



EUROPEAN COMMISSION

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

Single Market Enforcement

Notification of Regulatory Barriers

Notification Number : 2026/0379/DE (Germany)

Regulation implementing Directive (EU) 2023/2413 on the requirements for the sustainable production of biomass for electricity generation and of biofuels for propulsion

Date received : 14/07/2026

End of Standstill : 15/10/2026

Message

Message 001

Communication from the Commission - TRIS/(2026) 1935

Directive (EU) 2015/1535

Notification: 2026/0379/DE

Notification of a draft text from a Member State

Notification – Notificación – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Ne zahajuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késésekét - Non fa decorrere la mora - Atidējimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20261935.EN

1. MSG 001 IND 2026 0379 DE EN 14-07-2026 DE NOTIF

2. Germany

3A. Bundesministerium für Wirtschaft und Energie, Referat EB3

3B. Bundesministeriums für Umwelt, Klimaschutz, Naturschutz und nukleare Sicherheit, Referat N II 3

4. 2026/0379/DE - C00A - AGRICULTURE, FISHING AND FOODSTUFFS

5. Regulation implementing Directive (EU) 2023/2413 on the requirements for the sustainable production of biomass for electricity generation and of biofuels for propulsion

6. The scope covers liquid biomass, solid biomass and gaseous biofuels, as well as electricity generated from liquid biofuels and biomass fuels, also including biofuels for propulsion.



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7.

8. The notified draft includes amendments to the Biomass Electricity Sustainability Ordinance (BioSt-NachV) and the Biofuel Sustainability Ordinance (Biokraft-NachV). It serves to implement at the national level the sustainability requirements, as amended by Renewable Energy Directive (Directive (EU) 2023/2413, RED III), as well as the greenhouse gas emissions reduction targets, which are prerequisites for funding of the use of biomass for electricity generation and biofuel production.

It also includes measures to improve fraud prevention and adaptations resulting from amendments to Implementing Regulation (EU) 2022/996.

9. The amendments to the BioSt-NachV and Biokraft-NachV are intended to implement Directive (EU) 2023/2413 (RED III), Article 2(44a), Article 29(1), fourth subparagraph, (3) to (6) and (7a), (10), first subparagraph, points (d) to (h), (15), Article 30(1) to (3) and (6), fourth subparagraph, and (9), Article 31(1) to (4), Article 31a(2) subparagraphs 1, 3 and 4; and (5), subparagraphs 1, 3 and 4, for the scope relating to electricity and biofuels for propulsion. Furthermore, the provisions of Implementing Regulation (EU) 2025/196 amending Implementing Regulation (EU) 2022/996 with regard to the accreditation of certification bodies will be incorporated into BioSt-NachV and Biokraft-NachV, and measures to improve fraud prevention will be introduced within the framework of the legal options available under German law.

9a. The requirements for sustainability and greenhouse gas savings for the production of biomass for electricity generation and for biofuels for propulsion set out in Directive (EU) 2023/2413 (RED III) (see above) will be transposed as amendments to the BioSt-NachV and Biokraft-NachV. The adaptations of BioSt- and Biokraft-NachV with regard to Implementing Regulation (EU) 2022/996 ensure implementation in Germany of the accreditation procedure introduced under European law. The measures to improve fraud prevention contribute to the effective implementation of the RED III sustainability requirements and of the targets for greenhouse gas emissions reductions by providing better alternatives for monitoring and enforcement.

9b. The notified draft implements the requirements set out in Directive (EU) 2023/2413 (RED III), and it is necessary to transpose the newly introduced accreditation requirement into German law. The measures to improve fraud prevention are necessary to prevent and to impose penalties for infringements of the Regulations in an effective manner, while also ensuring legal certainty. These measures also take into account past practical experience in enforcement of similar provisions.

9c. No excessive burdens are created. In as much as RED III affords Member States leeway in implementation, this leeway shall be exercised in a manner that adequately and effectively serves the purpose of the sustainable production of biomass for electricity generation and of biofuels for propulsion, while also taking into account the legitimate interests of the energy sector.

10. Reference to the basic texts: Basic texts have been forwarded as part of a previous notification: 2021/0545/D

11. No

12.

13. No



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14. No

15. No

16.

TBT aspects: No

SPS aspects: No

European Commission

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