

111

THE LAW

of March 3, 2010,

which amends Act no. 136/2000 Coll. on fertilizers as amended and on the amendment of Act no. 188/2003 Coll. on the application of sewage sludge and bottom sediments to the soil and on the amendment of Act no. 223/2001 Coll. on waste and on the amendment of certain laws, as amended, as amended

The National Council of the Slovak Republic resolved on this law:

Art. I

Law no. 136/2000 Coll. on fertilizers as amended by Act no. 555/2004 Coll., Act No. 202/2008 Coll. and Act no. 203/2009 Coll. is amended as follows:

1. In § 1, letter e) reads: "e) competence of state administration bodies in the field of fertilizers, growing substrates and soil auxiliaries,".
2. § 1 is supplemented by letter f), which reads: "f) fines for violation of obligations established by this law.".
3. Section 2, paragraph 3 reads: "(3) Secondary sources of nutrients are substances of organic or inorganic origin, not containing above limit risk elements or risk substances, if they are suitable for soil fertilization or soil liming after prescribed treatment.".
4. After § 3, § 3a is inserted, which, including the title, reads:

"§ 3a

Use of secondary sources of nutrients

(1) The Central Agricultural Inspection and Testing Institute (hereinafter referred to as the "inspection institute") shall issue a permit for the use of secondary sources of nutrients on land based on the request of the producer. (2) The

- application must contain
- a) name, surname, address of permanent residence or address of the place of business, if the place of business is different from the place of permanent residence, and identification number, if assigned, if the applicant is a natural person-entrepreneur, or business name, seat and identification number, if the applicant is a legal entity, b) an officially certified document on the legal form of the business
 - c) data on the quantity produced and declared dose of secondary sources of nutrients,
 - d) data on the content of dry matter and the organic share of secondary sources of nutrients, e) the pH value, the total content of nitrogen, phosphorus, potassium and magnesium in secondary sources of nutrients,

f) the content of the value of risk elements (Cd, Pb, Cr, As, Ni, Hg) and microbiological parameters.".

5. In § 4 par. 1 of the second sentence, the words "Central Inspection and Testing Institute for Agriculture (hereinafter referred to as the "inspection institute"), as a legal entity, established by the Ministry of Agriculture of the Slovak Republic (hereinafter referred to as the "Ministry")" are replaced by the words "inspection institute" .

6. In § 4 par. 3, the word "Ministry" is replaced by the words "Ministry of Agriculture of the Slovak Republic (hereinafter referred to as the "Ministry")" .

7. In § 5 par. 6, the following words are added at the end: "but if the substance or preparation for which the applicant is requesting certification is a plant protection preparation" .

8. In § 7 par. 1 letter b) is replaced by a period at the end comma and the word "or" is added.

9. In § 7, paragraph 1 is supplemented by letter c), which reads: "c) if the fertilizer is a plant protection product." .

10. In § 7, paragraphs 3 and 4 read:

"(3) If the fertilizer certificate was canceled according to paragraph 1 letter b) or letter c), the fertilizer may not be put into circulation after the decision to cancel the certificate becomes valid.

(4) In the decision to cancel the fertilizer certificate according to paragraph 1 letter b) or letter c) the control institute shall determine whether the fertilizer is to be withdrawn from circulation by the person to whom the fertilizer certificate was issued, or whether it is to be disposed of according to a special regulation.4) " .

11. In § 9, letter e) reads: "e) to send to the inspection institute annually by February 15 data on the volume of storage capacities of farm fertilizers and the number of farm animals by category in the previous calendar year together with an overview of the consumption of fertilizers in agriculture enterprise." .

12. In § 10, paragraph 3 is supplemented by letter d), which reads:

"d) their uniform application to po. is not ensured land." .

13. In § 10 par. 4, the word "solid" is deleted.

14. Paragraph 5 of § 10 reads:

"(5) An entrepreneur in agriculture is obliged to keep permanent records of income and use of fertilizers, cleaning

sludge, bottom sediments^{7a}) and secondary sources of nutrients to agricultural land or forest land. At the request of the inspection institute, he is obliged to submit the documentation for verification without delay."

15. Paragraphs 7 and 8 of § 10 read:

"(7) An entrepreneur in agriculture is obliged to prepare a nutrient balance every year based on the records of the use of fertilizers, secondary sources of nutrients and the achieved yields according to land and crops. At the request of the control institute, the entrepreneur in the agricultural sector is obliged to immediately submit the documentation for verification.

(8) An entrepreneur in the agricultural sector is obliged to send to the control institute for a report on the consumption of fertilizers from the records kept according to paragraph 5 every year by February 15.

16. Section 11, paragraph 6

reads: "(6) In order to ensure the collection of soil samples for agrochemical testing of agricultural soils and during the performance of inspections, local state administration bodies and municipalities are obliged to provide the inspection institute with data on agricultural land and its users.6) " .

17. After § 13, § 13a is inserted, which reads, including the title:

"§ 13a

State administration bodies

(1) State administration bodies in the field of fertilizers, grower of substrates and soil additives are: a) the Ministry, b) the inspection institute.

(2) The Ministry a) directs the performance of state administration in the field of fertilizers, growing substrates and soil auxiliaries, b) decides on appeals against executive decisions of the control institute.

(3) Control institute
a) certifies fertilizers, growing substrates and soil additives, b) ensures the performance of agrochemical testing of soils, c) issues permits for the use of secondary sources of nutrients, d) maintains a register of certified fertilizers, e) imposes fines for administrative offences, f) provides the Ministry with information on fertilizers, pes

breeding substrates and soil auxiliary materials,

g) performs other tasks established by this law."

18. In § 14 par. 2 letter a) reads: "a) to enter land and premises where fertilizers are produced, stored, shipped and used."

19. In § 15 par. 1 of the introductory sentence, the words "The Ministry imposes a fine of up to 50,000 Sk on the proposal of the control institute" are replaced by the words "The control institute imposes a fine of up to 1,500 euros".

20. In § 15 par. 1 letter b) reads: "b) violates the obligations under § 10 par. 5, 7 and 8."

21. In § 15 par. 2 of the introductory sentence, the words "The Ministry imposes a fine of up to Sk 100,000 on the proposal of the inspection institute" are replaced by the words "The inspection institute imposes a fine of up to 3,000 euros".

22. In § 15 par. 2 letters a) the word "producer" is inserted after the word "producer".

23. In § 15 par. 3, the words "The Ministry shall impose a fine of up to SKK 500,000 on the proposal of the inspection institute" are replaced by the words "The inspection institute shall impose a fine of up to 15,000 euros".

24. In § 15 par. 4 in the second sentence, the words "A fine can be imposed" are replaced by the words "Proceedings to impose a fine can be started".

25. In § 17 letter c) the words "and soil organic matter" are deleted.

Art. II

Law no. 188/2003 Coll. on the application of sewage sludge and bottom sediments to the soil and on the amendment of Act no. 223/2001 Coll. on waste and on the amendment and supplementation of certain laws as amended by Act No. 364/2004 Coll. and Act no. 203/2009 Coll. changes as follows:

In § 10, letter b) reads: "b) prepares, in cooperation with the Ministry of the Environment, a questionnaire on the use of sewage sludge and bottom sediments in agriculture as part of the sectoral administration for the area of waste."

Art. III

This law enters into force on May 1, 2010.

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