

Proposal for ReFuelEU: Animal fats category 3 are not suitable for Sustainable Aviation Fuels Views of the Oleochemical, Pet Food and Animal Feed industries

The European associations representing the Oleochemicals, Pet Food and Animal Feed industries welcome the efforts to decarbonise the aviation sector. We support the original proposal by the European Commission regarding the definition of eligible biofuels for sustainable aviation fuels (SAFs), and urge the co-legislators to revert to this original proposal.

Proposed changes will lead to shortages of animal fats category 3 for traditional users

Extending eligible sustainable aviation fuel (SAF) feedstocks beyond those listed in the Renewable Energy Directive Annex IX parts A and B will lead to significant shortages of animal fats category 3 for its traditional users. While the biofuels sector can thrive on other types of feedstock, the oleochemical, pet food and animal feed industries cannot function sustainably without access to sufficient quantities of animal fats category 3. An increase in demand, from any mode of transport, but in particular the aviation sector, would deviate animal fats category 3 from pet food, animal feed and oleochemical uses.

What are animal fats category 3?

Animal fats category 3 are highly valuable by-products from the animal processing industry (see page 3 for details). They can be used in a variety of applications, and have historically been used by the Animal Feed, Pet Food and Oleochemical Industries. They can only be sourced from Europe. Our sectors use rendered animal fats category 3 to manufacture various high-quality products, pet food and feedstuff, offering European bio-based solutions.

Why can we only source animal fats category 3 from Europe?

Animal fats from outside of Europe, cannot be used by our sectors due to stringent sanitary European rules regarding animal by-products.¹ We are therefore dependent on animal fats category 3 produced in Europe. The availability of rendered animal fats category 3 is highly impacted by the declining meat consumption in Europe, the demand for animal fats category 3 for biofuel production has grown by 88% between 2018 and 2020.²

To feed pets and farm animals and to safeguard the European Oleochemical Industry exclude animal fats category 3 from eligible feedstocks for SAFs

We strongly support limiting the production of biofuel SAFs to feedstocks listed in RED II Annex IX A and B to ensure the aviation sector decarbonises on waste-based biofuel feedstocks. Animal fats category 3 are not waste. We appreciate the proposed time limit by the European Parliament, but during this transitional period our industries will struggle to access sufficient animal fats category 3. In light of the very limited availability of animal fats category 3, of about 2.54 MT per year, we urge the co-legislators and the European Commission in their dialogue negotiations to ensure that decarbonising the aviation sector does not sacrifice our industries.

¹ Articles 8, 9 and 10 of Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption.

² EFRA statistics, 2021



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NOTE: Differences between the European Parliament’s position and the Commission’s proposal are indicated in ***bold/italics***. Differences between the Council’s General Approach and the Commission’s proposal are in **bold** and ~~struck through~~. ***bold/italics/underlined*** in the Commission’s column indicated European Parliament and Council are amending the Commission’s proposal in the same manner.

EC proposal	European parliament proposal (as approved 7 July 2022)	Council’s General approach (as agreed 2 June 2022)	Final Text to be agreed in the Trialogues
		<p>Recital (16a)</p> <p>Given their use for cosmetics and animal feed, biofuels other than advanced biofuels as defined in Article 2, second paragraph, point 34 of Directive (EU) 2018/2001 and other than biofuels produced from the feedstock listed in Part B of Annex IX to that Directive supplied across Union airports by each fuel supplier should account for a maximum of 3 % for the purposes of complying with the minimum shares of SAF to be supplied at each Union airports under this Regulation.</p>	
Article 3 – paragraph 1 – indent 5			
<p>- ‘sustainable aviation fuels’ (‘SAF’) means drop-in aviation fuels that are either synthetic aviation fuels, advanced biofuels as defined in Article 2, second paragraph, point 34 of Directive (EU) 2018/2001, or biofuels produced from the feedstock listed in Part B of Annex IX to that Directive, which comply with the sustainability and</p>	<p>Amendment 46</p> <p>- ‘sustainable aviation fuels’ (‘SAF’) means aviation fuels that are either: synthetic aviation fuels, <i>liquid and gaseous fuels that are produced from waste processing gas and exhaust gas of non-renewable origin which are produced as an unavoidable and unintentional consequence of the production process in industrial</i></p>	<p>- ‘sustainable aviation fuels’ (‘SAF’) means drop-in aviation fuels that are either synthetic aviation fuels, : (a) advanced biofuels as defined in Article 2, second paragraph, point 34 of Directive (EU) 2018/2001, or biofuels produced from the feedstock listed in Part B of Annex IX to that Directive, which comply with the sustainability and</p>	

