

Dear UCOL TWG,

Even if late, hereby please find attached the main preliminary points from the EEB (NGO) perspective on some of the frontloading questions. The main points we wish to make are as follows:

- 1) During the IED review NGO we highlighted **need for preventing pollution impact from large scale (industrial scale) livestock rearing** ([see here policy briefing](#))
 - 93% of ammonia and 55% of methane emissions stem from the agriculture sector (in large part from intensive livestock farms)
 - Nitrogen deposition from high ammonia harms ecosystems
 - Nitrates pollution from agriculture seriously damages water quality across the EU, in certain regions to a level that makes it unfit for human consumption. As often the depollution costs are charged to citizens (tax payer's money).

The health and environmental costs of water pollution in the EU due to excess nitrogen and phosphorous is more than **€22 Billion** per year¹.

A [CREA \(2023\) study](#) (NGO) 'Upgrading Europe's air: How a strong IED can save lives and money' also quantified the air pollution damage costs broken down by sectors. The responsibility from agriculture (mainly linked to livestock rearing but this also includes fertiliser use) is huge: **72,500 annual deaths** due to exposure to PM2.5 are due to agriculture related air pollution, the greatest impacts are Made in Germany, France and Italy. We hence think it is legitimate to expect high protection ambition will be defended in particular by those governments during the KoM and throughout the UCOL review. This is a mainly due to protection of human health. The NGO study expects that an estimated 27,000 annual deaths and economic costs of **€75 billion per year** can be prevented if ammonia emissions are reduced by 1.27 million tonnes such as through the application of BAT (the use of the Maximum technical feasibility scenario under ECLIPSE 6b applying EMEP model is assumed, which includes feed strategies, BAT on manure management/storage, covered housing/abatement, use of mineral fertilizers). Other studies (EEA) indicate an annual health cost due to air pollution to amount to **€187 billion**².

The EEB commissioned some more recent studies to Ricardo as to potential air pollution prevention gains related to livestock. *The key findings will be made public this Wednesday.*

- 2) The EEB has **sympathy for calls by farmers wishing to transition to sustainable farming practice and need to address the crisis so to ensure a good living condition for them**. The endeavours for more sustainable farming practice need to be genuine and verifiable e.g. through ambitious BAT on livestock.

The CAP is [only serving vested interests](#) (80% of all CAP subsidies are given to just 20% of farms). The COM EU farm vision presented on 19 February 2025 [lacks vision](#), notably in relation to conditionalities for payments. On one hand it

- calls for more reciprocity with imported food production, which the EEB fully supports.
- is claimed that *'High EU standards require EU livestock farmers to be world leaders, but their efforts are not reciprocated globally where they compete on an uneven level playing field'*.
- calls for "long-term visions that respects the diversity and sustainability of livestock production across Europe".

But in the time the strategy states there "is no place for the Union to design in such detail the on-farm practices that must be respected". Further down the line a "voluntary benchmarking system for on-farm sustainability assessments" is proposed. We need to be clear as to how reciprocity can work in a credible and sound manner if on the one hand EU industry asks for voluntary, vague standards to apply for themselves and in the same time expect other livestock rearing competitors outside of the EU to live up to "high EU standards" claimed to be "world leaders" standards. Hence the UCOL need to be the credible, ambitious reference points to be used to clarify what is concretely meant with sustainability of livestock production. *See specific point on cattle below.*

¹ Based on 2021 study, see Section 2.2 on nitrogen and phosphorous pollution 'in particular' from agriculture
« Green taxation and other economic instruments: Internalising environmental costs to make the polluter pay”
https://environment.ec.europa.eu/system/files/2021-11/Green%20taxation%20and%20other%20economic%20instruments%20-%20Internalising%20environmental%20costs%20to%20make%20the%20polluter%20pay_Study_10.11.2021.pdf

² https://www.eurogroupforanimals.org/files/eurogroupforanimals/2023-09/202309_impact%20institute_true%20cost%20of%20animal%20production%20and%20consumption_report%20with%20updated%20annex.pdf (based on 2022)

