

# Safe handling of fertilisers

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News

A number of fertilisers contain certain chemicals that are precursors to explosives ([Regulation 2019/1148 of the European Parliament and of the Council of 20 June 2019](#)). Criminally inclined persons may use them for criminal purposes to make explosives, even though they are sold for legitimate use. In order to control the trade and illegal use of explosives precursors, the European Union has established a centralised mechanism for the movement of explosives precursors.

Ammonium nitrate and fertilisers with an ammonium nitrate nitrogen content of 16% or more by weight of fertiliser, which is listed in Annex I to Regulation 2019/1148 and for which restricted availability has been stipulated under the Regulation, are widely used in agriculture, as well as fertilisers listed in Annex II of the Regulation - potassium nitrate, sodium nitrate, calcium nitrate and calcium ammonium nitrate. Suspicious transactions and significant cases of disappearances and thefts of these fertilisers must be reported to authorities.

Given that the fertilisers listed above are explosive precursors (according to Regulation 2019/1148), [the Law on the Circulation of Fertilisers](#) (hereinafter "the Law") sets out requirements for the trade of such fertilisers.

According to Article 5 of the Law, in order to purchase a fertiliser with an ammonium nitrate nitrogen content of 16% or more by weight of the fertiliser, the purchaser must confirm that the fertiliser purchased will be used only for fertilising plants or present a permit issued in accordance with the legislation on the circulation of explosives for civil purposes.

The vendor must record sale in the accounting register specifying the name and basic composition of the fertiliser containing ammonium nitrate, as well as the purchaser's personal identification number (for a natural person) or taxpayer registration number (for a legal person).

The Law requires that before starting to sell fertilisers, which are explosive precursors listed above, the vendor must submit to the State Plant Protection Service a list of sales outlets, indicating the actual address of the outlet. If the place sales take place changes, the trader must immediately inform the State Plant Protection Service on the new address. The vendor must keep records of sales of fertilisers that are explosive precursors for five years. Traders must also submit to the State Plant Protection Service by 31 January each year information on the volume of sales of fertilisers that are explosive precursors in the previous year.

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🔗 Ammonium nitrate is a widely used type of nitrogen fertiliser. Data of State Plant Protection Service show that 96 566 tonnes of ammonium nitrate were imported into Latvia in 2021.

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In Latvia, as in other EU Member States, when registering an ammonium nitrate fertiliser with ammonium nitrate nitrogen content of 28% or more by weight, it is required to submit a positive detonation test result confirming its safety. [Regulation \(EU\) 2019/1009 of the European Parliament and of the Council of 5 June 2019](#) laying down the rules for making EU fertilisers available on the market, amending Regulations (EC) No 1069/2009 and (EC) No 1107/2009 and repealing Regulation (EC) No 2003/2003 applies from 16 July 2022 and requires, for EU fertilisers with high nitrogen content of ammonium nitrate, that a detonation resistance test be carried out every three months during their manufacturing process.

The proper and safe storage and transport of ammonium nitrate, potassium nitrate, sodium nitrate, calcium nitrate, calcium ammonium nitrate is the responsibility of the farmer who has purchased the product.

Article 13 of Regulation 2019/1148 provides that Member States are to lay down the rules on penalties applicable to infringements of this Regulation and are to take all measures necessary to ensure that they are implemented. Accordingly, work is currently underway in Latvia to amend the Law on Administrative Penalties for infringements in the field of circulation of

explosive precursors. The aim of the law is to ensure compliance with the rules on the movement of explosives precursors and to deter from committing infringements. The Law not only defines administrative offences in the field of circulation of explosive precursors and the penalties for them, but also establishes the competence of the body which will carry out the administrative offence proceedings. According to Article 11(1) of Regulation 2019/1148, the Law will stipulate that the State Police will perform the functions of the State Inspection Authority, and the State Police will be the authority that will carry out the administrative offence proceedings for the offences referred to in the Articles of this Law. Penalties will be imposed for unauthorised handling of explosive precursors, failure to comply with the obligation to inform and instruct on explosive precursors, failure to provide information to the State Inspection Authority, and failure to report suspicious transactions with explosive precursors, theft or disappearance.

The State Security Service is entrusted with the function of a contact point for direct reporting of suspicious transactions with explosive precursors, their theft and disappearance, in accordance with [Cabinet of Ministers Regulation No 95 of 11 February 2021 "Procedure for Reporting Explosive Precursors"](#).

### Suspicious transaction

A suspicious transaction is any purchase of precursors that deviates from the normal characteristics or interactions of the purchase. For example, the prospective purchaser appears unsure of or unable to explain the intended use, intends to buy an unusually large quantity or is unwilling to produce identification, or insists on unusual payment methods, including large sums of cash. Vendors have the right to refuse suspicious transactions. Timely provision of information is important to prevent unlawful activities by individuals and to ensure public safety.

To report such cases to State Security Service, please call [67208964](tel:67208964) or e-mail to [kontaktpunkts@vdd.gov.lv](mailto:kontaktpunkts@vdd.gov.lv).

However, in order to avoid such cases, the European Commission Guidelines (24 June 2020) on the implementation of Regulation (EU) 2019/1148 on the trade and use of explosives precursors also provides practical advice on precautions for storing explosives precursors more safely.

These precautions are:

- securing warehouses or containers against break-ins;
- restricting access to premises where regulated explosive precursors are stored;
- illuminating vulnerable areas around the property
- where possible, the installation of locks on doors, ground floor windows and all other readily accessible windows;
- installation of intruder alarms;
- use of CCTV;
- periodic checking of stock to detect 'disappearances of product or theft
- denying access to staff whose duties are not related to the storage facilities and their contents;
- denying access to persons, who are not employees.

[Full Text of the Regulation](#)

<https://www.vaad.gov.lv/en/article/safe-handling-fertilisers>