

To:

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Commissioner Vălean

Commissioner Hoekstra

Commissioner Wojciechowski

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Director-General Magda Kopczynska, DG MOVE

Director-General Kurt Vandenberghe, DG CLIMA

Director-General Wolfgang Burtscher, DG AGRI

Member State Expert Group on Renewable Fuels

20 November 2023

Industry joint letter

Subject: Scalability and development of biofuels supply, particularly for the maritime and aviation sectors, linked to the upcoming revision of the Annex IX list of the Renewable Energy Directive (RED)

Decarbonising transport and achieving net zero emissions is not possible without a significant ramp-up of advanced biofuels, particularly in shipping and aviation. We believe biofuel production can be sustainably increased globally to meet rising demand using non-food competing feedstocks.

The upcoming Commission proposal on the Renewable Energy Directive **Annex IX Delegated Act** can mobilise **investment in advanced biofuel feedstocks**. The proposal is long overdue. It needs to be adopted soon and, importantly, include more sustainable feedstocks in Part A.

Regrettably, the previous draft Delegated Act, that the Commission circulated in its most recent expert group meeting in May, would leave the massive potential to scale and commercialise advanced biofuels untapped.

Firstly, it saw the inclusion of only three additional feedstock categories to the advanced feedstock list, Annex IX A. This is not enough to mobilise the feedstocks and supply chain needed to cost-effectively meet advanced biofuels demand, particularly in the maritime¹ and aviation² sectors. It would also limit the benefit to farmers generating extra income from cultivating biomass on land, where due to a during short vegetation period the production of food and feed crops is limited to one harvest. Secondly, it moved certain feedstock from Annex IX A to IX B. Changes to the Annex IX should not be applied retroactively, as downgrading feedstocks already included in the advanced feedstock list in some Member States could undermine past and future investments. To secure the availability of advanced biofuels and biogas in transport, **intermediate crops** that do not need

¹ International shipping is expected to grow in the coming decades. Biofuels will play a crucial role in reducing the carbon intensity of marine fuels. Therefore, policies allowing a wide range of sustainable biofuel feedstocks will be needed to support their scale-up in shipping.

² In aviation, ReFuelEU Aviation sets minimum obligations for fuel suppliers to gradually increase the share of SAF in the fuel supplied across the EU. However, limited feedstock eligibility under RED Annex IX A risks undermining the mobilisation of feedstocks and thus unnecessarily increasing the cost of meeting ambitious SAF targets.

additional land and thus do not compete with food and feed, and **crops from severely degraded land should be added to Annex IX A.**

- **Intermediate crops grown between main crop cycles**, allow for additional production of both non-food competing biofuel feedstock and of protein meal for livestock fodder without indirect land use change (ILUC). These crops can also increase existing agricultural land productivity by improving soil health for future main crop cycles. If these oil crops were added to Annex IX A, they could produce more than 6 Mtpa of oil feedstock – potentially enough to produce all advanced biofuels in 2030 needed under RED III. Moreover, they can offer significant benefits for soil carbon and yield increases for main food crops, driving innovation in the upstream part of the supply chain – the same reason that led to the inclusion of non-food crops grown on degraded land in the draft Annex IX A.
- It is also critical to maintain **non-food crops grown on severely degraded land** in the Annex IX A list to enable their use in advanced biofuel production. This would incentivise technological improvement and new agricultural practices – in line with the purpose of Annex IX A. The Commission has already proposed the inclusion of non-food crops grown on severely degraded land in its draft; we strongly urge the Commission to maintain this and include these feedstocks in Annex IX A.

To conclude, non-food crops grown on severely degraded land and intermediate crops that do not need additional land and thus do not compete with food and feed should be included in Annex IX A to support meeting ambitious decarbonisation transport targets, particularly in the maritime and aviation sectors.

Signed by: Airbus, Airlines for Europe (A4E), Boeing, bp, Carnival Corporation & plc, CLIA, European Cargo Alliance, European Express Association, Eni, EWABA, FuelsEurope, GAMA, CEPSA, MSC, Neste, Nuseed, Repsol, Shell, SkyNRG, TotalEnergies, World Energy

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