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Committee on the Environment, Public Health and Food Safety

2012/0288(COD)

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COMPROMISE AND CONSOLIDATED AMENDMENTS 1 - 11

Draft report
Corinne Lepage
(PE508.236v01-00)

Proposal for a Directive of the European Parliament and of the Council
amending Directive 98/70/EC relating to the quality of petrol and diesel fuels
and amending Directive 2009/28/EC on the promotion of the use of energy
from renewable sources

Proposal for a directive
(COM2012)0595 – C7-0337/2012 – 2012/0288(COD))

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United in diversity

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Corinne Lepage on behalf of the ALDE Group
Christa Klaß on behalf of the EPP Group
Kriton Arsenis on behalf of the S&D Group
Bas Eickhout on behalf of the Greens/EFA Group
Sabine Wils on behalf of the GUE/NGL Group

Consolidated amendment replacing Amendments: 40, 41, 42, 319-333, 336-339, 345-360, 361-363, 234-236, 246, 4, 6-7, 117-131, 152-176, ITRE 6, ITRE 8, ITRE 9, ITRE 10, ITRE 31 A, ITRE 31 B, ITRE 31 C, AGRI 8-9, AGRI 12-13, AGRI 32, AGRI 34, AGRI 36, AGRI 38, INTA 2, INTA 6, INTA 8, INTA 18, INTA 21, REGI 3, REGI 7, TRAN 4, TRAN 8, TRAN 28, TRAN 31, TRAN 34, DEVE 6, DEVE 9, DEVE 15, DEVE 19, DEVE 21, DEVE 24

Proposal for a directive
Recital 6

Text proposed by the Commission

(6) Liquid renewable fuels are likely to be required by the transport sector in order to reduce its greenhouse gas emissions. Advanced biofuels, such as those made from wastes *and* algae, provide high greenhouse gas savings with low risk of causing indirect land use change and do not compete directly for agricultural land for the food and feed markets. It is appropriate, therefore, to encourage greater production of such advanced biofuels as these are currently not commercially available in large quantities, in part due to competition for public subsidies with established food crop based biofuel technologies. Further incentives should be provided by increasing the weighting of advanced biofuels towards 10% target for transport set in Directive 2009/28/EC compared to conventional biofuels. In this context, only advanced biofuels with low estimated indirect land use change impacts and high overall greenhouse gas savings should be supported as part of the post 2020 renewable energy policy framework.

Amendment

(6) Liquid renewable fuels are likely to be required by the transport sector in order to reduce its greenhouse gas emissions. Advanced biofuels, such as those made from wastes *and residues*, algae *and bacteria*, provide high greenhouse gas savings with low risk of causing indirect land use change and do not compete directly for agricultural land for the food and feed markets. It is appropriate, therefore, to encourage greater production of such advanced biofuels as these are currently not commercially available in large quantities, in part due to competition for public subsidies with established food crop based biofuel technologies. Further incentives should be provided by *setting a separate sub-target for advanced biofuels in the transport sector and* increasing the weighting of *certain* advanced biofuels towards *the* 10% target for transport set in Directive 2009/28/EC compared to conventional biofuels. In this context, only *technologically* advanced biofuels with low estimated indirect land use change impacts and high overall greenhouse gas

savings **and which meet the appropriate sustainability criteria** should be supported as part of the post 2020 renewable energy policy framework.

Or. en

Proposal for a directive Recital 9

Text proposed by the Commission

(9) To prepare for the transition towards advanced biofuels and minimise the overall indirect land use change impacts in the period to 2020, it is appropriate to limit the amount of biofuels and bioliquids obtained from food crops as set out in part A of Annex VIII to Directive 2009/28/EC and part A of Annex V to Directive 98/70/EC that can be counted towards targets set out in Directive 2009/28/EC. Without restricting the overall use of such biofuels, the share of biofuels and bioliquids produced from cereal and other starch rich crops, **sugar and** oil crops that can be counted towards the targets of Directive 2009/28/EC should be limited to **the share of such biofuels and bioliquids consumed in 2011**.

Amendment

(9) To prepare for the transition towards advanced biofuels and minimise the overall indirect land use change impacts in the period to 2020, it is appropriate to limit the amount of biofuels and bioliquids obtained from food **and energy** crops as set out in part A of Annex VIII to Directive 2009/28/EC and part A of Annex V to Directive 98/70/EC that can be counted towards targets set out in Directive 2009/28/EC **and Directive 98/70/EC**. Without restricting the overall use of such biofuels, the share of biofuels and bioliquids produced from cereal and other starch rich crops, **sugars, oil and other energy** crops **grown on land** that can be counted towards the targets of Directive 2009/28/EC should be limited to **5,5% of the final consumption of energy in transport in 2020**.

Proposal for a directive Recital 10

Text proposed by the Commission

(10) The 5% limit set up in Article 3(4)d does not affect the Member States' freedom to arrange their own trajectory as to compliance with this prescribed share of conventional biofuels within the overall 10% target. As a consequence, the access to the market of the biofuels produced by

Amendment

(10) The **5,5%** limit set up in Article 3(4)d does not affect the Member States' freedom to arrange their own trajectory as to compliance with this prescribed share of conventional biofuels within the overall 10% target. As a consequence, the access to the market of the biofuels produced by

the installations in operation before the end of 2013 remains fully open. Therefore this amending directive does not affect the legitimate expectations of the operators of such installations.

the installations in operation before the end of 2013 remains fully open. Therefore this amending directive does not affect the legitimate expectations of the operators of such installations.

Proposal for a directive

Article 1 – point 1 – point -a (new)

Directive 98/70/EC

Article 7a – paragraph 2 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

(-a) the following subparagraph is added to paragraph 2:

"Member States shall ensure that the maximum contribution of biofuels produced from cereal and other starch rich crops, sugars and oil crops or dedicated energy crops for the purpose of compliance with the target referred to in the first subparagraph does not exceed the maximum contribution established in Article 3(4)(d) of Directive 2009/28/EC."

Proposal for a directive

Article 2 – point 2 – point b

Directive 2009/28/EC

Article 3 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

For the purpose of compliance with target referred to in the first subparagraph, the maximum joint contribution from biofuels and bioliquids produced from cereal and other starch rich crops, sugars and oil crops shall be no more than the energy quantity corresponding to the maximum contribution as set out in Article 3(4)d.

