

CC(13)9415:1 –AA/sd

Mr Karl Falkenberg
Director-General
DG Environment
European Commission
200, rue de la loi
BE-1049 Brussels

Brussels, 27th November 2013

Re: The review of the EU Air Policy

Dear Director-General,

Further to the speech delivered by Commissioner Potocnik on the occasion of the launch of the EEA's Report on Air Quality 2013 last October, Copa-Cogeca wishes to share with you some concerns on the ongoing review of the EU Air Policy.

Copa-Cogeca has closely followed the discussions and the technical work carried out by IIASA and the European Commission in order to assess the review of this key EU policy started in 2011. From the beginning of the process, agriculture has been singled out alongside other sectors being one of the Commission's major concern ammonia emissions and their impact.

In terms of proposals aiming at reducing the above mentioned emissions, the Commission has more than once (last time at the DG Agriculture Advisory Group on "Agriculture on Environment" meeting last 15th November) made clear its intentions on amending the National Emission Ceilings Directive (NECD).

We understand that a 30 % reduction in ammonia emissions may well be proposed. Our biggest concern is whether any proposals to further reduce ammonia emissions are realistic, achievable and cost effective all over the EU-28. Moreover, it must be ensured that emissions reductions already achieved by European farmers are fully recognised, in order not to discourage early movers from taking future action. According to the EEA¹, ammonia emissions decreased in the EU-27 by 28%, mainly as result of improved manure management and decreased use of nitrogenous fertilisers, and the trend would remain provided coherence with other EU legislation. We are not starting from a zero baseline.

Copa-Cogeca rejects as unrealistic and highly damaging for European agriculture possible Commission proposals to go beyond ambitious commitments already undertaken in the Gothenburg Protocol, reportedly taking the form of ammonia reduction targets of 30 % with a 2005 baseline. Moreover, Copa-Cogeca underlines that early movers should not be penalized for early action.

We therefore strongly believe that the way forward is not to go beyond the UNECE Gothenburg Protocol, but to ensure that cost-efficiency is embedded in the new Strategy for the Air Policy,

¹ EEA Technical Report 10/2013 – European Union emission inventory report 1990-2011 under the UNECE Convention on Long-range Transboundary Air Pollution (LRTAP).

and (to ensure) that the competitiveness of the EU farming sector is maintained. . Hence, should the Commission nevertheless propose reduction targets for 2030 that go beyond the Gothenburg Protocol, it is paramount that a flexible baseline year for such reductions between 1990 and 2005 is established. Moreover, the emission ceilings laid down in the NECD should not prescribe more ambitious abatement measures than what is seen as Best Available Techniques conclusions on ammonia in the Reference Document for intensive poultry and pig rearing (BREF BAT)², because this could lead to a demand for implementation of techniques at the farms which are beyond what is regarded as economically available.

Finally, we consider that it is only possible to strengthen the understanding of the agricultural sector and develop actions to support air quality if ammonia is not presented as the main lever for action to reduce PM concentration, seeing as ammonia only contributes after it has been recombined with other air pollutants (mainly coming from industry and transport). Indeed, we do not want ammonia to be stigmatised in the same way as nitrogen was concerning eutrophication, which would thus overlook phosphorus as a lever for action³.

We invite you to find in annex the Statement that has been signed by our member organisations. We hope that these comments will be granted your full consideration and we are available for further discussions or questions on this topic.

Yours faithfully,

Annex

COPA-COGECA'S STATEMENT AHEAD OF THE FORTHCOMING REVISION OF THE EU THEMATIC STRATEGY ON AIR POLLUTION

Ahead of the anticipated revision of the EU Thematic Strategy on Air Pollution, Copa-Cogeca believes that any policies proposed must be realistic, achievable and cost effective to meet air quality improvements beneficial for health and environment, whilst ensuring the continued viability of agricultural businesses. Moreover, it must be ensured that emissions reductions already achieved by European farmers are fully recognised, in order not to discourage early movers from taking future action.

BACKGROUND

The European Commission is expected to publish a revised Thematic Strategy on Air Pollution by the end of this year, along with proposals to revise the National Emissions Ceilings Directive. The agricultural sector may well be impacted by any revisions to the National Emissions Ceilings Directive and any proposals to introduce additional sector-specific rules or legislation (e.g. for manure management).

We understand that a 30 % reduction in ammonia emissions may well be proposed. Our biggest concern is whether any proposals to further reduce ammonia emissions are realistic, achievable and cost effective.

KEY POINTS

Copa-Cogeca firmly believes that the European Commission should recognise the reductions and investment already undertaken by the agricultural sector. For example, in Germany ammonia emissions have fallen 20% from 1990-2011, 30 % in Denmark, 44 % in Belgium and by 58% in Estonia, as documented in the NEC Directive status report 2012⁴. Similarly ammonia emissions fell by 22% between 1990 and 2009 to 288,000 tonnes in the UK (excluding natural emissions from wild animals and humans)⁵, in Lithuania by almost 2,1 times (from 10292 Gg CO₂ eq. in 1990 to 4980 Gg CO₂ eq. in 2011)⁶, in Italy by 25% specifically in poultry rearing. So, we are not starting from a zero baseline – emission reductions have already been achieved and at cost to the sector. Hence, farmers should be recognised for such reductions already achieved in any future policy on air quality, in order not to discourage early action.

