

Brussels, 11 July 2018

Online consultation of the FAO regarding the Zero Draft of the International Code of Conduct for the Use and Management of Fertilizers

Reaction of Fertilizers Europe ahead of the meeting of the FAO's Committee on Agriculture (COAG) in October 2018

Fertilizers Europe represents the majority of fertilizer producers in Europe and is recognized as the dedicated industry source of information on mineral fertilizers. The association communicates with a wide variety of institutions, policy-makers, stakeholders and members of the public who seek information on fertilizer technology and topics relating to today's agricultural, environmental and economic challenges. "Infinite Fertilizers" guides the European fertilizer industry's initiatives to ensure that Europe's farmers have access to a variety of safe, high quality, locally produced fertilizers, as well as information on their use, environmental impact and nutrient recycling opportunities.

We as European fertilizer industry:

- Are committed to the development of innovative products and recycling techniques to maximize the productivity and the sustainability of European agriculture.
- Are searching close collaboration with the farming community and the entire food chain to improve nutrient use efficiency and reduce the environmental footprint of food production.

Comments regarding the process

Fertilizers Europe considers that it is a great opportunity to create a truly relevant and meaningful document not only for our industry but for all key stakeholders that are closely involved in the sector of plant nutrition. However, the development of such an extensive and important document cannot be taken lightly, and should not be rushed through. Creating a substantial and impactful document, that provides true guidance, takes time.

This is why Fertilizers Europe believes that the proposed timeline (coming up with a zero draft in 6 weeks, getting it reviewed by the Intergovernmental Technical Panel on Soils (ITPS) and an Open-Ended Working Group within roughly 2 weeks, and coming up with a revised zero draft only a couple of days later for consideration at the Global Soil Partnership (GSP)'s Plenary Assembly in June) does not provide for sufficient consultation, and simply cannot result in a document which provides meaningful guidance and recommendations.

The FAO is renowned for its sound scientific, thorough and reliable work. If this document cannot benefit from more consultations and improvements, the outcome will not only affect the reputation of the FAO, but the code will ultimately not generate the adherence and support that it would be supposed to get from its target audiences.

Comments regarding the content of the Zero Draft

1) Too many approximations

What is immediately striking is the number of repetitions throughout the whole document, while there are entire areas and topics that would clearly benefit from clearer definitions and clarifications. Here, Fertilizers Europe would like to raise a few examples:

- The differentiation between organic and mineral fertilizers would deserve more thoughts. It would be useful to assess and discuss where a stronger distinction within the document would make better sense and where both nutrient sources can be combined within the same paragraph. The draft weights also differently between organic and mineral fertilizers. We strongly recommend looking at the complementarity in assessing benefits and value of both.
- The context of scientific evidence and scientific risk assessments is not fully taken into account, in particular in paragraphs referring to risks and contaminants. In general, the language is very generic and non-specific in paragraphs relating to risks in usage, handling or storage. However, these are areas where a code of conduct has to be very carefully formulated.
- As enshrined in WTO rules, a sound basis on scientific risk assessment should underpin any recommendations to governments. The notion of risk management also needs to be enshrined in the code, so as to demonstrate that potential risks can be adequately addressed. For the future relevance of the code, these chapters should not be “brushed over”.
- Some good instruments within governance, initiatives, programs and regulations already exist in relation to fertilizer value chain (production, transport, QC, labelling, trading etc.) For lack of time, these have not been considered enough in the Zero Draft yet, and deserve to be closer looked at.
- Economic considerations are also widely ignored, whereas this is of major interest and concern not only in regions that must overcome underuse of fertilizers.

2) Quite unbalanced document so far

While the preamble of the document clearly states that its goal is to “maximize benefits and reduce environmental impacts”, the current draft is unbalanced. Benefits and the need to address not only overuse but also underuse are side-lined in favor of an overwhelming strong focus on pollution. Worldwide, underuse cases are at least as widespread as overuse ones, and both are equally important from a sustainability standpoint, considering that nutrient underuse contributes to soil degradation and soil erosion. Also, the concept of “responsible use” should be clearly defined and not be limited to overuse.

3) Many remaining gaps

We would recommend a stronger focus on aspects linked to nutrition, farmers’ livelihoods and adaptation to climate change. These aspects need to be explored more, also for the benefit of policy-makers and advisors in developing countries and with a view to align the recommendations of the code with SDG targets and UNFCCC goals. The Code of Conduct should be anchored within a global framework of Agenda 2030. Also, much more emphasis should be placed on the farmer as a decision-maker. Farmers have a critical role to play in sustainable fertilizer use. More thoughts should be given to how the industry, governments, research and extension could support this role.

4) The Whole basis of the draft Code needs to be reviewed

Some wordings used in the Zero Draft risk to create misunderstanding and confusion, while some definitions should be corrected:

- Some sections are clearly “cut and pasted” from the Code of Conduct for Pesticides, which was used as starting point for developing the Zero Draft (e.g. references to “remediation measures”, “allowable limits” do not apply to fertilizers). The same goes for references to shipping, where pesticides require a completely different handling and management. This is totally unacceptable from the point-of-view of Fertilizers Europe.
- Fertilizers Europe would like to take this opportunity to emphasize that fertilizers and pesticides, besides both being important agricultural inputs, have nothing else in common. Fertilizers are aimed at feeding plants while pesticides are used to kill or control pests and diseases. As such, risks associated with fertilizer use are much lower compared to pesticides. Using the code of conduct for pesticides as a starting point for this code of conduct is very inappropriate in our view.
- Certain paragraphs seem to imply that there is a risk inherent to fertilizers itself – independently from the storage, handling and use. As mentioned above, this aspect must be very carefully worded to avoid misinterpretations once the code is published.
- The definitions used are not always aligned with already existing FAO definitions that have been approved by member states. Here again, definitions have been drafted too quickly, without the necessary consultation.
- Terminologies relating to slow- and controlled-release fertilizers, for instance, are not accurate. The fertilizer industry can provide assistance with product definitions. The code would clearly benefit from this assistance.

Concluding remarks

In summary, very substantial improvements are still required to make the current draft relevant and ready for adoption. We are of the opinion that the priority should be incorporating specific comments made during the GSP Plenary Assembly in June (by France, Germany, Jordan, Morocco, The Netherlands and the International Fertilizer Association - IFA) and submit a new draft for consultation to the COAG. It would reflect a transparent, step-wise and constructive negotiation process.

We believe that the speed with which this document had to be pulled together is the main factor for its weaknesses, flaws and gaps. One must bear in mind that fertilizers have a major role to play for the world’s future in terms of food security. 50 % of our food produced today is based on mineral fertilizers. At the same time, nobody denies that mineral and organic nutrients impact the environment and that improved management practices are of major importance.

Given the critical role of fertilizers, Fertilizers Europe strongly recommends giving appropriate weight to the development of such a significant document: it is ultimately the extent of its content that will decide if this code is truly relevant for nutrient stewardship or if it will be dismissed as superficial and too general.