Field Code Changed

- 3) **We suggest to still derive best practice for cattle**, even if legally speaking, Member States can ignore it. The main reasons are that it is in the interest of EU farmers and because also cattle manure is very relevant to methane emissions and similar techniques can be used for manure (of cattle origin) as well.
 - First, CopaCOGECA did/do complain about lack of reciprocity with out of EU cattle production. How can common reference benchmarks / best practice be harmonised, if we do not use a data driven process such as within the UCOL?
 - Secondly, the IED review as to cattle related aspects is around the corner (by 31/12/ 2026) COM has to do the following: *“The Commission shall, using an evidence-based methodology and taking into account the specificities of the sector, assess the need for Union action to: **comprehensively address the emissions from the rearing of livestock within the Union, in particular from cattle**; and (b) further achieve the objective of **global environmental protection with respect to products placed on the Union market, through the prevention and control of emissions from livestock farming, and in a manner consistent with the Union’s international obligations**. The Commission shall report the results of that assessment by 31 December 2026 to the European Parliament and the Council. The report shall be accompanied by a legislative proposal where appropriate.”*

We therefore suggest to use the UCOL information exchange process to exchange best practice on cattle rearing, even if not legally binding the findings could be used to establish common benchmarks for the sector, to be readily used for the IED review and / or Member States wishing to enforce reciprocity rules on a fact based basis. The same BAT criteria as mentioned in Annex III of the IED 2.0 shall apply.

- 5) **We do not support the 2LSU/ha scope exclusion** since it is not aligned to best practice on Nitrates management, for EEB it should be set to max 1LSU/ha ([see position](#)) and this is actually confirmed by the [Reactive Nitrogen Task Force as well](#).

Request 1 The UCOL WG is asked to provide its feedback on the most efficient way to implement the proposed approach ('tailored' evidence collection, without the use of a 'farm-specific questionnaire').

Information collection through farm specific questionnaires would be the standard approach used in any BREF process. To have tailored evidence collections and to remove administrative burden (i.e. to prevent mis-guided data collection or flooding of data that is not fit for BAT-derivation) an upfront filter of what type of best performing reference plants / information topics should be applied. One suggested relevance 'filter' could be the following:

- 1) Only to collect information from a farm/farms that showcase better than IRPP -BAT performance i.e. mid-point level BAT-AELs. The EEB has a number of reservations on the ambition level of the IRPP BREF, first the BAT-C are derived from reference installation that is more than 15 years outdated (the data collection dates back to 2010). We therefore expect that the ELVs set under the UCOL would not fall behind the IRPP BAT Conclusions, reflecting a situation dating back to 2010. It is fair to assume some sort of progress has materialised since then in the sector. Whilst it may be premature to discuss BAT-C it would allow for a more 'focussed approach' filter for identifying which reference plants we would like to look closer at, reflecting current performance in the sector.
- 2) On thematic scope we suggest to use the [EMAS ref doc](#) 'Reference document for the agriculture sector' (see [COM implementing decision](#)) as a sound reference product on the scope / topical aspects that need to be dealt with, in particular as per IED 2.0 Annex III (BAT criteria) which explicitly list decarbonisation and biodiversity. Those are the really new topics for which we yet lack dedicated BAT conclusions (not developed in the IRPP BREF). The IED 2.0 specifically requires the UCOL as per Article 70i the *“setting of emission and environmental performance levels of installation and techniques and other measures consistent with Annex III”*. The new elements added to Annex III and hence not reflected in the IRPP is decarbonization (Annex III point 9) and biodiversity protection (Annex III point 10). This requires a dedicated chapter in the UCOL for both (new) topics.
- 3) On “who to listen more” in the information exchange. Whilst the COM may be tempted to listen more to the Member States with biggest voting power, but assuming the information process is based on a science based / technical process and sound technical information consistent with Annex III, we would

instead call on the COM to instead rather take into account views from MS TWG delegates that took the efforts in implementing the past IRPP BAT Conclusion on the ground. We assume this is rather the case for Benelux countries and Denmark. Germany also makes considerable efforts to improve the housing systems for pigs, [which is heavily subsidised with tax payers money \(1 billion €\)](#). It would be useful to make a good return of public investments by sharing best practice to that end.

Request 2 The UCOL WG is asked to provide its feedback on the proposed categorisation for ammonia emissions. In particular, the UCOL WG is asked whether data on ammonia emissions and information on associated techniques should be collected for any additional animal categories (e.g. ducks and turkeys).

