



Summary

In April 2018 the European Commission will decide whether the Netherlands will be granted renewal of derogation for the next four years, i.e. a special dispensation to produce (a whole lot) more manure than the European norm.

This report argues against derogation for the Netherlands for the period 2018-2021 on the grounds that it is irresponsible to do so. The huge amounts of manure produced by Dutch livestock have been causing environmental pollution for the past twenty years and threaten public health. In addition, it has caused manure fraud and tampering with official numbers of animals.

The Netherlands fail to meet the terms of the derogation by the EU

Pollution of ground water by nitrate

During the derogation period 2014-2017 the limit of 50 mg nitrate per litre was exceeded in many areas of the Netherlands. As a part of the derogation request, the 6th Action Programme Nitrates Directive contains steps to lower nitrate levels for 2018-2021. The MER Commission has stated that the maximum of 50 mg per litre will not be attainable with this action programme. A report from the European Commission from 2016 states that in North-Brabant the strain on the environment caused by expansive livestock farming is the most serious of that in all the countries and regions investigated.

Exceeding the Phosphate ceiling

The Phosphate ceiling was exceeded several times during the previous two derogation periods, namely in 2008, 2009, 2010, 2015 and 2016. The figures for 2017 have not been published yet, since fraud has necessitated a recalculation. Due to tampering with the I&R registration system and other forms of fraud committed it is likely that the ceiling will have been exceeded in 2017 as well.

Ammonia ceiling

Together with the nitrate norm and the phosphate ceiling, the ammonia ceiling is also part of the EU agreements (but not of the terms for derogation). If the actual RIVM figures are considered instead of the calculated (theoretical) figures, the ammonia ceiling is probably being exceeded structurally, by 15-20% no less.

Furthermore:

Pollution of surface water by nitrate

In the period 2014-2017 the eutrophication norms for phosphor and nitrogen were exceeded at approximately half of the surface water sites, which are mainly fed by agricultural land. An RIVM evaluation report from 2017 on the Fertilizers Act is very critical about the consequences of the Dutch manure policy on the quality of the surface water.

Contaminated manure

Especially pig manure is contaminated, as research shows. There is an increase of traces of XTC found in slurry, dumped by drug dealers in manure pits, with or without the knowledge of pig farmers. There is also a structural excess of antibiotics residue. In 2017 TNO in Delft sounded a warning against the consequences of antibiotics residue being flushed into ground- and surface waters up to a depth of 25 metres by spreading manure. The researchers consider slurry to be wastewater.



Public health

People living near livestock farms suffer more from respiratory complaints, reduced lung capacity and pneumonia. The researchers suspect a relationship with fine particulates and ammonia from those farms.

Biodiversity

According to the PBL, biodiversity in the Netherlands is in a worse state than in any other EU country. The Bird and Habitat norms are not being met. The agricultural sector is mainly to blame for this.

Livestock farming outside the control of the government: fraud

In 2017 NRC Handelsblad revealed that two thirds of manure transporters and processors under investigation had been fined, suspected or convicted. According to the PBL, in the south of the Netherlands 30-40% of the manure is dumped illegally.

A significant percentage of dairy farmers are suspected of tampering with the I&R. This is but one of the many forms of fraud committed to keep more cows than is legally allowed. There are strong suspicions that there are also more pigs than officially registered.

Despite the evidence of fraud and exceedance of norms the government still believes in self-regulation.

What is the impact of no derogation?

Wageningen University states that not renewing the derogation means fewer animals: 15% for pigs, 5% for cows and 10% for other cattle.

Conclusion

Should the European Commission once more grant derogation, exceedance of norms will continue as of old. There is no proof that the norms will be met for 2018-2021. What is more, derogation means rewarding unacceptable behaviour such as fraud, a lack of control, inaccurate figures and a questionable belief in self-regulation. The exceptional position as held by the Netherlands in the EU is therefore undeserved. Not granting derogation will have positive effects on public health, biodiversity, small-scale and sustainable farming, and animal welfare.