is due proportionality between their content and the ultimate objective sought (to safeguard the overriding reasons), whilst minimising interference in the operations of businesses and the free market for fertilisers.

10. References to basic texts: 2022/0618/E,2012/0604/E

The basic texts were forwarded with an earlier notification:
2022/0618/E
2012/0604/E

11. Invocation of the urgency procedure: No

12. Please provide the reasons for urgency:

13. Request for confidentiality: No

14. Is it a Fiscal Measure? Yes

15. Has an Impact Assessment? Yes

16.
TBT aspects:
The draft is a technical regulation or a conformity assessment

SPS aspects:
The draft is a sanitary or phitosanitary measure



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European Commission
Contact point Directive (EU) 2015/1535
email: grow-dir2015-1535-central@ec.europa.eu