

## FuelsEurope consultation response – review of indirect land-use change (ILUC) delegated act

**Brussels, 18/02/2026:**

FuelsEurope welcomes the opportunity to provide feedback on the revision of the Delegated Regulation (EU) 2019/807 to introduce a trajectory to gradually decrease the contribution of high indirect land-use change-risk (ILUC) biofuels, bioliquids and biomass fuels to renewable energy targets.

Specifically, we would flag the following points for clarification:

- In point (a) of the amended article 3 there is no reference year to determine the average annual expansion of the global production area: the current text of the delegated regulation indicates 2008 as a reference year but.

Recital (1) of the proposed text suggests that the new reference year should be 2014, but to avoid confusion, we suggest to clearly state the year of reference in point(a) of the amended article 3.

- In the new article 6a "*Trajectory to decrease the contribution of high indirect land-use change-risk biofuels, bioliquids and biomass fuels*", we assume the share indicated in point (a) to (g) should be applied to the total energy coming from fuels produced from food and feed crops, but this is not indicated anywhere in the text.

We suggest including a clear reference specifying to what the share in Article 6a applies.

- We also suggest the following addition to the new article 6a, on the legal basis of article 26.2 of Directive (EU) 2018/2001.

Article 26.2 subparagraph (1) reads: "*For the calculation of a Member State's gross final consumption of energy from renewable sources referred to in Article 7 and the minimum share of renewable energy and the greenhouse gas intensity reduction target referred to in Article 25(1), first subparagraph, point (a), **the share of high indirect land-use change-risk biofuels, bioliquids or biomass fuels produced from food and feed crops for which a significant expansion of the production area into land with high-carbon stock is observed shall not exceed the level of consumption of such fuels in that Member State in 2019, unless they are certified to be low indirect land-use change-risk biofuels, bioliquids or biomass fuels pursuant to this paragraph. From 31 December 2023 until 31 December 2030 at the latest, that limit shall gradually decrease to 0 %.***"

In order to avoid misinterpretations, we recommend adding an Annex listing the 2019 national shares of high-ILUC biofuels, bioliquids or biomass fuels; a reference to such Annex should be added in the new article 6a.

Footnote here

FuelsEurope, the voice of the European fuel manufacturing industry. FuelsEurope represents, within the EU institutions, the interest of 39 companies manufacturing and distributing conventional and renewable fuels and products for mobility, energy & feedstocks for industrial value chains in the EU.

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