

**bdew**

Bundesverband der Energie- und  
Wasserwirtschaft e.V.



FRIENDS OF THE EARTH GERMANY

Bund für  
Umwelt und  
Naturschutz  
Deutschland

**aktion  
agrار**



 Deutsche Umwelthilfe



 GERMANWATCH



**GRÜNE** Netzwerk  
**LIGA** Ökologischer  
Bewegungen

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Mr  
Karmenu Vella  
Commissioner for Environment, Maritime Affairs  
and Fisheries  
European Commission  
Rue de la Loi 200  
1049 BRUXELLES

22 August 2017

**Persistent breach of the EU Nitrates Directive in Germany**

Infringement proceedings C-543/16 or pending action before the Court of Justice of the European Union

Dear Commissioner Vella,

25 years after the EU Nitrates Directive (91/676/EEC) came into force, the limit of 50 mg/l agreed by the Member States at that time is still not being met by many regions in Germany. In the evaluation of chemical groundwater status according to the EU Water Framework Directive (2000/60/EC), 28% of the groundwater bodies are failing to meet the quality standard of 50 mg/l of nitrates. Early measurements even produced nitrate values of up to 400 mg/l. Due to the numerous exceptions provided for, the new fertiliser law is not capable of fulfilling the European requirements and guaranteeing sustained protection of ground water resources.

Primary causes for this situation include the over-fertilising of soils, intensive livestock farming and the additional import of farm-produced fertiliser from neighbouring countries. In 2016 alone, over 2 million tonnes of farm-produced fertiliser was imported from the Netherlands, which is equivalent to around 66,600 lorryloads. This represents a 260% increase over the last decade.

In our view, it is unacceptable that regional fertiliser surpluses in Germany will therefore continue to grow. Thus, it should be possible for Germany and/or its *Laender* to limit imports.

Many water treatment works are now reaching their limits: They have to take ever increasing measures to maintain drinking water quality in Germany. In some regions this could lead to consumers having to pay over 60% more for their drinking water in future due to increasing water processing costs. The German Federal Environment Agency also recently drew attention to this development.

For this reason, we are campaigning together with 11 associations and organisations in our initiative ([www.guelleverschmutzung-stoppen.de](http://www.guelleverschmutzung-stoppen.de)) for the EU law finally to be properly transposed into national law and for sustainable protection of waters to become a reality.

In light of this, we request that you incorporate this information in the ongoing infringement or court proceedings regarding insufficient implementation of the EU Nitrates Directive in Germany. We also ask that you allow Germany to limit the supply of farm-produced fertiliser from other EU countries.

Should you wish to discuss the matter, please do not hesitate to contact us.

Yours sincerely



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