

FoodDrinkEurope views on the European Commission Proposal for a Revision of the Industrial Emissions Directive

There is an urgent need to reduce greenhouse gas emissions significantly, and rapidly, to prevent a rise in global temperatures with devastating impacts on people, biodiversity, the environment, and our food production.

The European food and drink manufacturing industry welcomes the European Commission's efforts to support decarbonisation by stimulating synergies in the use of – and investments in – techniques that prevent or reduce pollution and carbon emissions, and to promote a resource-efficient/circular approach.

Food, Drink and Milk (FDM) Industries are currently implementing the recent revision of the FDM Best available techniques reference documents (BREF), which must result in significant improvement of the impact of the industry.

In follow-up and in view of the revision of the EU Industrial Emissions Directive (IED), FoodDrinkEurope urges policymakers to take into account the following **priorities for the European food and drink industry**:

- Reconsider allowing competent authorities to set **Emission Limit Values (ELVs)** at the lowest end of relevant BAT-AEL range given that the high limit has been the regulatory value so far. It is also important to note that the proposed range has not yet been challenged during the BREF for the FDM processes.
- Reconsider the proposed Article 15 No.3a provision that anticipates that **environmental performance limit values** would become binding. This measure would undermine industrial transformation and innovation, and does not provide any additional benefits to the environment (circularity is better addressed in specific legislation as energy consumption obligations may undermine many abatement technologies, making it impossible for an operator to comply with IED permits).
- Further clarify how **information** of a confidential and sensitive nature (i.e applied technology, transformation plans etc.) provided by operators will be handled. In this context, access to this level of information must respect competition law and intellectual property rights.
- Consult with key stakeholders (i.e Industry, NGOs, Member States, etc.) prior to setting the role and function of the **Innovation Centre for Industrial Transformation and Emissions (INCITE)** through an Implementing Act.
- Require sufficient time (beyond 24 months) for the testing of **emerging techniques** in order to adequately demonstrate their efficiency and further encourage investments in innovative technologies.
- Review the legal approach with regards to **finest proportional to turnover**.
- Clarify the reversal of **burden of proof** on the individual claiming damage from industrial emissions (from the individual to the installation, new article 79a.4), which risks generating legal uncertainty for operators and which will be impossible to meet in some circumstances, especially when several installations are in the surrounding of that individual.

- Ensure that this EU Directive is consistent and aligned with **EU policies** such as the EU Emissions Trading System (ETS).

FoodDrinkEurope looks forward to working together with policymakers and key stakeholders in order to contribute to the review of the EU Directive further supporting the EU's green transition.

About FoodDrinkEurope

FoodDrinkEurope is the organisation of Europe's food and drink industry, one of Europe's largest manufacturing sectors, a leading employer in the EU, and a key contributor to the economy (289,000 companies, 99% SMEs, 4.5 million employees).