Subject: Derogation from the limits laid down in the Nitrates Directive

The derogation from the limits laid down in the Nitrates Directive is an EU decision allowing farms to apply more than 170 kg/ha/year of nitrogen, from cattle and pig manure, to land cultivated in nitrate vulnerable zones.

This derogation expired in the Lombardy Region on 31 December 2019 for approximately 180 farms that had undertaken to meet a number of conditions in exchange for the opportunity to apply, each year, an amount of bovine manure and the liquid fraction resulting from the treatment of pig manure not exceeding 250 kg of nitrogen per hectare/year.

The infringement procedure pursuant to Article 258 TFEU for the failure to implement the Nitrates Directive in Italy, launched by the Commission on 9 November 2018 through a letter of formal notice, has halted any formal approach with a view to discussing a subsequent proposal for a derogation.

The Lombardy Region has formally closed the procedure, having complied with the specific requests made to it and, in particular, having designated the 'new nitrate vulnerable zones of agricultural origin pursuant to Article 92 of Legislative Decree No 152/2006' through Regional Government Decision (DGR) No 2535 of 26 November 2019.

In view of the above:

Should the Commission not re-establish a helpful dialogue with the Lombardy Region in order to identify new forms of cooperation and, where appropriate, redefine the derogation arrangements?