



# Minister for Agriculture, Food Sovereignty and Forestry

## **Update List of synthetic fertilisers subject to payment of the 2% contribution, under Article 59(1) of Law No 488 of 23 December 1999**

**HAVING REGARD TO** Art. 59 of Law No. 488 of 23 December 1999, as amended, concerning the development of organic and quality agriculture;

**HAVING REGARD TO** Legislative Decree No 165 of 30 March 2001, entitled 'General rules on the organisation of employment in public administrations', as amended and supplemented, and in particular Article 4(1) and (2) and Article 16(1) thereof

**HAVING REGARD TO** Law No. 388 of 23 December 2000, and in particular paragraph 1, letter a), which replaces paragraph 1 of Article 59 of Law No. 488 of 23 December 1999, introducing, for synthetic fertilisers, the annual contribution at the rate of 2% of the previous year's turnover

**HAVING REGARD TO** the infringement procedure No 2002/5002 initiated by the EU Commission against Italy, concerning the payment of the contribution provided for in Art. 123 of Law No 388/2000;

**HAVING REGARD TO** the decree of 22 February 2007 defining the list of synthetic fertilisers subject to the payment of the 2% contribution, under paragraph 1, letter a), of article 123 of law no. 388 of 23 December 2000

**HAVING REGARD TO** Legislative Decree No 75 of 29 April 2010 on the reorganisation and revision of the regulations on fertilisers;

**HAVING REGARD TO** EU Regulation 2019/1009, laying down rules concerning the making available of products on the market of EU fertilisers, amending Regulations EC No 1069/2009 and EC No 1107/2009 and repealing Regulation EC No 2003/2003;

**HAVING REGARD TO** Article 9 of Law No. 23 of 9 March 2022 concerning the fund for the development of organic farming as amended by Decree-Law No. 63 of 15 May 2024: Urgent provisions for agricultural, fishing and aquaculture enterprises, as well as for enterprises of national strategic interest, converted, with amendments, by Law No. 101 of 12 July 2024

**HAVING REGARD TO** the Decree of 23 June 2023 of the Ministry of Agriculture, Sovereignty and Forestry on the modalities of payment of the annual contribution for food security;

**HAVING REGARD TO** the circular of the Ministry of Agriculture, Food Sovereignty and Forestry Prot. No. 336934 of 25 July 2024;

**HAVING REGARD TO** Article 3 of Decree-Law No 173 of 11 November 2022, converted with amendments by Law No 204 of 16 December 2022, on 'Urgent provisions on the reorganisation of Ministerial powers', under which the Ministry for Agricultural Food and Forestry Policy shall take the name of Ministry for Agriculture, Food Sovereignty and Forestry, in particular paragraph 3 which provides that the titles 'Minister for Agriculture, Food Sovereignty and Forestry' and 'Ministry for Agriculture, Food Sovereignty and Forestry' shall replace, for all purposes and



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wherever present, the titles 'Minister for Agricultural Food and Forestry Policy' and 'Ministry for Agricultural Food and Forestry Policy';

**HAVING REGARD TO** the Prime Ministerial Decree of 16 October 2023, No. 178, concerning 'Regulations on the reorganisation of the Ministry of Agriculture, Food Sovereignty and Forestry under Article 1, paragraph 2, of Decree-Law No. 44 of 22 April 2023, converted, with amendments, by Law No. 74 of 21 June 2023 published in the Official Gazette No. 285 of 06 December 2023;

**HAVING REGARD TO** the Decree of the Minister of Agriculture, Food Sovereignty and Forestry No. 47783 of 31 January 2024, registered at the Court of Auditors on 23 February 2024, under No. 288, by which the non-general managerial offices and their competences were identified;

**HAVING REGARD** the note of ....., no. ...., of the Central Notification Unit of the Ministry of Enterprise and Made in Italy concerning the information procedure in the field of technical standards and regulations referred to in Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 informing that the relevant procedure was concluded without comments regarding the proposed update List of synthetic fertilisers subject to the payment of the 2% contribution, under paragraph 1 of Article 59 of Law no. 488 of 23 December 1999, referred to in this Decree;

**CONSIDERED** that it is necessary to update the list of synthetic fertilisers subject to payment of the 2% contribution, under Article 59(1) of Law No 488 of 23 December 1999;

**CONSIDERED** that it is necessary to proceed accordingly.

## H E R E B Y D E C R E E S

### *Article 1*

1. The synthetic fertilisers subject to the 2% payment referred to in Article 59(1) of Law No. 488 of 23 December 1999 are those indicated in Annexe 1, which forms an integral part of this decree.