To the attention of
 Czech Presidency
 Aviation attachés
 European Parliament Negotiation Team ReFuelEU



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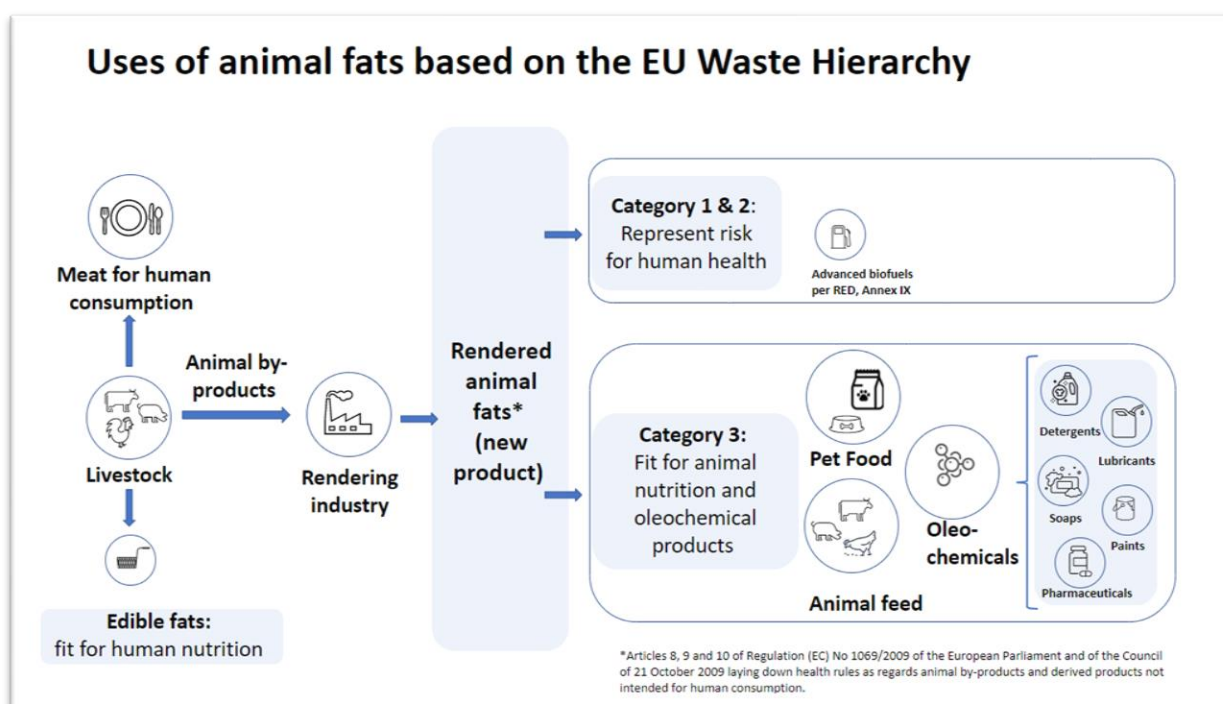


