WRITTEN QUESTION E-2402/99
by Bart Staes (Verts/ALE) to the Council
(13 December 1999)

Subject: Use of sewage sludge as a fertiliser in the agricultural sector

In a number of EU Member States, including the Belgian Federation, sludge from waste water purification plants is used as a fertiliser in the agricultural sector. The sludge is usually highly polluted with heavy metals. Scientific research (Adeline Montcharmont: Les risques sanitaires liés à l’épandage des boues de stations d’épuration urbaines, Ecole nationale vétérinaire de Lyon, thèse numéro 31, 1999) also shows that such sludge can be infected with bacteria, viruses and parasites. Both these facts necessitate further research and an appropriate approach at all policy levels.

1. In which EU Member States is sludge from waste water purification plants used as a fertiliser in the agricultural sector?

2. Which Member States have restrictions in force on the use of such sludge as fertiliser?

3. What is the Council's attitude towards the use of sludge from waste water purification plants as a fertiliser in the agricultural sector, in view of the pollution with heavy metals and infection with bacteria, viruses and parasites?

4. Does the Council feel that a ban should be imposed on using sewage sludge as a fertiliser, in view of the pollution with heavy metals and infection with bacteria, viruses and parasites? If not, why not?

Reply
(13 March 2000)

1. The use of sewage sludge as an agricultural fertiliser and means of soil improvement is one of the traditional ways in the majority of the Member States for the disposal and recycling of such substances. Such use has already received the Council's attention with a view to preventing the damaging effects that such use can have on the environment and on human and animal health.

2. In particular, the Council adopted Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (1), which instrument governs the use of sewage sludge on farms.

3. In respect of the first two questions put by the Honorable Member, the Council would draw his attention to Articles 12 and 17 of Council Directive 86/278/EEC, which state that it is for the Commission to publish information on the use of sewage sludge on the basis of reports submitted by the Member States.

4. By adopting Directive 86/278/EEC, the Council generally authorised the use of sewage sludge as an agricultural fertiliser, subject to strict regulation and the necessary controls. That Directive regulates sewage-sludge use in order to prevent harmful effects for soil, vegetation, animals and man, while encouraging its proper use. It also sets limit values for concentrations of heavy metals (cadmium, copper, nickel, lead, zinc and mercury). The Directive accordingly lays down certain restrictions to prevent contamination of the environment, as well as spelling out the risks for human and animal health from pathogens.

5. The Council believes that the Commission is currently working on the revision of the Directive so as to adapt it to technological and scientific progress made since it was adopted. When it receives the proposal for revision, the Council will examine it at the earliest opportunity.
6. As regards the more specific questions concerning the use of sewage sludge as an agricultural fertiliser in the various Member States, the Council regrets that it does not possess the relevant information.


WRITTEN QUESTION E-2405/99
by Karl-Heinz Florenz (PPE-DE) to the Commission
(16 December 1999)

Subject: Suspension of payment of structural funding

In how many cases, and in what instances, has the Commission made the allocation of structural fund appropriations dependent on the Member States in question complying with requirements of Community environmental legislation? In which of these cases has the Commission suspended payment of structural funding?

Answer given by Mr Barnier on behalf of the Commission
(25 January 2000)

Compliance with the whole body of Community legislation constitutes one of the conditions for granting Structural Fund aid. This is, moreover, laid down in the standard clauses included in the various decisions granting Community aid. Non-observance of Community legislation, including that on the environment, can therefore lead to the suspension, or even cancellation of assistance.

The procedure for establishing an infringement of Community law is separate from the procedure for suspending and cancelling aid.

However, for reasons of consistency, payment of Community aid is, as a matter of principle, suspended after the infringement procedure is initiated (formal notice to the Member State). An aid cannot be suspended on the basis of a complaint or following a simple request to the Member State for information. The Commission can cancel the payment when it establishes, by reasoned opinion, that there has been an infringement of Community law.

It should, finally, be stressed that Community aid can be suspended following the formal notice to the Member State (in order to allow investigation of the infringement without putting the Commission in a contradictory situation), whereas cancellation of aid is never decided automatically.

Infringements of Community environmental law have led to the suspension of European Regional Development Fund assistance, inter alia, in the following cases: the joint project by Germany and the Netherlands in the Aachen/Heerlen industrial area; a dam at Abrilongo in Portugal; the protection of the Caretta caretta turtle in Greece; and a road project in Algeciras in Spain. With regard to aid from the Guidance Section of the European Agricultural Guidance and Guarantee Fund, no payment has been suspended for non-observance of environmental rules.

However, there may be certain specific conditions within plans or programmes which are not in themselves grounds for suspension but do affect eligibility. For example, in the single programming document of the Spanish region Aragon for Objective 5b, the eligibility of irrigation work in sector VIII is conditional upon an agreement between the Commission and those responsible for the measure at national and regional level guaranteeing compliance with Council Directives 79/409/EEC of 2 April 1979 on the conservation of wild birds (1) and 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (2).