For the purpose of compliance with target referred to in the first subparagraph, the maximum joint contribution from biofuels and bioliquids produced from cereal and other starch rich crops, ***oil and other energy crops grown on land*** shall be no more than the energy quantity corresponding to the maximum contribution as set out in Article 3(4)d.

Or. en

Proposal for a directive

Article 2 – point 2 – point c – point ii

Directive 2009/28/EC

Article 3 – paragraph 4 – subparagraph 2 – point d

Text proposed by the Commission

(d) for the calculation of biofuels in the numerator, the share of energy from biofuels produced from cereal and other starch rich crops, sugars *and* oil crops shall be no more than **5%, the estimated share at the end of 2011**, of the final consumption of energy in transport in 2020.

Amendment

(d) for the calculation of biofuels in the numerator, the share of energy from biofuels produced from cereal and other starch rich crops, sugars, oil *and other energy* crops *grown on land* shall be no more than **5,5%** of the final consumption of energy in transport in 2020; *the share of energy from advanced biofuels listed in part A and part C of Annex IX shall be no less than 2% of the final consumption of energy in transport in 2020.*

Consolidated Amendment **CONS 2**
Multiple counting

Corinne Lepage on behalf of the ALDE Group
Christa Kläß on behalf of the EPP Group
Kriton Arsenis on behalf of the S&D Group
Bas Eickhout on behalf of the Greens/EFA Group
Sabine Wils on behalf of the GUE/NGL Group

Consolidated amendment replacing Amendments: 364-398, 401, 521-619, 73-76, 132-136, ITRE 31 D, ITRE 45, AGRI 37, AGRI 39, AGRI 42, AGRI 63, INTA 22, INTA 34, REGI 13-15, REGI 18, TRAN 35, TRAN 44, TRAN 45, DEVE 22-23

Proposal for a directive
Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) In order to ensure the efficiency of incentivising measures, particularly those aimed at promoting advanced biofuels, it is essential that the support policies and mechanisms established by Member States provide for the identification, authentication and quality control of biofuels volumes to prevent fraudulent or misleading claims about the origin of a biofuel product, and deter the submission of multiple declarations of biofuels volumes under two or more national systems or international accreditation schemes.

Proposal for a directive
Article 2 – point 2 – point c – point iii
Directive 2009/28/EC
Article 3 – paragraph 4 – subparagraph 2 – point e

Text proposed by the Commission

Amendment

(iii) the following point (e) is added:
"The contribution made by:
(i) biofuels produced from feedstocks listed

(iii) the following point (e) is added:
"The contribution made by:
(i) biofuels produced from feedstocks listed

in Part A of Annex IX shall be considered to be *four times* their energy content;

(ii) biofuels produced from feedstocks listed in Part B of Annex IX shall be considered to be twice their energy content;

(iii) renewable liquid and gaseous fuels of non-biological origin shall be considered to be four times their energy content.

Member States shall ensure that no raw materials are intentionally modified to be covered by categories (i) to (iii).

The list of feedstock set out in Annex IX may be adapted to scientific and technical progress, in order to ensure a correct implementation of the accounting rules set out in this Directive. The Commission shall be empowered to adopt delegated acts in accordance with Article 25 (b) concerning the list of feedstock set out in Annex IX"

in Part A **and Part B** of Annex IX shall be considered to be *twice* their energy content;

(iii) biofuels produced from feedstocks listed in Part C of Annex IX shall be considered to be four times their energy content.

Member States shall ensure that no raw materials are intentionally modified to be covered by categories (i) to (iii).

With a view to minimising the risk of single consignments being claimed more than once in the EU, Member States and the Commission shall endeavour to strengthen cooperation among national systems and between national systems and voluntary schemes established pursuant to Article 18, including where appropriate the exchange of data. To prevent materials from being intentionally modified in order to fall under Annex IX, Member States shall encourage the development and use of systems which track and trace feedstocks and the resulting biofuels over the whole value chain. Member States shall ensure that when fraud is detected, appropriate action is taken.

The list of feedstock set out in Annex IX may be adapted to scientific and technical progress, in order to ensure a correct implementation of the accounting rules set out in this Directive. The Commission shall be empowered to adopt delegated acts in accordance with Article 25b concerning the list of feedstock set out in Annex IX"

Or. en

Proposal for a directive
Annex II – point 3
Directive 2009/28/EC
Annex IX

Text proposed by the Commission

(3) The following Annex IX is added:

"Annex IX

Part A. Feedstocks whose contribution towards the target referred to in Article 3(4) shall be considered to be four times their energy content

(a) Algae

(b) Biomass fraction of mixed municipal waste, but not separated household waste subject to recycling targets under Article 11(2)(a) of Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives.

(c) **Biomass** fraction of industrial waste.

(d) Straw.

(e) Animal manure and sewage sludge.

(f) Palm oil mill effluent and empty palm fruit bunches.

(g) Tall oil pitch.

(h) Crude glycerine.

(i) Bagasse.

(j) Grape marcs and wine lees.

(k) Nut shells.

Amendment

(3) The following Annex IX is added:

"Annex IX

Part A. Feedstocks **from waste and residues** whose contribution towards the target referred to in Article 3(4) shall be considered to be **twice** their energy content **and which contribute towards the 2% target referred to in Article 3(d)(i)**

(b) Biomass fraction of mixed municipal waste, but not separated household waste subject to recycling targets **or separate collection** under Article 11(2)(a) and **11(1)** of Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives; **derogations may be granted by Member States for separate biowaste when processes allow the production of both compost and biofuels.**

(c) **Biodegradable** fraction of industrial, **retail and wholesale** waste, **but not waste subject to separate collection under Article 11(1) of Directive 2008/98/EC, and provided that the waste hierarchy and the principle of cascading use are respected.**

(d) Straw.

(e) Animal manure and sewage sludge.

(g) Tall oil pitch.

(h) Crude glycerine.

(i) Bagasse.

(j) Grape marcs and wine lees.

(k) Nut shells.

- (l) Husks.
- (m) Cobs
- (n) Bark, branches, leaves, saw dust and cutter shavings.

Part B. Feedstocks whose contribution towards the target referred to in Article 3(4) shall be considered to be twice their energy content

- (a) Used cooking oil.
- (b) Animal fats classified as category I and II in accordance with EC/1774/2002 laying down health rules concerning animal by-products not intended for human consumption.

(c) Non-food cellulosic material.

(d) Ligno-cellulosic material except saw logs and veneer logs."