Yes of course, the collection of data on ammonia emissions / abatement techniques should work for any animal categories, including boars and cattle, sheeps etc etc (other livestock not explicitly mentioned). Ideally pollution prevention shall apply at the source, we also support the whole farm approach and for manure management the animal density is key as well as state of receiving environment (can the receiving environment handle more manure in a sustainable manner?).

Care should however be taken on animal welfare. As EEB we oppose considering partly or fully slatted floor for ducks as BAT (see tabled split view). We [also oppose caging systems](#) for poultry (in particular hens and ducks) but also sows. All type of poultry should be addressed, an excretion equivalent factor / LSU factors can differentiate between the species to provide for equivalent pollution prevention / techniques if the driver of categorization concerns is driven by proportionality of abatement techniques to be implemented. The EEB also opposes to regard housing systems based on fully slatted floors as BAT for fattening pigs and weaners (see EEB split view to BAT 30).

In general farming practices considered as BAT under UCOL shall be aligned to requirements set for organic rearing. In this sense we would accept a differentiation of a categorization for BAT 30 if there are valid external factors that justify doing so, this could for instance be to promote the transition to organic farming practices. In this sense we have sympathy for the German proposal, going in that direction.

Ammonia is a key environmental issue for livestock rearing in general. Clear requirements shall apply to manure treatment, irrespective of whether manure spreading occurs on site / at the farm or elsewhere. The UCOL should set out clear rules and best practice as to how manure handling and spreading is to be carried out. Otherwise the UCOL would 'outsource' pollution based on legal considerations that are irrelevant to environmental protection. The UCOL can set rules for third parties (operators) spreading manure on behalf of the farm operator as per Article 70d paragraph 3. The obligation relates to any manure or residues generated by the installation, it is irrelevant if the manure treatment happens on the farm site or elsewhere. Hence an extended producer responsibility (in this case manure) applies.

The only technical / legal limitation is 'what is under the control of the operator'. In our view it is under the control and responsibility of the operator to prevent impact from the whole of the lifecycle stages linked to the livestock rearing activity, this therefore concerns the inputs (e.g. feed) but also outputs (manure, pollution, impacts).

Request 3 The UCOL WG is asked to provide its feedback on whether methane emissions from pig rearing (and/or poultry rearing) should be considered as a KEI, and on the availability of data and related methodologies for methane emissions monitoring, specifying the related activities/processes.

Yes this is clearly a KEI. Note the explicit new addition made in Annex III of the IED is to set techniques that deliver on decarbonization. The IED 2.0 Article 70i requests the "*setting of emission and environmental performance levels of installation and techniques and other measures consistent with Annex III*". Annex III lists decarbonisation, methane is a GHG. Methane emissions due to pig and poultry farms is mostly linked to the management of manure (storage and spreading).

It is clearly for the UCOL to collect information on methane emissions reductions techniques as well as monitoring methods (info to be provided in later stage).

Request 4 The UCOL WG is asked to provide its feedback on the availability of data and related methodologies for dust emissions monitoring, specifying the related activities/processes.

The IRPP BREF already sets out common techniques for dust abatement (BAT 11) that is to be updated.

Request 5 The UCOL WG is asked to provide its feedback on the availability of data and related methodologies for odour emissions monitoring, specifying the related activities/processes.

We consider odour as being a KEI. However it may be a subjective parameter as well e.g. in the countryside. The IRPP BREF has a odour management plan (BAT12) as well as measures that can be implemented (BAT 13). However it is needs to be more explicit and clear which techniques are the most effective and must be implemented. BAT 13 point e allows one or a combination of techniques to be used.

- In technique a the 'adequate distance' is unclear and should instead be a 'minimum distance' that should be set on objectively based parameters
- Technique e.3: 'minimise stirring of slurry' is too fluffy. It would be clearer to state 'Prevent stirring of slurry'
- The most straightforward technique to prevent odour (to be emitted) would be a sealed storage (that is air-tight), hence to reword technique e point 1.

Linked to the above we regard the time span of manure landspreading/incorporation of up to 12 hours as per BAT 22 footnote 2 as unacceptable (see EEB split view). This footnote needs to be removed.

Request 6 The UCOL WG is asked to provide its feedback on the availability of data on emissions to water, specifying which substances and/or parameters are monitored and for which activities/processes.

Water protection is a standard requirement and the UCOM should not be any exception to this.

