

Complaint about alleged breach of EU law by Denmark

Complaint form received

Reference	95631
Received on	16/09/2026
Language of communication	Danish
Correspondence should be sent to	Me
Disclosure of personal information	Yes

Personal information

Name	Jørn
Surname	Rasmussen
Organisation	Fair Spildevand
Nationality	Denmark
Email	kontakt@fairspildevand.dk
Second email	jornrass@gmail.com
Street and number	Pilealle 5
Town	Vordingborg
Postcode	4760
Country	Denmark

Alternative contact point (e.g. a representative)

Name	Mogens
Surname	Thomsen
Organisation	Fair Spildevand
Email	kontakt@fairspildevand.dk
Street and number	Vester Terpvej 12
Town	Løgumkloster
Postcode	6240
Country	Denmark

Which EU country is your complaint about?

The EU country my complaint is about is	Denmark
The national authority my complaint is about is	Central administration

What is your complaint about?

What did the Member State and its administration do wrong?	Did not turn an EU directive fully or correctly into national law. Systematically applied EU law incorrectly in a certain sector.
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Pieces of evidence / supporting documents	Hovedbrev til EU-kommissionen EN.pdf L 5 Gødskningsloven følgeton 17 sider DK EN.pdf
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Describe the problem by outlining the facts and the reasons for your complaint.

Den danske stat har den 3. september 2026 vedtaget lovgivning (L 5), som systematisk tilsidesætter opbygningen og overvågningskravene i EU's Vandramme- og Nitratdirektiv. Loven baserer reguleringen af næringsstoffer på teoretiske totalmængder (tons kvælstof/Total-N) beregnet via matematiske computermodeller frem for faktiske, fysiske målinger af koncentrationer (mg/l) i vandmiljøet. Dette udgør en overtrædelse af EU-retten på følgende punkter:

Tilsidesættelse af overvågning (Vandrammedirektivet Bilag V): Direktivet foreskriver, at den økologiske tilstand skal fastlægges og overvåges via konkrete kvalitetselementer og empiriske målinger på det enkelte sted. Ifølge EU-Domstolens faste praksis – herunder Sag C-461/13 (Weser-dommen) og Sag C-127/02 (Waddenzee-dommen) – er matematiske modeller alene administrative hjælpeværktøjer. De må aldrig erstatte eller trumfe fysiske observationer. Den danske stat anvender modellerne omvendt, så computerskabte totalmængder dikterer indsatsbehovet, selvom virkelighedens målinger (f.eks. NOVANA-data) viser reelt rent vand.

Forkert implementering af Nitratdirektivet (Artikel 4 og 5): Nitratdirektivet har specifikt til formål at mindske forurening med nitrat fra landbruget med en klar grænseværdi (50 mg nitrat/l). Danmark måler og regulerer i stedet efter Total-N, som inkluderer organisk kvælstof, byspildevand og kloakoverløb. Herved tvinges landbrugssektoren til kollektivt at kompensere for andre samfundssektorerers udledninger, hvilket sætter "forureneren betaler"-princippet ud af kraft.

Overtrædelse af proportionalitetsprincippet: Da reguleringen sker kollektivt på oplandsniveau uden direkte kobling til konkrete, målte overskridelser ved kilden, pålægges erhvervet unødige restriktioner, som strider mod kravet om differentieret og stedspecifik vurdering.

Your complaint will be assessed on the information that you provide in this form. You should be as concise and as specific as possible.

You must make an entry in all the data fields that have an (*) and fill in as many of the other fields as possible.

Before submitting your complaint, you should read about [how the Commission handles complaints](#) about EU countries' breaches of EU law.

Complaints that are insulting or fanciful and that do not require a substantive response will not be answered.

If the correspondence becomes repetitive (for example, successive letters on the same topic that does not introduce new information) or that is abusive, pointless and/or improper, we reserve the right to discontinue the correspondence.

All complaints must be submitted in one of the EU's official languages: Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish or Swedish. Complaints submitted in any other language will not be answered.

Do not include in your complaint any personal data belonging to third parties or personal data that is sensitive, unless it is strictly necessary for the handling of your complaint. By submitting any special categories of personal data in the meaning of Article 10(1) of Regulation 2018/1725, you provide your explicit consent to the processing of such personal data.

Privacy statement

☒ I have read and understood all the above.