- (l) Husks.
- (m) Cobs
- (n) Bark, branches, leaves, saw dust and cutter shavings.

Part B. Feedstocks ***from waste and residues*** whose contribution towards the target referred to in Article 3(4) shall be considered to be twice their energy content

- (a) Used cooking oil.
- (b) Animal fats classified as category I and II in accordance with EC/1774/2002 laying down health rules concerning animal by-products not intended for human consumption.

Part C. Feedstocks whose contribution towards the target referred to in Article 3(4) shall be considered to be four times their energy content and which contribute towards the 2% target referred to in Article 3(d)(i)

(a) Algae (autotrophic)

(b) Renewable liquids and gaseous fuels of non-biological origin

(c) Carbon Capture and Utilisation for transport purposes

(d) Bacteria

Compromise Amendment COMP 3
ILUC factors: FQD, reporting and revision

Corinne Lepage on behalf of the ALDE Group
Christa Klaß on behalf of the EPP Group
Kriton Arsenis on behalf of the S&D Group
Julie Girling on behalf of the ECR Group
Bas Eickhout on behalf of the Greens/EFA Group
Sabine Wils on behalf of the GUE/NGL Group

Compromise amendment replacing Amendments: 28, 97, 239-244, 276-282, 289, 311, 429, 440-445, 450, 452-455, 483, 494-496, 498, 511-515, 517, 519, 178-184, 193-200, ITRE 12, ITRE 14, ITRE 22, ITRE 26, ITRE 27, ITRE 37-38, ITRE 39, ITRE 42-44, AGRI 5-6, AGRI 14-15, AGRI 18, AGRI 23, AGRI 29, AGRI 48, AGRI 53-54, 59, AGRI 61-62, INTA 10, INTA 24-26, INTA 32, REGI 8, TRAN 10-11, TRAN 13, TRAN 22, TRAN 39, DEVE 11

Proposal for a directive
Recital 11

Text proposed by the Commission

(11) The estimated indirect land-use change emissions should be included in the reporting of greenhouse gas emissions from biofuels under Directives 98/70/EC and 2009/28/EC. Biofuels made from feedstocks that do not lead to additional demand for land, such as those from waste feedstocks, should be assigned a zero emissions factor.

Amendment

(11) ***The estimated indirect land-use change emissions should be counted towards the target in Article 7a(2) of Directive 98/70/EC in order to provide incentives for those biofuels with low indirect land-use change impacts and to ensure the accuracy and credibility of the reduction target for life cycle greenhouse gas emissions.*** The estimated indirect land-use change emissions should ***also*** be included in the reporting of greenhouse gas emissions from biofuels under Directives 98/70/EC and 2009/28/EC. Biofuels made from feedstocks that do not lead to additional demand for land, such as those from waste feedstocks, should be assigned a zero emissions factor.

Or. en

Proposal for a directive
Recital 12

Text proposed by the Commission

(12) The Commission should review the methodology for estimating land-use change emission factors included in Annexes VIII and V to Directives 2009/28/EC and 98/70/EC respectively in the light of adaptation to technical and scientific progress. **To this end, and** if warranted by the latest available scientific evidence, the Commission should consider the possibility of revising the proposed crop group indirect land-use change factors, as well as introducing factors at further levels of disaggregation and including additional values should new biofuel feedstocks come to market.

Amendment

(12) The Commission should review the methodology for estimating land-use change emission factors included in Annexes VIII and V to Directives 2009/28/EC and 98/70/EC respectively in the light of adaptation to technical and scientific progress **and based on best available scientific evidence and the latest available information with regards to key assumptions. The first such review should take place no later than 2016.** If warranted by the latest available scientific evidence, the Commission should consider the possibility of revising the proposed crop group indirect land-use change factors, as well as introducing factors at further levels of disaggregation and including additional values should new biofuel feedstocks come to market.

Proposal for a directive
Article 1 – point 1 – point a
Directive 98/70/EC
Article 7 a – paragraph 6

Text proposed by the Commission

(a) the following paragraph 6 is inserted:
"6. Fuel suppliers shall by 31 March each year report to the authority designated by the Member State, the biofuel production pathways, volumes, and the life cycle greenhouse gas emissions per unit of energy, including the estimated indirect land-use change emissions set out in Annex V Member States shall report these data to the Commission."

Amendment

(a) the following paragraph 6 is inserted:
"6. **From 2015** fuel suppliers shall by 31 March each year report to the authority designated by the Member State, the biofuel production pathways, volumes, and the life cycle greenhouse gas emissions per unit of energy, including the estimated indirect land-use change emissions set out in Annex V Member States shall report these data to the Commission."

Proposal for a directive
Article 1 – point 3 – point -a (new)

Text proposed by the Commission

Amendment

The following second subparagraph is added:

For the purposes of Article 7a, from 2020 onwards the lifecycle greenhouse gas emissions from biofuels shall be calculated by adding the respective value in Annex V to the result obtained pursuant to the first subparagraph.

Proposal for a directive
Article 1 - point 3 - point a
Directive 98/70/EC
Article 7d – paragraph 6

Text proposed by the Commission

Amendment

The Commission shall be empowered to adopt delegated acts pursuant to Article 10a concerning the adaptation to technical and scientific progress of Annex V, including the revision of the proposed crop group indirect land-use change values; the introduction of new values at further levels of disaggregation (*i.e. at a feedstock level*); the inclusion of additional values should new biofuel feedstocks come to market as appropriate, review the categories of which biofuels are assigned zero indirect land-use change emissions; and the development of factors for feedstocks from non-food cellulosic and ligno-cellulosic materials.

6. The Commission shall be empowered to adopt delegated acts pursuant to Article 10a concerning the adaptation to technical and scientific progress of Annex V, including the revision of the proposed crop group indirect land-use change values. ***For the purpose of the evaluation of the economic models used to estimate such indirect land-use change values, the Commission, shall, in its review, include latest available information with regards to key assumptions influencing modelling results including measured trends in agricultural yields and productivity, co-product allocation and observed global land use change and deforestation rates. The Commission shall ensure that stakeholders are involved in such review process. The first such review shall be concluded no later than 30 June 2016.***

The Commission shall, if appropriate, propose new indirect land-use change values at further levels of disaggregation; the inclusion of additional values should new biofuel feedstocks come to market as

appropriate, review the categories of which biofuels are assigned zero indirect land-use change emissions; and the development of factors for feedstocks from non-food cellulosic and ligno-cellulosic materials.

