



To: *Vice President Timmermans*
Commissioner McGuinness

cc. *Commissioner Breton*
Commissioner Gabriel
Commissioner Wojciechowski

17 December 2020

Subject: EUBA response to draft delegated act on technical screening criteria qualifying substantial contribution to climate change mitigation and adaptation

Dear Vice President Timmermans, Dear Commissioner McGuinness,

We write to express our deep concern regarding the recently published draft delegated act on technical screening criteria, determining under which conditions an economic activity qualifies as contributing substantially to climate change mitigation and adaptation. We perceive that these criteria pose a serious threat to future innovation and investment in the EU's bioeconomy and to its valuable role both in climate change mitigation and adaptation, and within the circular economy.

Our core concern is that the technical screening criteria highlighted below and set out in [Annex I](#), represent a great leap backwards by resurrecting the decades-old polarised, over-simplified argument of food v fuels/materials. This is, at best, disappointing since it has long been acknowledged that an "Either/or" argument is a reductive, divisive misrepresentation. In reality, we seek to extract value from every fraction of any given feedstock, including those that might previously have been regarded as wastes or residues, to produce a broad spectrum of beneficial products.

With regards to land use, producing more from less (more food, feed, fuels, materials, fibres from the same amount of land and inputs) has far greater climate and sustainability benefits than restricting the use of food/feed primary materials.

We strongly suggest aligning the technical screening criteria for bio-based products to the widely accepted and upheld EU feedstock sustainability criteria already in place through RED II for other economic activities (i.e. agriculture and forestry for energy purposes), in order to guarantee a consistency on relevant sustainability criteria.

We therefore respectfully request, with the support of our value chains, that this principle of consistency in accepted EU sustainability criteria is universally applied to the following technical screening criteria:



- **Page 24** (onwards): technical screening criteria for afforestation, rehabilitation and restoration of forests, reforestation, improved forest management and conservation forestry
- **Page 89**: Food or feed crops are not used as bio-based feedstock for the manufacture of organic basic chemicals
- **Page 95**: Food or feed crops are not used as bio-based feedstock for the manufacture of plastic in primary form
- **Page 126**: Food and feed crops are not used in the activity for the manufacture of biofuels used in transport
- **Page 164**: Anaerobic digestion of bio-waste: in the dedicated bio-waste treatment plants, bio-waste constitutes at least 90% of the input feedstock, measured in weight, as an annual average, and the share of other input material is less than or equal to 10% of the input feedstock. Such other input material may not include food or feed crops

We believe that if the sustainability of EU feedstock is not taken into consideration, these recommendations would deliver a deeply contradictory message to the EU's primary producers, processors and to all associated bio-based industries. They would undermine confidence and investment within this sector and would be in direct contradiction to the recommendations set out in the EU's Bioeconomy Strategy, Circular Economy Strategy and Horizon Europe's strategic research and innovation agenda. They would also undermine the EU's better regulation agenda and the ability to deliver on its own ambitious climate objectives, particularly in the field of circularity of materials, fuels, feed, food and of renewability in general.

In aiming to identify consistent criteria to demonstrate a substantial contribution to the environmental objectives, the draft delegated act should evaluate technologies through a neutral approach. With regards to the value proposition of bio-based products towards climate neutrality, the potential for innovation and beneficial development in this sector is immense. However, it will remain untapped by the EU if a retrospective bias against the use of feed/food crops is re-introduced at this point on the journey towards a European Green Deal.

Finally, we regret that the development of a piece of legislation on such a crucial and complex matter has been restricted, without providing any real opportunity for the stakeholders from bio-based sectors to be heard.

We will, of course, also reflect our views through the public consultation but we would nevertheless appreciate a discussion with you on this pressing issue as soon as possible.

Yours sincerely,

Marie-Christine Ribera
European Bioeconomy Alliance President



European
Bioeconomy
Alliance

ABOUT EUROPEAN BIOECONOMY ALLIANCE

The European Bioeconomy Alliance (EUBA) is an **alliance of leading European organisations** representing sectors active in the bioeconomy – agriculture, forestry, biotechnology, sugar, starch, vegetable oils, pulp and paper, bioplastics, renewable ethanol, and research & innovation.

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