



2024/3191

20.12.2024

COMMISSION IMPLEMENTING DECISION (EU) 2024/3191

of 19 December 2024

on the recognition of the ‘Sustainable Biomass Program’ voluntary scheme for demonstrating compliance with the requirements for biomass fuels set in Directive (EU) 2018/2001 of the European Parliament and of the Council, and repealing Implementing Decision (EU) 2022/1657

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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 ⁽¹⁾, and in particular Article 30(4) and (5) thereof,

Whereas:

- (1) Directive (EU) 2018/2001 lays down requirements for certain fuels, namely biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels to ensure that they can only be counted towards the targets set in that Directive if they have been sustainably produced and save significant greenhouse gas emissions compared to fossil fuels. Article 29 of Directive (EU) 2018/2001 lays down sustainability and greenhouse gas emissions savings criteria for biofuels, bioliquids and biomass fuels. Furthermore, Article 26 of that Directive and Commission Delegated Regulation (EU) 2019/807 ⁽²⁾ lay down the criteria to determine: (i) which feedstock for biofuels, bioliquids or biomass fuels has high indirect land-use change risk; and (ii) which high indirect land-use change-risk biofuels, bioliquids or biomass fuels that meet certain conditions can be certified as having low indirect land-use change risk. Article 29a(1) and (2) of the Directive lay down greenhouse gas emissions savings criteria for renewable fuels of non-biological origin and for recycled carbon fuels. Article 31a(2) of Directive (EU) 2018/2001 requires economic operators to enter information in a Union database on the transactions made and on the sustainability characteristics of liquid and gaseous renewable fuels and recycled carbon fuels.
- (2) Voluntary schemes play an important role in providing evidence of compliance with the sustainability and greenhouse gas emissions savings criteria for biofuels, bioliquids and biomass fuels. Under Directive (EU) 2018/2001, voluntary schemes can be used, among other purposes, to: (i) certify the compliance of all fuels produced from biomass with the sustainability criteria laid down in that Directive; and (ii) provide accurate data on their greenhouse gas emissions savings. Voluntary schemes can also be used to prove that economic operators enter accurate information into the Union or national database on renewable fuels and recycled carbon fuels in accordance with Article 31a(2) and (5) of Directive (EU) 2018/2001. The Commission may decide that voluntary national or international schemes can serve all or some of these purposes.

⁽¹⁾ OJ L 328, 21.12.2018, p. 82, ELI: <http://data.europa.eu/eli/dir/2018/2001/oj>.

⁽²⁾ Commission Delegated Regulation (EU) 2019/807 of 13 March 2019 supplementing Directive (EU) 2018/2001 of the European Parliament and of the Council as regards the determination of high indirect land-use change-risk feedstock for which a significant expansion of the production area into land with high carbon stock is observed and the certification of low indirect land-use change-risk biofuels, bioliquids and biomass fuels (OJ L 133, 21.5.2019, p. 1, ELI: http://data.europa.eu/eli/reg_del/2019/807/oj).

