

Message 001

Communication from the Commission - TRIS/(2026) 1338

Directive (EU) 2015/1535

Notification: 2026/0244/FR

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 - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késések - Non fa decorrere la mora - Atidėjimai 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: 20261338.EN

1. MSG 001 IND 2026 0244 FR EN 15-05-2026 FR NOTIF

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4. 2026/0244/FR - C00A - AGRICULTURE, FISHING AND FOODSTUFFS

5. Order amending the maximum cadmium content permitted in certain fertilising products and the maximum inputs of this contaminant arising from the use of fertilising products

6. Concerns all fertilising products and growing media placed on the market in accordance with national legislation and used in France.

It does not apply to fertilisers placed on the market in accordance with Regulation (EU) 2019/1009

7.

8. This interministerial order amends two orders by establishing, on the one hand, a timetable for reducing the maximum permissible cadmium content in certain fertilising products and growing media and, on the other, the maximum permissible cadmium inputs arising from the use of fertilising products.

It applies to fertilising products and growing media placed on the market and used under the conditions set out in Articles L. 255-2 to L. 255-4 and in Sections 1, 3 and 5 of Article L. 255-5.

It does not apply to fertilising products and growing media placed on the market and used under the conditions set out in Section 2 of Article L. 255-5, which concerns fertilisers compliant with Regulation (EU) No 2019/1009.

The two amended orders are:

- Order establishing the values and procedures for assessing the safety and end-of-waste status criteria for fertilising products and growing media;
- Order establishing the maximum permissible levels of metal trace elements and organic trace compounds added to the soil when fertilising products are used.

9. The purpose of the notified measure is to reduce the exposure of the French population to cadmium by introducing a trajectory for lowering the maximum cadmium content in fertilisers and the associated flows of this contaminant resulting from fertilisation. This measure concerns fertilisers placed on the market under national legislation.

It does not concern fertilisers placed on the market in compliance with European legislation, namely Regulation (EU) No 2019/1009.

9a. Cadmium has been identified as a contaminant of concern for public health because it is recognised as carcinogenic, mutagenic and toxic for reproduction (CMR) (IARC, 2012; European Regulation No 1272/2008, known as the CLP Regulation on classification, labelling and packaging of substances and mixtures). It also causes kidney damage and bone fragility in humans following prolonged exposure, particularly when ingested (ANSES, 2019a).

With regard to dietary exposure, the Total Diet Studies (TDS) conducted by ANSES have identified overexposure to cadmium among a section of the French general population. According to the second Total Diet Study (EAT2, ANSES, 2011a) and the Infant Total Diet Study (EATi, ANSES, 2016), a proportion of adults and children are exposed to cadmium at levels exceeding the Tolerable Daily Intake (TDI) established at that time, namely: 0.6% of adults, 14% of children aged 3-17, and up to 36% of children under 3 years of age.

Reflecting all forms of exposure combined (dietary exposure, inhalation, ingestion of dust, etc.), Esteban², the latest national biomonitoring study published in 2021 by Santé publique France (SpF), indicates that cadmium exposure levels measured among French adults appear higher than those recorded during the previous French biomonitoring study (National Nutrition and Health Survey (ENNS), 2006–2007). The Esteban study revealed that 47.6% of the general adult population (aged 18–60) displayed cadmium exposure levels evidenced by urinary cadmium concentrations exceeding the critical threshold of 0.5 µg g⁻¹ of creatinine (Oleko et al. 2021).

Reducing cadmium inputs from fertilisers is the key measure identified by ANSES, which, in its 2025 opinion (Reference No 2023-AUTO-0150: Prioritisation of action levers to reduce cadmium exposure in the French population using an aggregated exposure approach), concluded that actions aimed at reducing cadmium inputs into agricultural soils would reduce contamination of the main food products contributing to human exposure, as well as of the crops likely to be cultivated on contaminated soils, and recommended:

- that the annual cadmium input flow from fertilising products into agricultural soils should not exceed 2 g Cd ha⁻¹ year⁻¹, regardless of their nature (fertiliser/soil improver, organic/mineral origin, etc.) (ANSES, 2019).
- that a cadmium content equal to or below 20 mg Cd.kg PO⁻¹ in phosphate-based mineral fertilisers guarantees compliance with this annual limit of 2 g Cd.ha⁻¹ year⁻¹.
- that a cadmium content of less than 1 mg Cd/kg⁻¹ of dry matter in fertilisers of organic origin would also ensure compliance with this limit.

9b. The measure applies to fertilisers placed on the market in France and benefiting from a marketing authorisation or exemption defined in Points 1, 3 and 5 of Article L. 255-5 of the Rural and Maritime Fishing Code.

It does not concern fertilisers placed on the market bearing the CE marking.

In order to limit cadmium inputs into agricultural inputs, there are no short- or medium-term alternatives other than reducing the concentration of this contaminant in such inputs

Other measures, such as changes in agricultural practices and reductions in phosphate fertilisation, are also under consideration, but on their own cannot adequately address the issue of cadmium overexposure observed in the French population while also ensuring continued agricultural productivity.

9c. Limiting cadmium inputs into soils through fertilisation is the principal lever for reducing the French population's exposure to this contaminant, and the restrictions imposed by the measure are essential to achieve the objective of protecting public health.

Furthermore, fertilising products with a low cadmium content, as already provided for in Regulation (EU) 2019/1009, are already available on the market.

This is a public health protection measure which, in light of the latest available scientific data, necessarily requires limiting cadmium content and cadmium inputs from fertilisers.

10. References:

11. No

12.

13. No

14. No

15. No

16.

TBT aspects:

The draft is a technical regulation or a conformity assessment

SPS aspects:

The draft is a sanitary or phytosanitary measure

European Commission

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