Proposal for a directive
Article 2 – point 7 – point c
Directive 2009/28/EC
Article 19 – paragraph 6

Text proposed by the Commission

The Commission shall be empowered to adopt delegated acts pursuant to Article 25(b) concerning the adaptation to technical and scientific progress of Annex VIII, including the revision of the proposed crop group indirect land-use change values; the introduction of new values at further levels of disaggregation (*i.e. at a feedstock level*); the inclusion of additional values should new biofuel feedstocks come to market as appropriate; and the development of factors for feedstocks from non-food cellulosic and ligno-cellulosic materials.

Amendment

6. The Commission shall be empowered to adopt delegated acts pursuant to Article 25b concerning the adaptation to technical and scientific progress of Annex VIII, including the revision of the proposed crop group indirect land-use change values. ***For the purpose of the evaluation of the economic models used to estimate such indirect land-use change values, the Commission, shall, in its review, include latest available information with regards to key assumptions influencing modelling results including measured trends in agricultural yields and productivity, co-product allocation and observed global land use change and deforestation rates. The Commission shall ensure that stakeholders are involved in such review process. The first such review shall be concluded no later than 30 June 2016.***

The Commission shall, if appropriate, propose new indirect land-use change values at further levels of disaggregation; the inclusion of additional values should new biofuel feedstocks come to market as appropriate; and the development of factors for feedstocks from non-food cellulosic and ligno-cellulosic materials.

Proposal for a directive
Article 2 – point 9

Text proposed by the Commission

9. In Article 22, paragraph 2 is replaced by the following:

"2. In estimating net greenhouse gas emission saving from the use of biofuels, the Member State may, for the purpose of the reports referred to in paragraph 1, use the typical values given in part A and part B of Annex V, and shall add the estimates for indirect land-use change emissions set out in Annex VIII."

Amendment

9. In Article 22, paragraph 2 is replaced by the following:

"2. In estimating net greenhouse gas emission saving from the use of biofuels, the Member State may, for the purpose of the reports referred to in paragraph 1, use the typical values given in part A and part B of Annex V, and shall **from 2015 onwards** add the estimates for indirect land-use change emissions set out in Annex VIII."

Corinne Lepage on behalf of the ALDE Group
Christa Klaß on behalf of the EPP Group
Kriton Arsenis on behalf of the S&D Group
Bas Eickhout on behalf of the Greens/EFA Group
Sabine Wils on behalf of the GUE/NGL Group

Consolidated amendment replacing Amendments: 20, 229-233, 237, 316

Proposal for a directive

Article 1 – point 1 – point -a (new)

Directive 98/70/EC

Article 7a – paragraph 2

Text proposed by the Commission

Amendment

(-a) paragraph 2 is replaced by the following:

"2. Member States shall require suppliers to reduce as gradually as possible life cycle greenhouse gas emissions per unit of energy from fuel and energy supplied by up to 13 % by 31 December 2025, compared with the fuel baseline standard referred to in paragraph 5(b). This reduction shall consist of:

(a) 9 % by 31 December 2025. Member States shall require suppliers, for this reduction, to comply with the following intermediate targets: [...] 4% by 31 December 2017 and 6% by 31 December 2020;

(b) an indicative additional target of 2% by 31 December 2020, subject to Article 9(1)(h), to be achieved through one or both of the following methods:

(i) the supply of energy for transport supplied for use in any type of road vehicle, non-road mobile machinery (including inland waterway vessels), agricultural or forestry tractor or

recreational craft;

(ii) the use of any technology (including carbon capture and storage *or carbon capture and utilisation for transport purposes*) capable of reducing life cycle greenhouse gas emissions per unit of energy from fuel or energy supplied;

(c) an indicative additional target of 2% by 31 December 2020, subject to Article 9(1)(i), to be achieved through the use of credits purchased through the Clean Development Mechanism of the Kyoto Protocol, under the conditions set out in Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community, for reductions in the fuel supply sector.

Or. en

Consolidated Amendment **CONS 5**
Target for renewable electricity in transport

Corinne Lepage on behalf of the ALDE Group
Christa Klaß on behalf of the EPP Group
Kriton Arsenis on behalf of the S&D Group
Bas Eickhout on behalf of the Greens/EFA Group
Sabine Wils on behalf of the GUE/NGL Group

Consolidated amendment replacing Amendments: 9, 45, 205, 341-344, ITRE 11, ITRE 17, AGRI 35, INTA 20, TRAN 9, TRAN 15, TRAN 29

Proposal for a directive
Recital 11 a (new)

Text proposed by the Commission

Amendment

(11a) With a view to meeting the target for renewable energies in the transport sector while minimising the negative impacts of land-use change, renewable electricity and energy efficiency should be encouraged. Member States should therefore seek to secure greater energy efficiency and reduce overall energy consumption in transport and at the same time enhance the market penetration of electric vehicles and the take-up of renewable electricity in transport systems.

Or. en

Proposal for a directive
Article 2 – point 2 – point c b (new)
Directive 2009/28/EC
Article 3 – paragraph 4 b (new)

Text proposed by the Commission

Amendment

(cb) the following paragraph 4b is added:
‘4b. With a view to meeting the target set in paragraph 4, Member States shall ensure that electricity generated from renewable sources accounts for at least 2% of overall energy consumption in the transport sector by 2020.’

Proposal for a directive

Article 2 – point 2 – point c – point i a (new)

Directive 2009/28/EC

Article 3 – paragraph 4 – subparagraph 2 – point c – second sentence

Text proposed by the Commission

Amendment

(ia) the second sentence of point (c) is replaced by the following:

"Furthermore, for the calculation of electricity from renewable energy sources consumed by electric road *and non-road* vehicles, that consumption shall be considered to be 4 times the energy content of the input of electricity from renewable energy sources, *whereas for the calculation of electricity from renewable energy sources consumed by electrified rail*, that consumption shall be considered to be 2 times the energy content of the input of electricity from renewable energy sources."

Consolidated Amendment **CONS 6**
Target transfer possibility between overall national renewable energy target and 10% transport target

Corinne Lepage on behalf of the ALDE Group
Kriton Arsenis on behalf of the S&D Group
Julie Girling on behalf of the ECR Group
Bas Eickhout on behalf of the Greens/EFA Group
Sabine Wils on behalf of the GUE/NGL Group

Consolidated amendment replacing Amendments: 43, 307, 334, 402

Proposal for a directive
Recital 11 a (new)

Text proposed by the Commission

Amendment

(11a) Member States should be allowed to channel financial resources currently deployed with a view to achieving, either wholly or in part, their share of energy from biofuels produced from cereal and other starch-rich crops, sugars, oil crops and other land-based energy crops into renewable energies – in particular wind, solar, wave and geothermal energy – that have demonstrated their renewability and sustainability.

