

## **Decree of the Flemish Government amending the Flemish Environmental Permits Regulation (VLAREME) of 28 October 2016, as regards the application of artificial fertilisers**

### **Legal basis**

This Decree is based on:

- the Manure Decree of 22 December 2006, Article 22(2)(2), amended by the Decree of 20 December 2024.

### **Procedural requirements**

The following procedural requirements have been met:

- The Inspectorate of Finance issued its opinion on 21 November 2025.
- The draft was notified to the European Commission in notification no xxx on (date) in application of Article 5 of Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services.
- The Council of State gave its opinion xxxxx/x (opinion number) on ... (date), pursuant to Article 84(1)(1)(2) of the Council of State Acts, consolidated on 12 January 1973.

### **Initiator**

This Decree is proposed by the Flemish Minister for Environment and Agriculture.

After deliberations,

THE FLEMISH GOVERNMENT HEREBY DECREES THE FOLLOWING:

**Article 1.** In Chapter 4 of the VLAREME of 28 October 2016, last amended by the decision of the Flemish Government of 7 February 2025, a Section 6, consisting of Articles 4.6.1 and 4.6.2, is inserted, which reads as follows:

Section 6. Application of artificial fertilisers

Article 4.6.1. In the case of the introduction of solid artificial fertilisers, fertilisation shall be carried out at the outer working corridor, adjacent to a water body, referred to in Article 22(2) of the Manure Decree of 22 December 2006, always using an edge spreading technique that meets the following conditions:

- 1° The technology is available on the edge spreader;
- 2° the technology and its operation can be demonstrated to the inspecting supervisor during an inspection;
- 3° the application to grassland or uncultivated fields shall always be carried out by means of spreading on the edge. On cultivated fields, the application can be done by spreading off-and-on the edge.

By way of derogation from point 3° of the first paragraph, one of the following techniques may also be used:

- 1° row fertilisation;
- 2° belt fertilisation;
- 3° planting hole fertilisation;
- 4° pneumatic spreaders;
- 5° broadcast spreaders;
- 6° manual spreading.

Under no circumstances may tilting the spreader, causing the sides of the spreader to no longer be at the same height, or lowering the spreader, be considered an adequate edge spreading technique as referred to in Article 22(2) of the Manure Decree of 22 December 2006.

Article 4.6.2. Fertilisation with liquid artificial fertilisers in the outer working corridor referred to in Article 22(2) of the Manure Decree of 22 December 2006, shall always be carried out using the correct drift-reducing techniques.

The drift-reducing agents listed in the most recent IPM guidelines of the Agency for Agriculture and Sea Fisheries shall be used for the introduction of artificial fertilisers intended as foliar fertilisation.

In the second paragraph, the following definitions shall apply:

- 1° Agentschap Landbouw en Zeevisserij: Agentschap Landbouw en Zeevisserij (Agency for Agriculture and Sea Fisheries), established by the Decision of the Flemish Government of 15 September 2023 establishing an internally independent agency 'Landbouw en Zeevisserij' (Agriculture and Sea Fisheries);
- 2° IPM guidelines from the Agency for Agriculture and Sea Fisheries: The IPM guidelines check list published by the Agency for Agriculture and Sea Fisheries on its website.

In order to administer liquid artificial fertilisers not intended for foliar fertilisation, one of the following techniques shall always be used:

- 1° jet nozzles;
- 2° spout caps, intended for liquid fertilisation;
- 3° row fertilisation;
- 4° belt fertilisation;
- 5° planting hole fertilisation;
- 6° spoked wheel fertilisation.

**Article 2.** The Flemish minister, competent authority for the environment and nature, is responsible for the implementation of this Decree.

Brussels, (date).

The Minister-President of the Flemish Government,

Matthias DIEPENDAELE

The Flemish Minister for Environment and Agriculture,

Jo BROUNS