Water policy: pollution by nitrates from agricultural sources (implem. Directive 91/676 /EEC)

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OBJECTIVE: to review the implementation of Council Directive 91/676/EEC concerning the Protection of Waters against Pollution caused by Nitrates from Agricultural Sources. SUBSTANCE: The report is particularly severe on the Member States. It reveals significant shortcomings on their part in implementing the 'Nitrates' Directive. Six years after the adoption of the Directive, no fewer than 13 Member States are the subject of infringement proceedings under Article 169 of the EC Treaty for failing to transpose it or failing to implement it correctly. The Directive has two objectives: 1) to reduce direct or indirect pollution of waters by nitrates from agricultural sources; 2) to prevent any increase in such pollution. To this end, the Directive requires Member States to identify waters affected by pollution and those likely to be affected by it, which are to be designated 'vulnerable zones'. For these zones, Member States must draw up programmes of action comprising binding measures concerning agricultural practices, indicating in particular the maximum quantities of effluent from livestock farming which may be applied to them per annum. Member States are required to draw up codes of good agricultural practice to be implemented voluntarily outside vulnerable zones and compulsorily inside them. The presence of nitrates in drinking water causes serious health problems. Nitrates are rapidly reduced to nitrites in the organism, impeding the transport of oxygen. This causes methaemoglobinaemia or blue baby syndrome, which particularly affects infants aged under 6 months. The presence of nitrites in the stomach also results in the formation of carcinogens. Ecologically, nitrates are a major eutrophication factor, particularly at sea and in coastal areas, where they stimulate the growth of algae (North Sea and Mediterranean coasts). Agriculture is the main source of nitrate pollution in water. In Europe, in particular, while the CAP has succeeded in increasing production, it has also had a disastrous impact on the environment. Intensive production has resulted in increased use of chemical fertilisers and a greater concentration of livestock in smaller areas. Consequently, the quantity of effluent produced has come to exceed that which could be absorbed by ecosystems without nitrate pollution occurring. The high nitrate concentrations observed are caused by the farming practices of recent decades. The Commission considers it essential to alter these practices. In accordance with the polluter- pays principle, this means that the cost of the measures to be taken should be borne by farmers themselves. Farmers display a marked reluctance to change land-use practices, although such changes have direct implications for their economic viability. This is why some of the requirements of the Directive encounter strong resistance among the farming community, and also why it has not been implemented very effectively. In view of this situation, the Commission concludes that it will not submit any proposals for revising the Directive and that it will do everything it can (including taking judicial measures) to enforce the Directive properly.