- (3) On 15 October 2020, the ‘Sustainable Biomass Program’ voluntary scheme submitted a request to the Commission for recognition pursuant to Article 30(4) of Directive (EU) 2018/2001. The Commission assessed the scheme and identified some issues requiring amendment. The ‘Sustainable Biomass Program’ voluntary scheme re-submitted its request on 2 December 2021, addressing the identified issues. In response, the Commission adopted Implementing Decision (EU) 2022/1657 ⁽³⁾, recognising the ‘Sustainable Biomass Program’ voluntary scheme as demonstrating compliance with the requirements in Article 29(6), (7) and (10) of Directive (EU) 2018/2001.
- (4) The ‘Sustainable Biomass Program’ voluntary scheme made further amendments to ensure that it also covered compliance with the sustainability and greenhouse gas emissions savings criteria for agricultural residues from agricultural land. After further amendments, in its resubmission of 18 December 2023, woody agricultural residues from agricultural lands were also covered by the scheme. Implementing Decision (EU) 2022/1657 should therefore be repealed and replaced by this Decision.
- (5) The ‘Sustainable Biomass Program’ voluntary scheme covers the following types of feedstock(s): (a) ligno-cellulosic material derived from forest and non-forest land; (b) processing residues from forest and agriculture-related industries (outside forest and agricultural land); and (c) woody agricultural residues from agricultural land. Non-woody agricultural residues from agricultural land are excluded. The ‘Sustainable Biomass Program’ voluntary scheme covers biomass fuels (pellets and wood chips) produced from forest and non-forest ligno-cellulosic material and forest and agriculture-related industry processing residues for heat and electricity production. ‘Bioliquids’, ‘biofuels’, ‘biogas’, ‘renewable liquid and gaseous transport fuels of non-biological origin’ and ‘recycled carbon fuels’ are outside the scope of the ‘Sustainable Biomass Program’ voluntary scheme. That scheme has a global geographic coverage and encompasses the entire chain of custody.
- (6) In reassessing the ‘Sustainable Biomass Program’ voluntary scheme, the Commission found that it adequately covered the sustainability criteria in Article 29(6) and (7) of Directive (EU) 2018/2001. It was also found that, for woody agricultural residues from agricultural land, the scheme adequately covered the sustainability criteria in Article 29(2) to (5) of that Directive. The scheme contains accurate data on greenhouse gas emissions savings for the purposes of Article 29(10) of that Directive and applies a mass balance methodology in accordance with the requirements of its Article 30(1) and (2).
- (7) The ‘Sustainable Biomass Program’ voluntary scheme is found to adequately comply with the rules included in Commission Implementing Regulation (EU) 2022/996 ⁽⁴⁾.
- (8) The scheme has also been found to comply with the rules included in Commission Implementing Regulation (EU) 2022/2448 ⁽⁵⁾.
- (9) The reassessment of the ‘Sustainable Biomass Program’ voluntary scheme found that it met adequate standards of reliability, transparency and independent auditing and complied with the methodological requirements set out in Annex VI to Directive (EU) 2018/2001.
- (10) The information that the ‘Sustainable Biomass Program’ voluntary scheme has been recognised should be made available in the section on the Commission’s Europa website devoted to voluntary schemes.

⁽³⁾ Commission Implementing Decision (EU) 2022/1657 of 26 September 2022 on the recognition of the Sustainable Biomass Program voluntary scheme for demonstrating compliance with the requirements of Directive (EU) 2018/2001 of the European Parliament and of the Council for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels (OJ L 249, 27.9.2022, p. 53, ELI: http://data.europa.eu/eli/dec_impl/2022/1657/oj).

⁽⁴⁾ Commission Implementing Regulation (EU) 2022/996 of 14 June 2022 on rules to verify sustainability and greenhouse gas emissions saving criteria and low indirect land-use change-risk criteria (OJ L 168, 27.6.2022, p. 1, ELI: http://data.europa.eu/eli/reg_impl/2022/996/oj).

⁽⁵⁾ Commission Implementing Regulation (EU) 2022/2448 of 13 December 2022 on establishing operational guidance on the evidence for demonstrating compliance with the sustainability criteria for forest biomass laid down in Article 29 of Directive (EU) 2018/2001 of the European Parliament and of the Council (OJ L 320, 14.12.2022, p. 4, ELI: http://data.europa.eu/eli/reg_impl/2022/2448/oj).

- (11) To allow for prompt application of the measures provided for herein, this Decision should enter into force on the day following that of its publication in the *Official Journal of the European Union*.
- (12) The measures provided for in this Decision are in accordance with the opinion of the Committee on the Sustainability of Biofuels, Bioliquids and Biomass fuels,

HAS ADOPTED THIS DECISION:

Article 1

The ‘Sustainable Biomass Program’ voluntary scheme, submitted for recognition to the Commission on 2 December 2021 and on 18 December 2023, demonstrates, for the fuels audited under the scheme, compliance of the consignments of biomass fuels with the sustainability criteria laid down in Article 29(2) to (5) of Directive (EU) 2018/2001 for woody agricultural residues from agricultural land, and compliance with Article 29(6), (7) and (10) of that Directive.

The ‘Sustainable Biomass Program’ voluntary scheme also contains accurate data on greenhouse gas emissions savings for the purpose of Article 29(10) of Directive (EU) 2018/2001 as it ensures that all relevant information from economic operators upstream the chain of custody is transferred to the economic operators downstream the chain of custody.

Article 2

Where the contents of the ‘Sustainable Biomass Program’ voluntary scheme, as submitted for recognition to the Commission, change in a way that might affect the grounds of this Decision, the ‘Sustainable Biomass Program’ voluntary scheme shall notify the Commission of such changes without delay. The Commission services shall assess the notified changes with a view to establishing whether the scheme still adequately covers the sustainability criteria for which it is recognised.

Article 3

Implementing Decision (EU) 2022/1657 is repealed.

Article 4

This Decision shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

It shall apply until 21 December 2029.

Done at Brussels, 19 December 2024.

For the Commission
The President
Ursula VON DER LEYEN