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DIRECTORATE-GENERAL FOR ENERGY

Directorate C - Green Transition and Energy System Integration
C.2 - Decarbonisation and Sustainability of Energy Sources

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To the Members of the Committee on the
Sustainability of Biofuels and Bioliquids

Subject: Reassessment of voluntary schemes for certifying biomass, biofuels, bioliquids and biomass fuels under the Renewable Energy Directive (EU) 2018/2001 (RED II)

Dear Committee Member,

As you know, 30 June 2021 was the transposition deadline for the recast Renewable Energy Directive (RED II). After that date, the sustainability and GHG emissions savings criteria, stipulated in Article 29 of RED II, apply together with the respective rules on verification of the compliance with these criteria, enshrined in Article 30 of the same directive.

In addition to the sustainability requirements under RED II, there are two implementing acts (IAs), which will also be the basis of the verification of compliance once adopted, namely:

- the Implementing Act providing guidance on the implementation/verification of the REDII sustainability criteria for forest biomass;
- the Implementing Act on rules to verify sustainability and greenhouse gas emissions saving criteria and low indirect land-use change-risk criteria.

You have had the chance already to review and have a first vote on the first IA, while the second one is currently published for public feedback and will be submitted soon for the Committee's review.

In parallel to the process of adoption of these implementing acts, there is an ongoing reassessment process of voluntary schemes that have already applied for recognition by the Commission under article 30 (4) of RED II, which we will be able to finalise only after the adoption of the above implementing acts.

Taking all the above into consideration, it is clear that, for a certain transition period of time, there will not be any formally recognised voluntary scheme under article 30 (4) of RED II. Having this in mind, this note aims to inform you about some practical aspects to ensure continuity in the certification activities of voluntary schemes, verifying compliance with the sustainability and GHG emissions savings criteria of RED II.

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Article 30(9) of RED II clearly sets out that Member States are not allowed to require suppliers to provide further evidence of compliance with the sustainability criteria in article 29 of RED II than the evidence that has been obtained in accordance with a recognised voluntary scheme. However, the absence of a formal recognition of voluntary schemes is not a legal barrier for Member States to still do accept evidence from these schemes on their own discretion as long as there is no formal decision by the Commission. Therefore, Member States can decide doing so in a transition period between the 1st July 2021 and the entry into force of the new Decisions recognising the voluntary schemes.

With the aim to facilitate such decision, I would like to inform you that we are currently assessing the applications for recognition under RED II of 2BSvs, Better Biomass, Bonsucro EU, ISCC EU, KZR INiG, REDcert, Red Tractor, RSB EU RED, RTRS EU RED, SSAP EU, SQC, TASCC, UFAS, SBP (only for certification of forest biomass), SURE (only for certification of forest biomass), and ERGaR (only for certification of cross-border trade of biomethane).

The majority of the above mentioned schemes have at this stage closed all outstanding issues from the assessment reports, addressed to them by the Commission, with the exception of SSAP EU, SBP and ERGaR. In the case of ERGaR, the assessment process has recently started. Therefore, it will take a bit more time for finalising the process.

As far as the certification of forest biomass is concerned, at this stage only SURE has managed to successfully close the outstanding issues, identified in the assessment report, while SPB needs to further improve the quality of its application.

With reference to the assessment process, please bear also in mind that after the adoption of the IA on certification, the assessment protocol for voluntary schemes may need to be further updated, which will trigger a respective need for an update of some parts of the already submitted applications of voluntary schemes. This is the reason why our assessment at this stage is only preliminary.

I hope that you would find the above information useful for your work. My colleague Galin Gentchev (galin.gentchev@ec.europa.eu) is available to respond to any queries and requests for clarification you may have in this regard.

Thank you in advance for the collaboration.

Yours faithfully,

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