

Committee on Technical Barriers to Trade

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6.

1.	Member to Agreement notifying: <u>NETHERLANDS</u> If applicable, name of local government involved (Articles 3.2 and 7.2):
2.	Agency responsible: Ministry of Agriculture, Nature Management and Fisheries Agency or authority designated to handle comments regarding the notification shall be indicated if different from above: National Enquiry Point
3.	Notified under Article 2.9.2 [X], 2.10.1 [ ], 5.6.2 [ ], 5.7.1 [ ], other:
4.	Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Farm systems (stable systems) and manure storage provisions (silos, cellars, pits, etc.)
5.	Title, number of pages and language(s) of the notified document: Draft Decree Governing Rules Supplementing the Foundation of the Regulating Mineral Levies with Animal Manure Supplies (Decree on Stocks under Fertilizer Act)
6.	Description of content: The draft Decree forms part of the new system of regulating mineral levies which is to be launched on 1 January 1998. The new system can be summarised as involving a levy which will be payable on the taxable quantity of fertilizer (Article 31a of the Fertilizer Act). This the sum of the quantity of supplied fertilizer and the quantity of produced animal fertilizer, less the sum of the quantity of animal fertilizer taken away, the absorption of fertilizer by the crops and the permissible loss of minerals (Article 13b of the Fertilizer Act). 'Loss of minerals' means the quantity of phosphates and nitrogen not absorbed by the crops. Supplies are deemed manure not taken away and will hence count toward the taxable quantity of fertilizer. The present Decree provides the foundation for making exceptions for certain cattle farms whereby the manure cannot reasonably be taken away more than once weekly and for intermediary businesses (trade, transport, treatment or processing). The Minister is entrusted with designating such categories of cattle farms (Article 3 of the draft Decree) and drafting further conditions (Article 7 of the draft Decree).

7.	Objective and rationale, including the nature of urgent problems where applicable: The Decree aims to prevent cattle farms and intermediary businesses from ending up in a position worse off than their competitors on account of more or less inevitable supplies (approximately 750) and substantial storage facilities (approximately 500), respectively.
8.	Relevant documents: Articles 13a, 13b, 13j, 13q and 19 of the Fertilizer Act
9.	Proposed date of adoption: } Proposed date of entry into force: } 1 January 1998
10.	Final date for comments: 31 December 1997
11.	Texts available from: National enquiry point [X] or address, e-mail and telefax number of other body: