

ESPP input to EU consultation on the Polluter Pays Principle (PPP)

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https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13546-Polluter-Pays-Principle-fitness-check-of-its-application-to-the-environment_en

ESPP (European Sustainable Phosphorus Platform) supports better implementation of the Polluter Pays Principle (PPP), including with EU border compensation mechanisms on imports (e.g. of food, animal feed) to ensure that pollution and resource consumption are not simply exported and that EU industry and farmers are not unfairly penalised.

The European Court of Auditors report ([2021](#)) emphasises that polluters do not bear the full costs of water pollution, despite reference to the PPP in art. 9 of the Water Framework Directive. Their report refers to diffuse agricultural pollution from nitrates and pesticides. However, phosphorus eutrophication should also be considered.

See references on eutrophication societal costs below.

The **implementation of the Polluter Pays Principle in the Common Agricultural Policy (CAP)** is essential for nutrient losses and agrochemicals. This should be supported by the [FaST](#) tool (Farm Sustainability Tool for Nutrients) and implemented by requiring **cross-compliance with Water Framework Directive River Basin Management Plans for all CAP subsidies**, locally verified by river basin management committees and in Member State Water Framework Directive reporting.

We note that in the Commission's legislative proposal for revision of the Urban Waste Water Treatment Directive ([October 2022](#)) **UWWT "Extended producer responsibility" would be implemented for pharmaceuticals and cosmetics**, so that companies placing these on the market must cover full costs of monitoring and quaternary treatment (art.9, Annex III). ESPP regrets that this does not cover industrial chemicals such as PFAS, plastic additives, micro-plastics nor agrochemicals. This is despite PFAS being identified as a priority sewage sludge contaminant in [JRC 2022](#).

ESPP notes the **Swedish Water call for a ban on all PFAS chemicals** ([2022](#)), i.e. full implementation of the Commission's PFAS ban proposal [SWD\(2020\)249](#).

PFAS, pharmaceuticals, microplastics and other industrial and consumer chemicals, present in wastewaters or manure, can be significant obstacle to recycling of nutrients and of organic carbon. PPP should be applied to these chemicals to support the Nutrient Circular Economy. See *references below*. This is increasingly important in the current fertiliser supply and price crisis (see European Commission Communication "Ensuring availability and affordability of fertilisers" COM(2022) 590, 9th November 2022 [here](#)).

ESPP suggests that It is necessary to **organise dialogue on how to reduce impacts of pharmaceuticals on nutrient recycling, at the EU level, with farmers, the food and beverage industries, supermarkets and environment and consumer NGOs**. This dialogue should aim to share information available; jointly define research, monitoring and risk assessment needs; propose appropriate risk reduction measures and polluter pays mechanisms to cover costs of mitigating pharmaceutical pollution risks in Nutrient Recycling, in manure valorisation and in water treatment. This dialogue is needed at the EU level, because retailers and agri-food companies are global operators, as are pharmaceuticals companies, and in order to enable input to EU policies (Fertilisers Regulations, standards, chemicals policy ...).

References on costs of nutrient losses and of eutrophication

There are few studies assessing eutrophication costs of nutrient losses. Smith et al. (Lake Erie, 2019 <https://doi.org/10.1016/j.hal.2019.101624>) concluded that actions to reduce nutrient losses are cost effective. Bio Deloitte 2014 for DG ENVI <https://publications.europa.eu/en/publication-detail/-/publication/c4e6e51f-18cc-11e6-ba9a-01aa75ed71a1/language-en> estimate clean-up costs for nutrient losses from agriculture – largely livestock production – for the Brittany region of France only - as nearly € 500 billion for groundwater nitrates and € 50 billion for coastal water eutrophication.

Nitrogen loss costs have been estimated for Europe at 70 – 230 billion € per year <https://doi.org/10.1017/CBO9780511976988>. Other studies include Dodds et al. 2019 <https://doi.org/10.1021/es801217q>, Hoagland 2006 https://doi.org/10.1007/978-3-540-32210-8_30, Steffensen 2008 https://doi.org/10.1007/978-0-387-75865-7_37

References on pollutants in sewage sludge

Summary of workshop “Pharmaceuticals in sewage biosolids”, Malmö, November 2016, in SCOPE Newsletter n°123 www.phosphorusplatform.eu/scope123

Joint position on the need for research into organic contaminants in sewage biosolids and in manure, to support the bio- and nutrient circular economy (EEB, EBA, ECN, ECOFI, Growing Media Europe, Eureau, ESPP) 2017 <http://www.phosphorusplatform.eu/organic-contaminants>