The IRPP BREF + EMAS benchmark documents set water protection-related requirements on which to further build on. Little information was collected in the IRPP on the use of biological and chemical additives as well as anti-biotics (AMR). These are relevant parameter for water pollution.

Specific requirement should be set on protecting groundwater from nitrates pollution, this is mainly linked to manure application. Also requirements need to be set to prevent surplus pollution from nitrogen and phosphorous loads. The revised IED provides for specific (additional) requirements in relation to catchment areas for drinking water and water availability. Both those requirements need to be complied with by the UCOL.

Request 7 The UCOL WG is asked to provide its feedback on the availability of energy consumption data, specifying the related activities/processes.

The EMAS document has information on energy consumption. We see an added value to collect information on the topic, in particular the type of energy used / on site renewable energy generation and define BAT that are connected to decarbonization (the expectations are to be decided on a later stage based on information to be collected). Care should also be taken for animal welfare e.g. if energy is used for heating purposes in cold periods (free range not advised).

Request 8 The UCOL WG is asked to provide its feedback on the availability of water consumption data, specifying the related activities/processes.

We are aware that the French collect information on water consumption from all its regulated industrial activities. The search filters are not straightforward for the water consumption sheet. Applying the search filter "elevage" triggers 14 records for 2023, the total of water consumption is 229827m3 water (groundwater) + 11155m3 potable water (from the names it sounds like this refers to pig farms) for those farms. The records list 543 farms that reported information in 2023, a matching of the data entries will be performed and supplied in later stage.

However the BAT-C / UCOL requirements should not harm animal welfare concerns for the reason of water efficiency, this would counter the cross-media 'integrated approach' mindset of the IED. As we are regulating

sentient beings we feel it very important to raise this here as a very special case, for the EEB animals are integral part of the environment = need to protect by the high overall protection goal set by the IED. Hence we accept more water consumption if driven by animal welfare reasons.

Request 9 The UCOL WG is asked to provide its feedback about the proposed categorisation for total nitrogen and total phosphorus excreted.

In particular, the UCOL WG is asked whether data on total nitrogen and total phosphorus excreted and information on associated techniques should be collected for any additional animal categories.

Yes we think that nitrogen and phosphorous emissions and collecting techniques to prevent / reduce impact is key. See similar answer to request 2.

The type and sustainability footprint linked to food/feed inputs is directly under the control of the operator, by its choice of purchasing certain feed types / on-site feed supply or nutritional practice. Hence it is within the UCOL scope.

Request 10 The UCOL WG is asked to provide its feedback on any other relevant issue that should be taken in account for the UCOL, in addition to those mentioned in this section and/or in the IRPP BATc.

See earlier points made on animal welfare. As we are regulating sentient beings, we feel it very important to raise this here as a very special case, for the EEB animals are an integral part of the environment = need to protect by the high overall protection goal set by the IED. We are well aware that this cross media impact – animal welfare argument can be used by industry / member states as a pretext not to improve on certain parameters e.g. energy / water consumptions / stricter air pollution controls.. nevertheless, we should not compromise on animal welfare. As in the IRPP BREF process we would promote a transition to organic rearing methods, in certain cases this can even lead to higher air pollution e.g. more ammonia emissions from litter-based system, which would be a negative cross-media impact to be valued against promotion of transition to organic livestock rearing methods.

For the above reasons we also believe that it is a must to reduce stocking-density and to factor in proportionality of pollution reduction requirements in relation to stocking density as well as applying a whole farm approach (capacity of surrounding environment to handle the livestock rearing related pollution load).

We also appeal on the industry/ farmer representatives and the Member States to not fall into the trap to undermine objectives set by relevant EU acquis such as the Nitrates Directive and Water Framework Directive and its daughter directives or make simplistic “double regulation claims” on that basis. UCOL’s main aim is to define the best practice and environmental excellence (BAT) for livestock rearing, not replicating legal requirements based on lowest common denominator practice.

Doing so will also bring credibility by the EU actors about promoting environmental and social reciprocity to the top at global level, where NGO would actually support EU farmers vis à vis imported products. For this we need to agree on sound reference points, including for cattle. Measuring the wider social benefits and indicating best practice on social aspects (wages, time spent for implementation) could help as well vis à vis downstream economic actors (retailers). They must be aware and pay their fair share for supporting EU farmers towards the transition to best practice.