### *Article 2*

1. If a fertiliser product placed on the market consists only in part of one or more of the fertilisers listed in Annexe 1 to this Decree, the contribution shall be paid in proportion to the quantity of such fertilisers present in the product.

### *Article 3*

1. The payment of the annual contribution provided for in Art. 59 of Law No. 488 of 23 December 1999, as amended by Art. 9 of Law No. 23 of 9 March 2022, shall take place according to the modalities established by the Decree of 23 June 2023 of the Ministry of Agriculture, Sovereignty and Forestry on the modalities of payment of the annual food security contribution;

### *Article 4*

1. Goods lawfully marketed in another Member State of the European Union or in Turkey, or originating and lawfully marketed in an EFTA state that is a contracting party to the EEA agreement, are considered to be compatible with this measure. The application of this measure is



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subject to Regulation (EU) 2019/515 of the European Parliament and of the Council of 19 March 2019 on the mutual recognition of goods lawfully marketed in another Member State and repealing Regulation (EC) No 764/2008, laying down procedures relating to the application of certain national technical rules to products lawfully marketed in another Member State.

2. Pursuant to Regulation (EU) No 2019/515 of the European Parliament and of the Council of 19 March 2019, the Ministry of Agricultural Food and Forestry Policy shall be the competent authority for applying, where necessary, the stipulated assessment procedures.

## Article 5

1. From the date of entry into force of this Decree, the Ministerial Decree of 22 February 2007 is repealed.

This Decree shall be sent to the control body for registration and shall enter into force on the day after its publication in the Official Gazette of the Italian Republic.

Rome,

THE MINISTER

Francesco Lollobrigida

Document digitally signed pursuant to the CAD



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## ANNEX 1

LIST OF FERTILISERS SUBJECT TO PAYMENT OF THE 2% CONTRIBUTION PLACED ON THE NATIONAL MARKET UNDER LEGISLATIVE DECREE 75/2010 AND REGULATION (EU) 2019/1009 AS AMENDED.

### **1. Simple fertilisers:**

- Calcium cyanamide
- Calcium cyanamide nitrate
- Urea
- Crotonylidenediurea
- Isobutylidenediurea
- Urea-formaldehyde
- Nitrogen fertiliser containing crotonylidenediurea
- Nitrogen fertiliser containing isobutylidenediurea
- Nitrogen fertiliser containing urea-formaldehyde
- Ammonium sulphate with nitrification inhibitor (dicyandiamide)
- Ammonium nitrate sulphate with nitrification inhibitor (dicyandiamide)
- Urea ammonium sulphate
- Oxamide
- Urea-calcium nitrate

### **2. Simple fluid fertilisers:**

- Ammonium nitrate and urea solution



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- Nitrogen fertiliser solution with urea-formaldehyde
- Nitrogen fertiliser suspension with urea-formaldehyde
- Anhydrous ammonia
- Ammoniacal solutions

### **3. *Compound mineral fertilisers:***

- NPK fertiliser containing crotonylidene diurea, isobutylidene diurea, or urea-formaldehyde
- NP fertiliser containing crotonylidene diurea, isobutylidene diurea, or urea-formaldehyde
- NK fertiliser containing crotonylidene diurea, isobutylidene diurea, or urea-formaldehyde

### **4. *Organic-mineral fertilisers (if obtained with one or more fertilisers listed in points 1, 2, 3):***

- Organic-mineral nitrogen fertiliser
- Organic-mineral nitrogen fertiliser in suspension
- Organic-mineral fertiliser NP
- NP organic-mineral fertiliser in suspension
- Organic mineral fertiliser NK
- NK organic-mineral fertiliser in suspension
- NPK organic-mineral fertiliser
- NPK organic-mineral fertiliser in suspension