



Council of the
European Union

Brussels, 7 September 2022
(OR. en)

12111/22

LIMITE

**AGRI 406
AGRIORG 82
AGRISTR 55
ENV 848
COMER 102
SAN 503
MI 644
COMPET 687
CONSOM 212
IND 335
ENT 121
CODEC 1266**

NOTE

From: Presidency
To: Special Committee on Agriculture
Subject: Agricultural aspects of the revision of the Industrial Emissions Directive
- *Presidency paper*

With a view to the meeting of the Special Committee on Agriculture on 12 September 2022, delegations will find in the [Annex](#) a Presidency paper on the agricultural aspects of the revision of the Industrial Emissions Directive (IED).

Agricultural aspects of the Industrial Emission Directive

1. Since 2010, emissions from high-pollution-risk industrial installations and livestock farms have been regulated by Directive 2010/75/EU (the so-called **Industrial Emissions Directive** – IED). With regard to agricultural installations, the IED covers intensive rearing of **poultry and pigs**.
2. In line with the ambition set out in the “European Green Deal” to achieve climate neutrality in the EU by 2050, the Commission has committed to revising EU rules in order to reduce pollution from large industrial installations.
3. In this light, on 5 April 2022 the Commission adopted its proposals for:
 - A **directive**¹ amending the IED and Council Directive 1999/31/EC on landfill of waste; and
 - A **regulation**² on reporting of environmental data from industrial installations, revising Regulation (EC) No 166/2006.
4. The two proposals are strictly interconnected:
 - The directive addresses the identified areas of improvement of the current IED by amending the rules for a progressive reduction of pollution from the EU’s largest industrial and livestock rearing installations;
 - The regulation addresses the need to monitor the performance of those installations, particularly through the set-up of the Industrial Emissions Portal, which replaces the website of the European Pollutant Release and Transfer Register (E-PRTR), established under Regulation (EC) No 166/2006.
5. In the Council, the two proposals are discussed in the “**Environment**” *filière*. The competent preparatory body is the Environment Working Party, which is examining the proposals at technical level. The “Environment” Council will discuss these proposals in the upcoming months.

¹ Doc. 8064/1/22 REV 1 + ADD 1-8.

² Doc. 8121/22 + ADD 1-2.

6. Regarding the impacts relevant to the **agricultural sector**, the proposed directive suggests extending the **scope** of the current IED by lowering the threshold above which pigs and poultry installations would be included, and by adding cattle farming:
- The current rules cover intensive rearing of poultry or pigs: (a) with more than 40 000 places for poultry; (b) with more than 2 000 places for production pigs (over 30 kg), or (c) with more than 750 places for sows³;
 - The proposed new rules would cover rearing of cattle, pigs or poultry in installations of 150 livestock units (LSU) or more, as well as rearing of any mix of cattle, pigs and poultry, in installations of 150 livestock units or more⁴.
7. At the same time, it is proposing a significant change to the permitting regime by creating a specific procedure for the agricultural sector under the newly created Chapter VIa., whilst being mindful of the need to balance the administrative permitting procedures with public information and participation and compliance requirements. Operating Rules for livestock farms will take into consideration not only the nature, type, size and density, but also the complexity of these installations and the range of environmental impacts they may have, together with economical aspects. This should allow establishing proportionate requirements for different farming practices (intensive, extensive, organic), including by taking into account the specificities of pasture based cattle rearing systems, where animals are only seasonally reared in indoor installations, while minimizing burdens for the sector and the competent authorities.
8. The aim of the Presidency is to allow for **thorough clarification of changes proposed** to the existing IED regime, including newly introduced concepts and changes regarding the agricultural sector. This appears even more relevant in times of global food crisis requiring sustained or increased food production, and in a moment when the national strategic plans for the implementation of the new Common Agricultural Policy are under approval.

³ IED – Annex I, point 6.6.

⁴ Proposal for a directive amending the IED – Annex II.

9. Against this background, the Special Committee on Agriculture (SCA) will be invited to discuss this subject at its meeting on 12 September 2022. While keeping in mind that the Environment Working Party is the competent preparatory body for this legislative procedure, the SCA will have the opportunity to provide an input to the discussion of this proposal from the point of view of its agricultural implications.

