

1/14

BIOFUELS

Implementation of the criteria laid down in Article 17 of Directive 2009/28/EC

Michel Degaillier
DG ENVIRONMENT
FPS Health, Food Chain Safety and
Environment



BIOGRACE Workshop
PARIS, 19 MAY 2011



Plan of the presentation

1. Situation regarding the transposition into Belgian law
2. Normative approach
3. Means of verification
4. Roles of the actors
5. Product declaration
6. Discussion



1. Situation regarding the transposition

- February 2011, first reading in the Council of Ministers
- April, opinion of the Council of State (1st)
- June, opinion of the Council of State (2nd)
- July, 2nd reading in the Council of Ministers
- August, Ministerial signature, Royal signature
- September, publication



2. Normative approach 1/2

The law of 21 December 1998 on product standards to promote sustainable production and consumption patterns and to protect the environment and public health.

The criteria laid down in Article 17 and the means of verification will be transposed by a Royal Decree implementing the law of 21 December 1998.



Normative approach 2/2

The market introduction of biofuels is subject to the registration of all consignments of biofuels.

Consignments of biofuels can be sustainable or unsustainable.



3. Means of verification

Directive 2009/28/EC provides for:

- National systemes (Art. 18.3);
- Voluntary schemes recognized by the Commission (Art. 18.4);
- Bilateral and multilateral agreements (Art. 18.4).

The Royal Decree lays down the guidelines of a certification system on the basis of the prEN16214.



4. Roles of the actors

The competent authority:

- Transposes the criteria of Art.17 into Belgian law;
- Receives and analyses the certification schemes transmitted by organizations;
- Proposes to the Minister to recognise the scheme(s);
- Publishes the scheme(s) in the Belgian law gazette;
- Reports to the European Commission on the implementation of the criteria laid down in Art. 17;



Roles of the actors

The biofuel producer:

- Respects the criteria of Art. 17 transposed by means of the Royal Decree;
- Complies with a recognized certification system or a voluntary scheme of the Commission;
- Registers his consignments of biofuels.

An organization:

- Any natural or legal person who brings together several economic actors and provides the competent authority with a certification scheme.



Roles of the actors

The independent regulatory bodies:

- Obtain the Belgian BELAC accreditation or equivalent;
- Ask the approval of the Minister.

The Minister:

- Approves the accredited independent regulatory bodies;
- Recognizes the certification schemes suggested by the administration.



5. Product declaration 1/3

- Product declarations are registered in a Web-accessible database (operational at the end of March 2012);
- The information in the product declaration mainly come from the prEN16214;
- Each product declaration is identified by a unique number;
- Administrative simplification, European reporting;



Product declaration 2/3

- Date of production declaration emission ;
- Identity of the biofuel producer;
- Means of verification: national certification system, voluntary schemes, bilateral and multilateral agreements;
- Quantity delivered; date of delivery; point of delivery;
- Description of the product;
- Biofuel type (Bioethanol FAME, etc) ;



Product declaration 3/3

- Cumulative greenhouse gas emission and calculation means (f.e Biograce II);
- A declaration by the biofuel producer certifying that the consignment fulfils the sustainability criteria;
- Country of origin of the biomass;
- Mention whether the biomass was produced on severely and heavily degraded grounds or whether the biofuel was produced from waste or residue;
- Etc



6. Discussion



Thank you for your attention

How to contact us?

Working group “Biomass” within the FPS

Focal Point

Product Policy Unit

michel.degaillier@health.fgov.be

Climate Unit

Yvo.cluyts@health.fgov.be

Biodiversity, Biosecurity and link to FAO

iverleye@yahoo.com

lucette.flandroy@health.fgov.be

clair.collin@health.fgov.be

