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COVER NOTE

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	17 June 2015
To:	Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2015) 310 final
Subject:	OPINION OF THE COMMISSION pursuant to Article 294(7)(c) of the Treaty on the Functioning of the European Union, on the European Parliament's amendments to the Council's position at first reading regarding the 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 on Indirect Land Use Change (ILUC)]

Delegations will find attached document COM(2015) 310 final.

Encl.: COM(2015) 310 final



Brussels, 16.6.2015
COM(2015) 310 final

2012/0288 (COD)

OPINION OF THE COMMISSION

**pursuant to Article 294(7)(c) of the Treaty on the Functioning of the European Union,
on the European Parliament's amendments
to the Council's position**

**at first reading regarding the 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 on Indirect Land Use Change (ILUC)]

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[Proposal on Indirect Land Use Change (ILUC)]

1. INTRODUCTION

Article 294(7)(c) of the Treaty on the Functioning of the European Union provides that the Commission is to deliver an opinion on the amendments proposed by the European Parliament at second reading. The Commission sets out its opinion below on the amendment proposed by the Parliament.

2. BACKGROUND

Date of transmission of the proposal to the European Parliament and the Council:	18 October 2012
Date of the position of the European Parliament, first reading	11 September 2013
Date of the opinion of the Economic and Social Committee	17 April 2013
Date of the opinion of the Committee of the Regions	No opinion issued
Date of political agreement and formal adoption of the position at first reading by the Council (by qualified majority)	13 June 2014 (political agreement), 9 December 2014 (formal adoption)
Date of Parliament's amendments (second reading)	28 April 2015

3. OBJECTIVE OF THE PROPOSAL FROM THE COMMISSION

Indirect Land Use Change (ILUC) relates to the unintended release of carbon emissions due to the use of existing cropland for biofuel production and the resulting displacement of food (or other) production to new arable land.

The aim of the Commission's proposal was to start the transition to biofuels that deliver substantial greenhouse gas savings when also estimated indirect land-use change (ILUC) emissions are reported. While existing investments should be protected, the aims of the proposal were to:

- limit the contribution that conventional biofuels (with a risk of ILUC emissions) make towards attainment of the targets in the Renewable Energy Directive;
- improve the greenhouse gas performance of biofuel production processes (reducing associated emissions) by raising the greenhouse gas saving threshold for new installations subject to protecting installations already in operation on 1st July 2014;
- encourage a greater market penetration of advanced (low-ILUC) biofuels by allowing such fuels to contribute more to the targets in the Renewable Energy Directive than conventional biofuels;
- improve the reporting of greenhouse gas emissions by obliging Member States and fuel suppliers to report the estimated indirect land-use change emissions of biofuels.

4. OPINION OF THE COMMISSION ON THE AMENDMENTS PROPOSED BY THE EUROPEAN PARLIAMENT

The Commission accepts all the amendments adopted by the European Parliament which are the result of inter-institutional contacts with a view to reaching an agreement at second reading.

5. CONCLUSION

Pursuant to Article 293(2) of the Treaty on the Functioning of the European Union, the Commission amends its proposal as set out above.