

1995 No. 49

AGRICULTURE

**The Fertilisers (Amendment) Regulations
(Northern Ireland) 1995***Made* 24th February 1995*Coming into operation* 3rd April 1995

The Department of Agriculture, in exercise of the powers conferred on it by sections 66(1), 68(1), (2) and (3), 69(1), (3), (6) and (7), 70(1), 74(1), 74A(1), (2) and (4), 84 and 86(1), (2); (3) and (9) of the Agriculture Act 1970(a) and of all other powers enabling it in that behalf, after consultation with such persons or organisations as appear to it to represent the interests concerned, being a Department designated(b) for the purposes of section 2(2) of the European Communities Act 1972(c) in relation to the regulation and control of classification, packaging and labelling of dangerous substances and preparations, in exercise of the powers conferred on it by the said section 2(2), and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Fertilisers (Amendment) Regulations (Northern Ireland) 1995 and shall come into operation on 3rd April 1995.

(2) In these Regulations “the principal Regulations” means the Fertilisers Regulations (Northern Ireland) 1992(d).

(3) The Interpretation Act (Northern Ireland) 1954(e) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

Amendment of the principal Regulations

2. The principal Regulations are hereby amended in accordance with regulations 3 and 4.

3.—(1) After regulation 3 there shall be inserted the following regulation:

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- (a) 1970 c. 40; section 74A was inserted by s. 4(1) of, and paragraph 6 of Schedule 4 to the European Communities Act 1972 (c. 68) and there are other amendments to the Act not relevant to these Regulations
(b) S.I. 1976/897
(c) 1972 c. 68; section 2 is subject to Schedule 2 to that Act and is to be read with S.I. 1984/703 (N.I. 3) and S.R. 1984 No. 253
(d) S.R. 1992 No. 187
(e) 1954 c. 33 (N.I.)

“3A. A person shall not sell for the final use by the purchaser as a fertiliser any ammonium nitrate as defined in column (3) of Section A of the table in Schedule 1 which, not being designated as an EEC fertiliser, contains more than 28% by weight of nitrogen, unless the material is in a container which complies with the provisions of Part II of Schedule 2.”

(2) In regulation 4—

- (a) in paragraph (1), the words “or have in possession with a view to sale” shall be deleted;
- (b) in paragraph (3), for the words “the intending purchaser” there shall be substituted the words “any intending purchaser”.

4. In the table in Schedule 1—

(a) in Group 1(a) of Section A (“STRAIGHT FERTILISERS”)—

- (i) in the provisions relating to ammonium nitrate, in column (3) (“*Meaning*”) the words “is designated as an EEC fertiliser and” shall be deleted;
- (ii) after the provisions relating to the material Nitrate of lime and magnesium, there shall be inserted in columns (2) to (4) the following provisions:

<p>“Magnesium nitrate.</p> <p>When marketed in the form of crystals a note “in crystallized form” may be added.</p>	<p>Chemically obtained product containing as its essential ingredient hexahydrated magnesium nitrate and containing not less than 10% nitric nitrogen (N) and 14% magnesium oxide (MgO).</p>	<p>Amount of:— nitric nitrogen; magnesium oxide soluble in water.”</p>
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(iii) after the provisions relating to the material Urea, there shall be inserted in columns (2) to (4) the contents of Schedule 1;

(b) in Section B (“COMPOUND FERTILIZERS”)—

- (i) at the end of the provisions relating to the materials itemised in Group 1, there shall be added in columns (2) to (4) the contents of Schedule 2;
- (ii) at the end of the provisions relating to the materials itemised in Group 2, there shall be added in columns (2) to (4) the contents of Schedule 3;
- (iii) at the end of the provisions relating to the materials itemised in Group 3, there shall be added in columns (2) to (4) the contents of Schedule 4;

(c) in Section C (“FLUID FERTILIZERS”)—

- (i) in Group 1(a), after the provisions relating to the material Calcium nitrate solution, there shall be inserted in columns (2) to (4) the following provisions:

