

To: Commissioner Jessika Roswall, Environment, Water Resilience and a Competitive Circular Economy

CC: Eric Mamer, Director General DG Environment, Ion Codescu, Head of Unit, Land Use and Management (ENV.D.1)

RE: The Commission's initiative to amend the Nitrates Directive as regards the use of certain fertilising materials from livestock manure

Brussels, 29 October, 2025

Dear Commissioner Roswall,

The European Environmental Bureau would like to express its deep concern regarding the Commission's proposed amendments to the Nitrates Directive that was endorsed by the Nitrates Committee in September.¹ The proposal would allow the application of an additional 80 kg of nitrogen from processed manure per hectare per year – well above the current threshold of 170 kg of nitrogen per hectare per year set for livestock manure under the Nitrates Directive.

We are particularly concerned with the way this proposal has been prepared:

- The draft act was **not accompanied by any proper impact assessment**;
- There was **no public consultation** in the preparation of the initiative (only a feedback consultation after it was published);
- The **initiative pre-empts the results of the ongoing fitness check evaluation** of the Nitrates Directive;
- To our best knowledge, **the Commission did not carry out a climate consistency assessment** (Article 6(4) Climate Law);
- The draft act cites Article 8 of the Nitrates Directive that allows the Commission to amend non-essential elements of the Directive to adapt it to scientific and technical progress. However, **we regard the 170 kg manure threshold to be an essential element of the Directive.**

The initiative raises several questions regarding its compatibility with the EU's water protection objectives and climate goals and fails to respond to how the revised rules will help achieve the objectives of i.e. the Nitrates Directive, the Water Framework Directive (WFD) and the Climate Law. A full impact assessment of the proposed policy options should have been carried out in line with the Better Regulation guidelines to respond to how the initiative fits with EU objectives.

The Nitrates Directive is a key piece of legislation to achieve the environmental objectives of the WFD by preventing nitrate pollution from agriculture and by promoting the use of good farming practices. The

¹ <https://ec.europa.eu/transparency/comitology-register/screen/documents/109481/1/consult?lang=en>

majority of nitrate pollution in water results from intensive animal rearing, and the 170 kg threshold for manure application provided by the Nitrates Directive acts as a safeguard, as it indirectly limits animal densities.

EU Member States have failed to fully comply with the Nitrates Directive in its current form, directly hindering the achievement of the targets of the WFD. Nutrient losses in the EU are beyond the safe limits set under the planetary boundaries concept and come with a substantial cost for society. The Commission announced in 2020 that it would address this issue through an Integrated Nutrient Management Action Plan which, unfortunately, seems to have been postponed *sine date* by the Commission.

We agree with the idea of replacing mineral or synthetic fertilisers with manure, but this must go hand in hand with a holistic approach to place farming within ecological boundaries. Several regions in Europe are currently raising unsustainably high numbers of animals in extreme concentrations, resulting in excessive amounts of manure that is endangering people's health and the environment – most visibly through growing nitrate pollution of Europe's waters. The way forward for these regions should be to strive to reduce the manure quantity to sustainable levels, before turning to reuse and recycling (following the waste hierarchy).

The Commission's Joint Research Centre has shown that a transition to agroecological practices and a shift to more sustainable, plant-based diets are needed to achieve the EU objective to cut nutrient losses in half by 2030.² The Commission's initiative to allow the application of manure-derived fertiliser products above the existing threshold do not provide the adequate support to the necessary transition but instead offer a legal way around the limitation of manure volumes and animal densities currently provided by the Directive.

The EEB and several of our member organisations expressed these concerns in the feedback consultation to the draft act.³

We recommend that the Commission withdraws this proposal and ensure that any future initiative on this topic is informed by a proper Impact Assessment, public consultation and climate consistency assessment in line with the Better Regulation Guidelines and EU Law.

Yours sincerely,

Patrick ten Brink,

Secretary General of the EEB



² JRC Technical Report: Knowledge for INMAP, <https://water.jrc.ec.europa.eu/inmap.html>

³ EEB response to the feedback consultation https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14242-Nitrates-updated-rules-on-the-use-of-certain-fertilising-materials-from-livestock-manure-RENURE-/F3466467_en