

Opinion concerning a draft of a Royal Decree on the subject of names and characteristics of bio-fuels for motorised vehicles and mobile machines not designed for use on public roads

- Requested by the Minister for the Environment, Consumer Affairs, and Sustainable Development, Mrs. Freya Van den Bossche, 13 April, 2004
- Prepared by the working group *Product standards*, in collaboration with the working group *Energy and Climate*
- Approved by written voting procedure (9 June 2004)
- The original language of this recommendation is Dutch

1. Context

- [1] The request for a recommendation submitted in implementation of article 19 of the law of 21 December 1998 regarding product standards relates to the conversion of a European directive. This directive is part of the European policy pertaining to the development of a sustainable energy chain for the transport sector.

2. Summary

- [a] The council notes that the scope of the application of the Royal Decree is substantially more restrictive than that of the European directive and that he cannot immediately identify a justification for this kind of restriction, either in the matter of types of fuel or modes of transport. The council notes that the proposed conversion of the European directive is not correct as it stands, and asks that the formulas and the definitions as they appear in the directive be adopted.
- [b] The council points to the possibility, in the event of a non-conform objective concerning the presence of bio-fuels for transportation purposes, of making referral to the production of biomass for implementation in forms of energy consumption other than transportation. The council further points out the necessity to develop a Royal Decree featuring inclusion of the needed accompanying related fiscal measures. The council moreover questions the degree in which the Royal Decree takes account of the environmental balance and broaches the problem connected to the stability and the storage of fuels mixed with a percentage of bio-fuels. At the same time, the council points out that alternative solutions can in their turn contribute to achieving the objectives in the European directive and recommends that research into the sustainability of bio-fuels ought to be encouraged.
- [c] In addition, the council notes that the workability of the Royal Decree is linked to the development of CEN standards (European Committee for Standardisation) in casu, by which the use of bio-fuels could be delayed. The council, in conclusion, deems it necessary that communications with the public at large be worked out and that control mechanisms be developed, as provided for in the European directive.

3. The Royal Decree (RD) draft

- [5] The RD draft fits into the conversion framework of the European directive 2003/30/EC and is intended to determine the names and the characteristics of bio-fuels. Its objective is to bring the percentage of these bio-fuels in the fuels used for transportation to 2% by 31 December 2005 (calculated on the basis of the energy content of the total volume of gasoline and diesel oil put on the market for consumption in the course of the previous calendar year). This percentage is subsequently to be raised annually and in linear fashion by 0.75%. The interim objectives need to be met on 31 December in each calendar year and this until the year 2010.