

Council Directive of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources (91/676/EEC)

COUNCIL DIRECTIVE

of 12 December 1991

concerning the protection of waters against pollution caused by nitrates from agricultural sources

(91/676/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 130s thereof,

Having regard to the proposal from the Commission<sup>(1)</sup>,

Having regard to the opinion of the European Parliament<sup>(2)</sup>,

Having regard to the opinion of the Economic and Social Committee<sup>(3)</sup>,

Whereas the nitrate content of water in some areas of Member States is increasing and is already high as compared with standards laid down in Council Directive 75/440/EEC of 16 June 1975 concerning the quality required of surface water intended for the abstraction of drinking water in the Member States<sup>(4)</sup>, as amended by Directive 79/869/EEC<sup>(5)</sup>, and Council Directive 80/778/EEC of 15 July 1980 relating to the quality of water intended for human consumption<sup>(6)</sup>, as amended by the 1985 Act of Accession;

Whereas the fourth programme of action of the European Economic Communities on the environment<sup>(7)</sup> indicated that the Commission intended to make a proposal for a Directive on the control and reduction of water pollution resulting from the spreading or discharge of livestock effluents and the excessive use of fertilizers;

Whereas the reform of the common agricultural policy set out in the Commission's green paper 'Perspectives for the common agricultural policy' indicated that, while the use of nitrogen-containing fertilizers and manures is necessary for Community agriculture, excessive use of fertilizers constitutes an environmental risk, that common action is needed to control the problem arising from intensive livestock production and that agricultural policy must take greater account of environmental policy;

Whereas the Council resolution of 28 June 1988 of the protection of the North Sea and of other waters in the Community<sup>(8)</sup> invites the Commission to submit proposals for measures at Community level;

Whereas the main cause of pollution from diffuse sources affecting the Community's waters in nitrates from agricultural sources;

---

*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

---

Whereas it is therefore necessary, in order to protect human health and living resources and aquatic ecosystems and to safeguard other legitimate uses of water, to reduce water pollution caused or induced by nitrates from agricultural sources and to prevent further such pollution; whereas for this purpose it is important to take measures concerning the storage and the application on land of all nitrogen compounds and concerning certain land management practices;

Whereas since pollution of water due to nitrates on one Member State can influence waters in other Member States, action at Community level in accordance with Article 130r is therefore necessary;

Whereas, by encouraging good agricultural practices, Member States can provide all waters with a general level of protection against pollution in the future;

Whereas certain zones, draining into waters vulnerable to pollution from nitrogen compounds, require special protection;

Whereas it is necessary for Member States to identify vulnerable zones and to establish and implement action programmes in order to reduce water pollution from nitrogen compounds in vulnerable zones;

Whereas such action programmes should include measures to limit the land-application of all nitrogen-containing fertilizers and in particular to set specific limits for the application of livestock manure;

Whereas it is necessary to monitor waters and to apply reference methods of measurement for nitrogen compounds to ensure that measures are effective;

Whereas it is recognized that the hydrogeology in certain Member States is such that it may be many years before protection measures lead to improvements in water quality;

Whereas a Committee should be established to assist the Commission on matters relating to the implementation of this Directive and to its adaptation to scientific and technical progress;

Whereas Member States should establish and present to the Commission reports on the implementation of this Directive;

Whereas the Commission should report regularly on the implementation of this Directive by the Member States,

HAS ADOPTED THIS DIRECTIVE:

---

**Status:** EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

---

- (1) OJ No C 54, 3.3.1989, p. 4 and OJ No C 51, 2.3.1990, p. 12.
- (2) OJ No C 158, 26.6.1989, p. 487.
- (3) OJ No C 159, 26.6.1989, p. 1.
- (4) OJ No L 194, 25.7.1975, p. 26.
- (5) OJ No L 271, 29.10.1979, p. 44.
- (6) OJ No L 229, 30.8.1980, p. 11.
- (7) OJ No C 328, 7.12.1987, p. 1.
- (8) OJ No C 209, 9.8.1988, p. 3.