“Magnesium nitrate solution	Product obtained chemically and by dissolving magnesium nitrate in water and containing not less than 6% nitrogen (N) and 9% magnesium oxide (MgO). The pH should be not less than 4.	Amount of:— nitric nitrogen; magnesium oxide soluble in water.”
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- (ii) for the provisions relating to the materials itemised in Group 2, other than the materials PK fertiliser solution and PK fertiliser suspension, there shall be substituted the contents of Schedule 5;
- (d) in Section D (“FERTILISERS CONTAINING BORON, COBALT, COPPER, IRON, MANGANESE, MOLYBDENUM OR ZINC AS TRACE ELEMENTS”)
- (i) for the heading and the provisions relating to the materials itemised in Group 1, there shall be substituted the contents of Schedule 6;
- (ii) above the provisions relating to the materials itemised in Group 2, there shall be added the heading “FERTILISERS CONTAINING A MIXTURE OF TRACE ELEMENTS”;
- (iii) in the provisions relating to the materials itemised in Group 2—
- (A) in column (1), for the figure “2” there shall be substituted the figure “8”;
- (B) in column (3), for the words “Product of two or more of the products listed in (1) above” there shall be substituted the words “Mixture of two or more of the trace elements listed in Group 1 above”;
- (e) in Section E (“FERTILISERS CONTAINING MAINLY CALCIUM, MAGNESIUM OR SULPHUR AS NUTRIENTS”)—
- (i) for the heading there shall be substituted the heading “SECTION E: SECONDARY NUTRIENT FERTILISERS”;
- (ii) after the provisions relating to the material Magnesium sulphate, there shall be inserted in columns (2) to (4) the following provisions:

<p>“Magnesium sulphate solution.</p> <p>The usual trade names may be added.</p>	<p>Product obtained by dissolution in water of magnesium sulphate of industrial origin containing not less than 5% magnesium oxide (MgO) and not less than 10% sulphur trioxide (SO₃).</p>	<p>Amount of water-soluble magnesium oxide</p> <p><i>Optional Declarations</i></p> <p>Amount of water-soluble sulphur trioxide.”</p>
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Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on 24th February 1995.

(L.S.)

I. C. Henderson

Assistant Secretary

"Crotonylidene diurea	Product obtained by reaction of urea with crotonaldehyde. Monomeric compound containing not less than 28% nitrogen (N), at least 25% nitrogen from the crotonylidene diurea. Maximum ureic nitrogen content: 3%	Amount of:— total nitrogen; ureic nitrogen where this is at least 1% by weight; nitrogen from crotonylidene diurea.
Isobutylidene diurea	Product obtained by reaction of urea with isobutyraldehyde. Monomeric compound containing not less than 28% nitrogen (N), at least 25% nitrogen from the isobutylidene diurea. Maximum ureic nitrogen content: 3%	Amount of:— total nitrogen; ureic nitrogen where this is at least 1% by weight; nitrogen from isobutylidene diurea.
Urea formaldehyde	Product obtained by reaction of urea with formaldehyde and containing as its essential ingredients molecules of urea formaldehyde. Polymeric compound containing not less than 36% nitrogen (N). At least 60% of the declared total nitrogen content must be soluble in hot water. At least 31% N from urea formaldehyde and a maximum ureic nitrogen content of 5%.	Amount of:— total nitrogen; ureic nitrogen where this is at least 1% by weight; Nitrogen from urea formaldehyde that is soluble in cold water; Nitrogen from urea formaldehyde that is soluble only in hot water.
Nitrogenous fertiliser containing crotonylidene diurea	Product obtained chemically containing crotonylidene diurea and a straight nitrogen fertiliser [Group 1(a) of Section A of Schedule 1 of The Fertilisers Regulations (Northern Ireland) 1992(a) excluding calcium cyanamide, nitrogenous calcium cyanamide, ammonium nitrate and calcium ammonium nitrate] containing not less than 18% nitrogen (N). At least 3% N in ammoniacal and/or nitric and/or ureic form. At least 1/3 of the declared total nitrogen content must be derived from crotonylidene diurea. Maximum biuret content: (ureic N + crotonylidene diurea N) × 0.026.	Amount of:— total nitrogen; for each form amounting to at least 1%: nitric nitrogen ammoniacal nitrogen ureic nitrogen; nitrogen from crotonylidene diurea.