Or. en

Proposal for a directive
Article 2 – point 2 – point c – point -i (new)
Directive 2009/28/EC
Article 3 – paragraph 4 – subparagraph 1

Text proposed by the Commission

Amendment

-i) the first subparagraph is replaced by the following:

"4. Each Member State shall ensure that the share of energy from renewable sources in all forms of transport in 2020 is at least 10 % of the final consumption of energy in transport in that Member State. A Member State may derogate from

that target if the following conditions are met:

- the Member State has achieved the targets set out in paragraphs 1 and 2;

- the total energy consumption in transport in the Member State does not exceed the forecasts in the national renewable energy action plan;

Consolidated Amendment **CONS 7**
Greenhouse gas emission savings threshold

Corinne Lepage on behalf of the ALDE Group
Kriton Arsenis on behalf of the S&D Group
Bas Eickhout on behalf of the Greens/EFA Group
Sabine Wils on behalf of the GUE/NGL Group

Consolidated amendment replacing Amendments: 249-256, 411-417
AGRI 19, AGRI 44, TRAN 20, TRAN 36

Proposal for a directive
Article 1 - point 2 - point a
Directive 98/70/EC
Article 7 b – paragraph 2

Text proposed by the Commission

(a) paragraph 2 is replaced by the following:

"2. The greenhouse gas emission saving from the use of biofuels taken into account for the purposes referred to in paragraph 1 shall be at least 60 % for biofuels and bioliquids produced in installations starting operation after 1st July 2014. An installation is “in operation” if the physical production of biofuels or bioliquids has taken place.

In the case of installations that were in operation on or before 1st of July 2014, for the purposes referred to in paragraph 1, biofuels shall achieve a greenhouse gas emission saving of at least 35% until 31 December 2017 and at least **50%** from 1 January 2018.

The greenhouse gas emission saving from the use of biofuels shall be calculated in accordance with Article 7d(1)."

Amendment

(a) paragraph 2 is replaced by the following:

"2. The greenhouse gas emission saving from the use of biofuels **and bioliquids** taken into account for the purposes referred to in paragraph 1 shall be at least 60 % for biofuels and bioliquids produced in installations starting operation after 1st July 2014. An installation is “in operation” if the physical production of biofuels or bioliquids has taken place.

In the case of installations that were in operation on or before 1st of July 2014, for the purposes referred to in paragraph 1, biofuels **and bioliquids** shall achieve a greenhouse gas emission saving of at least 35% until 31 December 2017 and at least **60%** from 1 January 2018.

The greenhouse gas emission saving from the use of biofuels **and bioliquids** shall be calculated in accordance with Article 7d(1)."

Or. en

Proposal for a directive

Article 2 – point 5 – point a
Directive 2009/28/EC
Article 17 – paragraph 2

Text proposed by the Commission

(a) paragraph 2 is replaced by the following:

"2. The greenhouse gas emission saving from the use of biofuels and bioliquids taken into account for the purposes referred to in paragraph 1 shall be at least 60 % for biofuels and bioliquids produced in installations starting operation after 1st July 2014. An installation is “in operation” if the physical production of biofuels or bioliquids has taken place.

In the case of installations that were in operation on or before 1st of July 2014, for the purposes referred to in paragraph 1, biofuels and bioliquids shall achieve a greenhouse gas emission saving of at least 35% until 31 December 2017 and at least **50%** from 1 January 2018.

The greenhouse gas emission saving from the use of biofuels and bioliquids shall be calculated in accordance with Article 19(1)."

Amendment

(a) paragraph 2 is replaced by the following:

"2. The greenhouse gas emission saving from the use of biofuels and bioliquids taken into account for the purposes referred to in paragraph 1 shall be at least 60 % for biofuels and bioliquids produced in installations starting operation after 1st July 2014. An installation is “in operation” if the physical production of biofuels or bioliquids has taken place.

In the case of installations that were in operation on or before 1st of July 2014, for the purposes referred to in paragraph 1, biofuels and bioliquids shall achieve a greenhouse gas emission saving of at least 35% until 31 December 2017 and at least **60%** from 1 January 2018.

The greenhouse gas emission saving from the use of biofuels and bioliquids shall be calculated in accordance with Article 19(1)."

Consolidated Amendment **CONS 8**
Sustainability criteria and safeguards

Corinne Lepage on behalf of the ALDE Group
Christa Klaß on behalf of the EPP Group
Bas Eickhout on behalf of the Greens/EFA Group
Sabine Wils on behalf of the GUE/NGL Group

Consolidated amendment replacing Amendments: 5, 24, 33, 52, 54, 61, 139-144, 238, 247, 258, 263, 400, 408, 423, 426, 433, 620, AGRI 10, INTA 11, REGI 4, DEVE 7, DEVE 17, DEVE 25, TRAN 5, TRAN 19, INTA 24, INTA 25, ITRE 7

Proposal for a directive
Recital 7

Text proposed by the Commission

(7) In order to ensure the long-term competitiveness of bio-based industrial sectors, and in line with the 2012 Communication "Innovating for Sustainable growth: A Bioeconomy for Europe" and the Roadmap to a Resource Efficient Europe, promoting integrated and diversified biorefineries across Europe, enhanced incentives under Directive 2009/28/EC should be set in a way that gives preference to the use of biomass feedstocks that do not have a high economic value for other uses than biofuels.

Amendment

(7) In order to ensure the long-term competitiveness of bio-based industrial sectors ***and provide a stable regulatory environment for investments***, and in line with the 2012 Communication "Innovating for Sustainable growth: A Bioeconomy for Europe" and the Roadmap to a Resource Efficient Europe, promoting integrated and diversified biorefineries across Europe, enhanced incentives under Directive 2009/28/EC should be set in a way that gives preference to ***advanced biofuels and to*** the use of biomass feedstocks that do not have a high economic value for other uses than biofuels. ***It is also essential to make sure that EU waste policies remain consistent and that the waste hierarchy set out in Article 4 of Directive 2008/98/EC is applied. No negative incentives that could jeopardise proper implementation of this directive should be created.***

Proposal for a directive
Article 1 – point 2 – point -a a (new)
Directive 98/70/EC
Article 7b – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

(-aa) In Article 7b(1), the second subparagraph is deleted.

