



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs

Single Market Enforcement

Notification of Regulatory Barriers

Notification Number : 2022/0595/B (Belgium)

## **Draft Law amending the Law of 17 July 2013 concerning the minimum nominal volumes of sustainable biofuels that must be contained in the volumes of fossil fuels released annually for consumption**

Date received : 01/09/2022

End of Standstill : 02/12/2022

### **Message**

Message 002

Communication from the Commission - TRIS/(2022) 03166

Directive (EU) 2015/1535

Translation of the message 001

Notification: 2022/0595/B

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidējimai nepradedami - Nem nyitja meg a késéseket - Ma' jiftaħx il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 202203166.EN)

1. MSG 002 IND 2022 0595 B EN 01-09-2022 B NOTIF

2. B

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4. 2022/0595/B - N40E

5. Draft Law amending the Law of 17 July 2013 concerning the minimum nominal volumes of sustainable biofuels that must be contained in the volumes of fossil fuels released annually for consumption

6. This draft law ensures that biofuels produced from palm and soybean oil no longer contribute to achieving the blending volume referred to in Article 7(1) and the sub-targets in paragraphs 1°, 2°, 3° and 4° of Article 4 of the Royal Decree of 4



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May 2018 establishing the minimum nominal volumes of sustainable biofuels that must be contained in the volumes of fuels released annually for consumption.

7. -

8. Principally, the Draft Law, submitted for notification, adds Article 7/1 to the Law of 17 July 2013 concerning the minimum nominal volumes of sustainable biofuels that must be contained in the volumes of fossil fuels released annually for consumption, as amended by the Law of 26 December 2015.

The Draft Law stipulates that, from 1/01/2023 onwards, the use of biofuels produced from palm oil (from 1/01/2023) and from soybean oil (from 1/07/2023), including other products derived directly or indirectly from the oil palm or soybean, no longer contribute to the objectives for the incorporation volumes for sustainable biofuels laid down in Article 7(1) and the sub-targets in paragraphs 1°, 2°, 3° and 4° of Article 4 of the Royal Decree of 4 May 2018 establishing the minimum nominal volumes of sustainable biofuels that must be contained in the volumes of fuels released annually for consumption.

This abolition shall not apply to raw materials listed in Annex IV to the Royal Decree of 16 July 2014 and to biofuels, bioliquids or biomass fuels certified as having a low risk of indirect land-use change, in accordance with the provisions and criteria for that purpose set out in Articles 4 and 5 of Council Directive 2019/807 supplementing Directive (EU) 2018/2001 of the European Parliament and of the Council.

Secondly, the aforementioned Law of 17 July 2013 is updated following the entry into force of several decisions.

9. The draft transposes Article 26(2) of Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources.

The phasing out of palm or soybean biofuels is based on the broad scientific consensus on the high risk of indirect land-use change associated with the cultivation of these crops. These changes are an important source of greenhouse gas emissions, which explains why biofuels based on palm or soybean oil often do not contribute to the (significant) reduction of greenhouse gas emissions in the transport sector based on the life cycle.

10. Numbers or titles of basic texts: - — The Law of 17 July 2013 concerning the minimum nominal volumes of sustainable biofuels that must be contained in the volumes of fossil fuels released annually for consumption, and in particular Article 15, paragraph 1 thereof.

- - The Royal Decree of 4 May 2018 establishing the minimum nominal volumes of sustainable biofuels to be contained in the volumes of fuels released annually for consumption

- Ministerial Decree of 19 May 2021 on the registration of persons operating in the country's supply chain and of petroleum and petroleum product consumers

- Royal Decree of 17 December 2021 laying down product standards for transport fuels from renewable sources and for transport fuels based on recycled carbon

- Royal Decree of 16 July 2014 on the information and administrative obligations relating to category B and C biofuels in accordance with the Law of 17 July 2013 laying down the minimum nominal volumes of sustainable biofuels to contain the volumes of fossil fuel, released for annual consumption

11. No

12. -

13. No

14. No



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15. -

16. TBT aspect

No, the draft in is accordance with an international standard

SPS aspect

No, the draft is neither a sanitary nor a phytosanitary measure.

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Europese Commissie

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