<p>greenhouse gas emissions criteria laid down in Article 29(2) to (7) of that Directive and are certified in accordance with Article 30 of this Directive;</p>	<p><i>installations, as referred to in Article 2, second paragraph, point 35 of Directive (EU) 2018/2001, which comply with the greenhouse gas emissions savings threshold referred to in Article 25(2), second subparagraph of that Directive, advanced biofuels as defined in Article 2, second paragraph, point 34 of Directive (EU) 2018/2001, or biofuels produced from the feedstock listed in Part B of Annex IX to that Directive, which comply with the sustainability and greenhouse gas emissions criteria laid down in Article 29(2) to (7) of that Directive and are certified in accordance with Article 30 of this Directive. Until 31 December 2034 sustainable aviation fuels may also include biofuels which comply with the sustainability and greenhouse gas emissions criteria laid down in Article 29 of Directive (EU)2018/2001 and are certified in accordance with Article 30 of that Directive, with the exception of biofuels produced from ‘food and feed crops’ as defined in Article 2, second paragraph, point 40 of that Directive;</i></p>	<p>greenhouse gas emissions criteria laid down in Article 29(2) to (7) of that Directive which comply with the sustainability and greenhouse gas emissions savings criteria laid down in Article 29 (2) to (7) of that Directive (EU) 2018/2001 and are certified in accordance with Article 30 of that Directive, with the exception of biofuels produced from ‘food and feed crops’ as defined in Article 2, second paragraph, point 40 of that Directive, (b) synthetic aviation fuels or (c) recycled carbon aviation fuels defined in Article 2, second paragraph, point 35 of Directive (EU) 2018/2001 which comply with the greenhouse gas emissions savings threshold referred to in Article 25(2), second subparagraph of that directive;</p>	
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Annex: Further Information

Why are there so many animal fat categories?

In Europe, animal fats are classified into three categories. Categories 1 and 2 are fats not fit for human food, oleochemicals or animal feed due to the high risk of contamination. Thus, they are used for biofuels. Animal fats known as animal fats category 3 are high quality fats derived from animal by-products of meat production, which are neither waste nor part of our diet. The production and use based on the EU Waste Hierarchy and Animal By-Product Regulation (Regulation (EC) No 1069/2009) are highlighted below.



How are animal fats regulated for transport fuels?

Animal fats category 1 and 2 are listed in the Renewable Energy Directive Annex IX, part B. Despite not being listed in Annex IX, the demand for animal fats category 3 for biofuel production has grown by 88% between 2018 and 2020.³ The RED incentivises new waste feedstocks for biofuel production, listing Categories 1 and 2 in Annex IX as advanced biofuel feedstocks. Nonetheless, all categories of animal fats are sought after by the biofuel industry because of their high energy density, especially for road transport and aviation.

What about the review of Annex IX? Are animal fats category 3 eligible?

In parallel to the fit for 55 Package transport files, the European Commission is assessing potential new feedstocks to be added to Annex IX, RED. This assessment includes animal fats category 3, it is still ongoing but based on the assessment of the consultants **animal fats category 3 are not suitable**

³ EFPR statistics, 2021

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as feedstocks in Annex IX. This is because of significant concerns linked to market distortion, mainly for traditional users that will no longer be able to access the feedstock. The second significant concern is linked to land demand, and current users looking for alternative feedstocks, these include some uses but not all, for example palm oil which is linked to concerns of deforestation.

Feedstocks	Circular economy	Union sustainability criteria	Sustainability GHG	Sustainability Others	Market distortion	Land demand	Processing Technologies (A or B)
Category 3 Animal fats							B

No concern

Some concern

Significant concern

Not applicable

About Us

APAG, a Sector Group of Cefic, represents 28 European producers of Oleochemicals, (Fatty Acids, Glycerine, Alcohols, Metallic Soaps and Fatty Esters). Oleochemicals are bio-based chemicals derived from vegetable oils and animal fats used as raw materials/intermediates in a variety of products, such as detergents, soaps, lubricants, paints, cosmetics and pharmaceuticals but also as processing aids and additives for plastics, rubber, textiles, food, nutrition and many others. They are essential substances for almost any advanced product in today's world.

FEDIAF, the European Pet Food Industry Association represents pet food manufacturers across Europe (15 National Associations and 5 direct companies from a total of 18 countries), who provide pets with nutritious and balanced pet food every day.

FEFAC, the European Feed Manufacturers' Federation, represents 21 national Associations in 21 EU Member States as well as Associations in the UK, Switzerland, Turkey, Serbia, Russia and Norway with observer/associate member status.