Or. en

Proposal for a directive

Article 1 – point 2 – point b a (new)

Directive 98/70/EC

Article 7b – paragraph 4 a (new)

Text proposed by the Commission

Amendment

(ba) the following paragraph 4a is added:

‘4a. Biofuels and bioliquids taken into account for the purposes referred to in paragraph 1 shall not be made from raw material obtained from biotic sources (including waste, residues and co-products, such as agricultural residues), other than food crops or forestry products, unless evidence is provided that this does not result in a depletion or loss of biodiversity or ecosystem services, and unless any diversion from existing use that would have a negative direct or indirect impact on biodiversity, soil or overall carbon balance is prevented. ’

Proposal for a directive

Article 1 – point 2 – point b b (new)

Directive 98/70/EC

Article 7b – paragraph 4 b (new)

Text proposed by the Commission

Amendment

(bc) the following paragraph 4b is added:

‘4b. Biofuels and bioliquids taken into account for the purposes referred to in paragraph 1 shall not be made from waste or residues unless evidence is provided that their use conforms to the waste hierarchy, namely prevention, preparation

for re-use and recycling before recovery for energy purposes, as outlined in Directive 2008/98/EC, and to a cascade of use.

In particular, biofuels and bioliquids taken into account for the purposes referred to in paragraph 1 shall not be made from waste or residues which are subject to re-use and recycling targets in accordance with Article 11(2) of Directive 2008/98/EC.

The waste management plans and the waste prevention programmes established by Member States in accordance with the provisions of Chapter V of Directive 2008/98/EC shall take into account the use of waste and residues for the production of biofuels and bioliquids.’

Proposal for a directive

Article 1 – point 2 a (new)

Directive 98/70/EC

Article 7c – paragraph 9 a (new)

Text proposed by the Commission

Amendment

2a. In Article 18, the following paragraph 9a is added:

‘9a. The Commission shall be empowered to adopt delegated acts pursuant to Article 10a concerning detailed rules governing independent verification and certification of compliance with the waste hierarchy established in Article 4 of Directive 2008/98/EC. Those delegated acts shall be adopted by 30 June 2016.

Proposal for a directive

Article 2 – point 1

Directive 2009/28/EC

Article 2 – point p

Text proposed by the Commission

'p) 'waste' **shall be defined** as in Article 3(1) of Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives. Substances that have been intentionally modified or contaminated to meet that definition are not covered by this category.

Amendment

'p) 'waste' **means any substance or object which the holder discards or intends or is required to discard**, as **defined** in Article 3(1) of Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives, **and whose status is subject to independent verification and certification as to its compliance with the waste hierarchy established in Article 4 of that Directive or with a comparable waste prevention and management programme**. Substances that have been intentionally modified or contaminated to meet that definition are not covered by this category.

Proposal for a directive

Article 2 – point 2 a (new)

Directive 2009/28/EC

Article 18 – paragraph 9 a (new)

Text proposed by the Commission

Amendment

2a. In Article 18, the following paragraph 9a is added:

'9a. The Commission shall be empowered to adopt delegated acts pursuant to Article 25b concerning detailed rules governing independent verification and certification of compliance with the waste hierarchy established in Article 4 of Directive 2008/98/EC. Those delegated acts shall be adopted by 30 June 2016.

Proposal for a directive

Article 2 – point 2 b (new)

Directive 2009/28/EC

Article 23 – paragraph 8 a (new)

Text proposed by the Commission

Amendment

2b. In Article 23, the following paragraph 8a is inserted:

‘8a. By 31 December 2015 the Commission shall submit a report on the positive and negative environmental and economic impacts of biofuels produced from waste, residues, co-products or non-land using feedstocks. The environmental impacts to be assessed shall include greenhouse gas emissions, biodiversity, water, and soil fertility. The potential or forfeited benefits of using these feedstocks for other purposes, in particular the manufacture of products, shall be taken into account. The economic impacts to be assessed shall include production costs, the opportunity cost of using the feedstocks for other purposes and the life-cycle energy return on investment that may be obtained from using the feedstocks to produce advanced biofuels and bioliquids.’

Proposal for a directive

Article 2 – point 5 – point -a a (new)

Directive 2009/28/EC

Article 17 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

(-aa) In Article 17(1), the second subparagraph is deleted;

Proposal for a directive

Article 2 – point 5 – point b a (new)

Directive 2009/28/EC

Article 17 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

(ba) the following paragraph 4a is added:

‘4a. Biofuels and bioliquids taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 shall not be made from raw material obtained from biotic sources (including waste, residues and co-products, such as agricultural residues), other than food crops or forestry products, unless evidence is provided that this does not result in a depletion or loss of biodiversity or ecosystem services, and unless any diversion from existing use that would have a negative direct or indirect impact on biodiversity, soil or overall carbon balance is prevented. ’

Proposal for a directive

Article 2 – point 5 – point b b (new)

Directive 2009/28/EC

Article 17 – paragraph 4 b (new)

Text proposed by the Commission

Amendment

(ba) the following paragraph 4b is added:

‘4b. Biofuels and bioliquids taken into account for the purposes referred to in paragraph 1 shall not be made from waste or residues unless evidence is provided that their use conforms to the waste hierarchy, namely prevention, preparation for re-use and recycling before recovery for energy purposes, as outlined in Directive 2008/98/EC, and to a cascade of use.

In particular, biofuels and bioliquids taken into account for the purposes referred to in paragraph 1(a), (b) and (c) shall not be made from waste or residues which are subject to re-use and recycling

targets in accordance with Article 11(2) of Directive 2008/98/EC.

The waste management plans and the waste prevention programmes established by Member States in accordance with the provisions of Chapter V of Directive 2008/98/EC shall take into account the use of waste and residues for the production of biofuels and bioliquids.'