We insist that the NEC Directive should reflect both the recently agreed 2020 ceilings in the Gothenburg Protocol and the Best Available Techniques (BAT) conclusions on ammonia in the Reference Document for intensive poultry and pig rearing (BREF BAT).

- In the case of ammonia emissions, new emissions ceilings have recently been agreed in the Gothenburg Protocol, and regarding the Industrial Emission Directive (IED), the application of BAT and the ongoing work on the review of the BREF BAT will undoubtedly deliver further reduction in emissions.
- When defining emissions levels in the BREF, both economical and technical aspects are taken into consideration, so the emission ceilings laid down in the NEC directive should not prescribe more ambitious abatement measures than what is seen as BAT in the BREF, since this could lead to a demand for implementation of techniques at the farms which are beyond what is regarded as economically available.

⁴ EEA Technical Report, No 6/2013

⁵ Source : DEFRA, Environmental Statistics – Key Facts, January 2013

⁶ Source : Trends of Lithuanian greenhouse gas in the European Union (EU-27) context

We support identification of synergies between air pollution and climate change policies. Agricultural greenhouse gas emissions reduction are targeted by different pieces of legislation and the farming sector does expect reductions in greenhouse gas emissions to be achieved through production efficiencies. These include better management of feed, manure management as well as improvements in plant and animal genetics. General trends in the agriculture sector currently are encouraging with an increased use of nutrient management practices and slurry injection techniques and better N use efficiency. Many of these actions will result in reduced ammonia emissions. However, it would be disproportionate and not cost-efficient to include methane into the scope of the NEC Directive. Such a step would also counteract the Better Regulation Agenda of the European Commission as well as the recently published REFIT programme.

Food security must be taken into account when developing EU and international climate change policies in synergy with air pollution policy. Measures aiming to reduce GHG and air pollutant emissions from agriculture could result in production shifting away from the EU. Therefore, moving to a 30% greenhouse gas reduction target in the framework of climate change negotiations with no action from other counterparts would simply ‘export’ emissions to countries outside the EU whilst limiting the development of EU farming. And it will be likely regarding air pollutants.

Copa-Cogeca has concerns that sound evidence to back up any additional measures will not be presented by the Commission. If any further measures were to be introduced, we would need concrete reassurances that these were achievable. We have concerns about the transparency of the modelling methodology and particularly as to whether it can accurately represent baseline data but also accurately predict the achievability of any reductions by any future dates. Nevertheless, we are certain that any additional proposed measures need to be proven to be cost effective for businesses and agriculture sector, as well as providing benefits for health and the environment.

The agricultural sector is committed to and is proactive in the implementation of an effective EU air policy, which should involve a series of steps:

- 1 – Gain knowledge about the EU agriculture emissions as well as about the impacts of air pollution on agriculture.
- 2 – Define measures at territorial level as well as leverages.
- 3 – Raise awareness about air pollution amongst the farming sector – link current practices to new goals: e.g. water protection related measures in place may also serve to reduce ammonia emissions.
- 4 – Consider local and regional production conditions – these are key when defining measures and public authorities are responsible for ensuring coherence between public policies they put in place.

In short, **there is a need for recognition of sectoral-led initiatives encouraging action by farmers.** Several initiatives in various forms are being taken by the agricultural sector to improve farmers’ awareness and encourage greater improvements in environmental performance. Examples include Greenhouse Gas Action Plans in the UK and Austria, setting out how the agricultural sector will reduce its GHG emissions, or the German Farmers’ Federation’s voluntary climate strategy to significantly reduce GHG emissions by 2030, with no national legislative obligation to do so. Other examples on nutrient management are being carried out in different countries: Nitrawal in Belgium is just an example of how farmers are encouraged to undertake good nutrient management planning. In Finland, manure sub-surface placement practices are largely adapted to increase nitrogen use efficiency. Further, the use of ammonium-nitrate –based fertilizers instead of urea eliminates ammonia losses.

In terms of research, given current and future changes in agricultural practices, it is really important that emission inventories truly reflect current good practice on farms so there is a need to refine emission factors and keep them up to date. Farming will be judged on its environmental performance so it is necessary for the emission inventories to be able to capture the changes that are being implemented on farm.

The key challenge for the European Commission is to find a workable balance between the viability of farming and the contribution to world food security as well as climate change mitigation, air quality, biodiversity, flood risk management and water quality. Therefore, as well as protecting the environment, the farming community is very keen for the Review to be consistent with other public environmental policies in the field of water protection and greenhouse gas emissions whilst assuring the economic development of the agricultural sector, which is itself also faced with constraints of a purely agronomic nature.