Consolidated Amendment **CONS 9**
Sustainability safeguards for forests and forestry plantations

Corinne Lepage on behalf of the ALDE Group
Kriton Arsenis on behalf of the S&D Group
Julie Girling on behalf of the ECR Group
Bas Eickhout on behalf of the Greens/EFA Group
Sabine Wils on behalf of the GUE/NGL Group

Consolidated amendment replacing Amendments: 16, 17, 22-23, 50-51, 192, 261, 420, 497, 516, DEVE 29, DEVE 31

Proposal for a directive
Recital 11 b (new)

Text proposed by the Commission

Amendment

(11b) Forests provide a wide variety of environmental, economic and social benefits and services of key importance to humanity, such as maintaining biodiversity and ecosystem functions and protecting the climate system. Growing demand for forest biomass, combined with institutional and governance deficiencies present in many regions of the world, pose a threat to the sustainable management of forests and can lead to forest degradation, deforestation and biodiversity loss. Similar concerns apply to wetlands. The sustainability criteria in Directives 2009/28/EC and 98/70/EC are not designed to address these risks. Safeguards should therefore be introduced in order to ensure that biofuels and bioliquids made from raw material obtained from existing forests may only be taken into account for the purpose of these Directives if they are supplied from forests that are sustainably managed. These safeguards should be implemented by Member States, on the basis of their national competences and relevant instruments and policies in the area of forest and should have due regard to the EU's forestry strategy. The planned Commission proposal on sustainability

criteria for solid biomass will also address these issues and should therefore be brought forward without delay in order to provide legal certainty. Since forestry plantations grown for biofuel production may generate indirect land-use change emissions, this risk should also be addressed.

Or. en

Proposal for a directive
Article 1 – point -1 a (new)
Directive 98/70/EC
Article 2 – point 9 a (new)

Text proposed by the Commission

Amendment

-1a. In Article 2, the following point is added:

‘pa) ‘non-food cellulosic material’ means land-based non-food energy crops grown for bio-energy production purposes, including miscanthus, other energy grasses, certain varieties of sorghum and industrial hemp, but excluding crops with a high lignin content, such as trees.’

Proposal for a directive
Article 1 – point -1 b (new)
Directive 98/70/EC
Article 2 – point 9 b (new)

Text proposed by the Commission

Amendment

-1b. In Article 2, the following point is added:

‘pb) ‘non-food ligno-cellulosic material’ means land-based woody energy crops such as short-rotation coppice and short-rotation forestry crops.’

Proposal for a directive

Article 1 – point 2 – point b c (new)
Directive 98/70/EC
Article 7 b – paragraph 4 c (new)

Text proposed by the Commission

Amendment

(bc) the following paragraph 4a is added:

‘4c. Biofuels and bioliquids taken into account for the purposes referred to in paragraph 1 shall not be made from raw material obtained from land with high carbon stock, namely, land that has one of the following statuses:

(a) wetlands, namely land that is covered with or saturated by water permanently or for a significant part of the year, unless evidence is provided that extraction of this raw material has a beneficial effect on biodiversity;

(b) other naturally regenerated forests and planted forests, namely, land spanning more than 0.5 hectares with trees higher than five metres and a canopy cover of more than 10 %, or trees able to reach those thresholds in situ, predominantly composed of native or introduced species, in which there are clearly visible indications of human activities, unless evidence is provided that the forested area concerned is sustainably managed and that this does not result in a depletion or loss of biodiversity or ecosystem services, and unless any diversion from existing use that would have a negative direct or indirect impact on biodiversity, soil or overall carbon balance is prevented. ’

(c) planted forests, namely forest predominantly composed of trees established through planting and/or deliberate seeding, unless evidence is provided that the forested area concerned is sustainably managed and that this does not result in a depletion or loss of biodiversity or ecosystem services, and unless any diversion from existing use

that would have a negative direct or indirect impact on biodiversity, soil or overall carbon balance is prevented. ’

Proposal for a directive

Article 1 – point 2 – point b d (new)

Directive 98/70/EC

Article 7 b – paragraph 4 d (new)

Text proposed by the Commission

Amendment

(bd) the following paragraph 4b is added:

‘4d. Biofuels and bioliquids taken into account for the purposes referred to in paragraph 1 shall not be made from raw material obtained from forestry plantations, including short- rotation coppices and short-rotation forests, until a specific indirect land-use change value has been set for ligno-cellulosic material for the purpose of calculating the greenhouse gas impact of biofuels and bioliquids in accordance with Article 7d.’

Proposal for a directive

Article 1 – point 3 – point a a (new)

Directive 98/70/EC

Article 7 d – paragraph 6

Text proposed by the Commission

Amendment

(aa) In paragraph 5, the following subparagraph is inserted:

‘The Commission shall be empowered to adopt delegated acts pursuant to Article 10a to set out in Annex V values for indirect land-use change emissions for feedstocks from non-food cellulosic and ligno-cellulosic materials and shall include those values in the method for calculating the greenhouse gas impact of biofuels and bioliquids provided for in this Article. Those delegated acts shall be adopted by 30 June 2016.’

Proposal for a directive
Article 2 – point 1 a (new)
Directive 2009/28/EC
Article 2 – point p a (new)

Text proposed by the Commission

Amendment

1a. In Article 2, the following point is added:

‘pa) ‘non-food cellulosic material’ means land-based non-food energy crops grown for bio-energy production purposes, including miscanthus, other energy grasses, certain varieties of sorghum and industrial hemp, but excluding crops with a high lignin content, such as trees.’

Proposal for a directive
Article 2 – point 1 b (new)
Directive 2009/28/EC
Article 2 – point p b (new)

Text proposed by the Commission

Amendment

1b. In Article 2, the following point is added:

‘pb) ‘non-food ligno-cellulosic material’ means land-based woody energy crops such as short-rotation coppice and short-rotation forestry crops.’

Proposal for a directive
Article 2 – point 5 – point b c (new)
Directive 2009/28/EC
Article 17 – paragraph 4 c (new)

Text proposed by the Commission

Amendment

(bc) the following paragraph 4a is added:

‘4c. Biofuels and bioliquids taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1

shall not be made from raw material obtained from land with high carbon stock, namely, land that has one of the following statuses:

(a) wetlands, namely land that is covered with or saturated by water permanently or for a significant part of the year, *unless evidence is provided that extraction of this raw material has a beneficial effect on biodiversity;*

(b) *other naturally regenerated forests and planted forests, namely, land spanning more than 0.5 hectares with trees higher than five metres and a canopy cover of more than 10 %, or trees able to reach those thresholds in situ, predominantly composed of native or introduced species, in which there are clearly visible indications of human activities, unless evidence is provided that the forested area concerned is sustainably managed and that this does not result in a depletion or loss of biodiversity or ecosystem services, and unless any diversion from existing use that would have a negative direct or indirect impact on biodiversity, soil or overall carbon balance is prevented. '*

(c) *planted forests, namely forest predominantly composed of trees established through planting and/or deliberate seeding, unless evidence is provided that the forested area concerned is sustainably managed and that this does not result in a depletion or loss of biodiversity or ecosystem services, and unless any diversion from existing use that would have a negative direct or indirect impact on biodiversity, soil or overall carbon balance is prevented. '*

Proposal for a directive
Article 2 – point 5 – point b d (new)
Directive 2009/28/EC
Article 17 – paragraph 4 d (new)

Text proposed by the Commission

Amendment

(bd) the following paragraph 4b is added:

‘4d. Biofuels and bioliquids taken into account for the purposes referred to in paragraph 1(a), (b) and (c) shall not be made from raw material obtained from forestry plantations, including short-rotation coppices and short-rotation forests, until a specific indirect land-use change value has been set for ligno-cellulosic material for the purpose of calculating the greenhouse gas impact of biofuels and bioliquids in accordance with Article 19.’

Proposal for a directive

Article 2 – point 7 – point c a (new)

Directive 2009/28/EC

Article 19 – paragraph 6 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

(ca) In paragraph 6, the following subparagraph is inserted:

‘The Commission shall be empowered to adopt delegated acts pursuant to Article 25b to set out in Annex VIII values for indirect land-use change emissions for feedstocks from non-food cellulosic and ligno-cellulosic materials and shall include those values in the method for calculating the greenhouse gas impact of biofuels and bioliquids provided for in this Article. Those delegated acts shall be adopted by 30 June 2016.’

**Consolidated Amendment
Third parties' legal rights**

CONS 10

Corinne Lepage on behalf of the ALDE Group
Christa Klaß on behalf of the EPP Group
Kriton Arsenis on behalf of the S&D Group
Bas Eickhout on behalf of the Greens/EFA Group
Sabine Wils on behalf of the GUE/NGL Group

Consolidated amendment replacing Amendments: 11, 25, 53, 188-191, ITRE 13, INTA 9, INTA 12, INTA 26, REGI 9, DEVE 12, DEVE 16, DEVE 26

**Proposal for a directive
Recital 11 a (new)**

Text proposed by the Commission

Amendment

(11a) The use of land for growing biofuel feedstocks should not result in the displacement of local and indigenous communities. Special measures to protect indigenous communities' land therefore need to be introduced.

Or. en

**Proposal for a directive
Article 1 – point 2 – point b a (new)
Directive 98/70/EC
Article 7 d – paragraph 4 e (new)**

Text proposed by the Commission

Amendment

***(ba) the following paragraph 4e is added:
'4e. Biofuels and bioliquids taken into account for the purposes referred to in paragraph 1 shall not be made from land-based raw material unless third parties' legal rights regarding use and tenure of the land are respected, inter alia by obtaining the free prior and informed consent of the third parties, with the involvement of their representative institutions.'***

Proposal for a directive
Article 2 – point 5 – point b d (new)
Directive 2009/28/EC
Article 17 – paragraph 4 e (new)

Text proposed by the Commission

Amendment

(bd) the following paragraph 4e is added:
‘4e. Biofuels and bioliquids taken into account for the purposes referred to in paragraph 1(a), (b) and (c) shall not be made from land-based raw material unless third parties’ legal rights regarding use and tenure of the land are respected, inter alia by obtaining the free prior and informed consent of the third parties, with the involvement of their representative institutions.’

Corinne Lepage on behalf of the ALDE Group
Kriton Arsenis on behalf of the S&D Group
Bas Eickhout on behalf of the Greens/EFA Group
Sabine Wils on behalf of the GUE/NGL Group

Compromise amendment replacing Amendments: 15, 63, 468-479; 216-223, ITRE 20, ITRE 41, AGRI 17, AGRI 56, REGI 10, REGI 16, TRAN 16, TRAN 43

Proposal for a directive
Recital 20

Text proposed by the Commission

(20) The Commission should review the effectiveness of the measures introduced by this Directive, based on the best and latest available scientific evidence, in limiting indirect land-use change greenhouse gas emissions and addressing ways to further minimise that impact, which could include the introduction of estimated indirect land-use change emission factors in the sustainability scheme as of 1st January 2021.

Amendment

(20) The Commission should review the effectiveness of the measures introduced by this Directive, based on the best and latest available scientific evidence, in limiting indirect land-use change greenhouse gas emissions and addressing ways to further minimise that impact, which could include the introduction of estimated indirect land-use change emission factors in the sustainability scheme as of 1st January 2021 **and of measures geared to ensuring the sustainability of advanced biofuels in the sustainability scheme.**

Proposal for a directive
Article 3 – paragraph 1

Text proposed by the Commission

The Commission shall, before 31 December 2017, submit a report to the European Parliament and to the Council reviewing, on the basis of the best latest available scientific evidence, the effectiveness of the measures introduced by this Directive in limiting indirect land-use change greenhouse gas emissions associated with the production of biofuel and bioliquids. The report shall, if

Amendment

The Commission shall, before 31 December 2017, submit a report to the European Parliament and to the Council reviewing, on the basis of the best latest available scientific evidence, the effectiveness of the measures introduced by this Directive in limiting indirect land-use change greenhouse gas emissions associated with the production of biofuel and bioliquids. The report shall, if

appropriate, be accompanied by a legislative proposal based on the best available scientific evidence, for introducing estimated indirect land use change emissions factors into the appropriate sustainability criteria to be applied from 1st January 2021 **and a** review of the effectiveness of the incentives provided for biofuels from non-land using feedstocks and non-food crops under Article 3(4)d of Directive 2009/28/EC.

appropriate, be accompanied by a legislative proposal based on the best available scientific evidence, for introducing estimated indirect land use change emissions factors into the appropriate sustainability criteria to be applied from 1st January 2021.

The report shall also include a review of the effectiveness of the incentives provided for biofuels from non-land using feedstocks and non-food crops under Article 3(4)d of Directive 2009/28/EC. ***It shall include an assessment of the availability of such biofuels and of their environmental, economic and social impacts. It shall inter alia assess the impact of biofuel production on the availability of wood as a resource and on sectors using biomass.***

The report shall, if appropriate, be accompanied by a legislative proposal for establishing appropriate sustainability criteria for biofuels from non-land using feedstocks and non-food crops.

Or. en