

Ref. LETTER(25)01669

Mrs Paulina HENNIG-KLOSKA
Minister for Climate and Environment
Wawelska Str. 52/54,
00-922 Warsaw
Poland

Brussels, 13 June 2025

Subject: Impact of imports of waste-based biodiesel on the European biofuels sector - urgent measures needed to restore confidence in certification scheme and market balance

Dear Minister,

Copa and Cogeca, representing European farmers and agri-cooperatives, express their deep concern regarding the increasing market imbalance caused by fraudulent biodiesel and feedstocks imports derived from waste and residue feedstocks—particularly Used Cooking Oil (UCO), biodiesel from UCO (UCOME), and Palm Oil Mill Effluents (POME). In addition, advanced ethanol imports are also under suspicion for fraudulent practices.

Unlike other feedstocks listed in Annex IX, waste vegetable oils—with high energy content—are the subject to extensive global trade, making them prone to fraud and weak traceability. This creates unfair competition to the EU crop and waste-based biofuels and unintended incentives that may ultimately drive increased palm oil demand and raise Indirect Land Use Change (ILUC) risks.

The combination of national and EU-level incentives, most notably the double counting mechanism under the Renewable Energy Directive (RED II), has fueled a dramatic rise in imports of these feedstocks and biofuels made of these feedstocks. As a result, sustainable EU-produced biodiesel from oilseed oil and crop-based ethanol is being pushed out of the market.

This trend is having serious repercussions on European agriculture:

- Rapeseed oil and so the oilseed rape prices have collapsed, causing an estimated loss of €150 per hectare for EU rapeseed farmers.
- European-certified biofuels are no longer competitive with imported low-cost alternatives, especially when they are fraudulent biofuels but also even when they meet fulfill sustainability criteria.
- The EU oilseeds production is at risk, due to uncertainty and declining profitability and exclusion of its own internal market.

Certification, monitoring and procedures enforcement must be strengthened. The EU-approved certification systems (so called voluntary schemes) are the backbone of trust in the biofuel value chain. However, its credibility is being eroded by inadequate enforcement, diverging national practices, and the sheer scale of imported materials whose origins are unverifiable. While the Union Database (UDB) is a positive step toward improving traceability, it must be supported by harmonized definitions of wastes and residues and mandatory compliance mechanisms. We are supporting UDB, but when it comes to the actual problems, Copa and Cogeca believe it should be focused on waste and advanced feedstock and imported biofuels that are the case of fraudulent behavior not seen with European conventional crop-based biofuels.



Copa and Cogeca call on the European Commission and Member States to:

1. Remove the double counting provision for all imported biofuels produced from feedstocks and feedstocks listed under Annex IX, if reliable certification and traceability cannot be guaranteed and in parallel to the US decision to incentivize waste-based biofuels made from domestic waste and residues.
2. Fully and effectively implement Regulation (EU) No 2022/996, ensuring strict controls and uniform application across the EU and third countries by the Commission and national competent authorities. It is also imperative to ensure the consistency of mass balances throughout the entire production chain. Without coherence between the declared volumes and the actual physical flows, the credibility of the entire system is undermined.
3. Require systematic witness audits to check the quality of certification bodies and across the entire biofuel supply chain to uncover and deter fraud.
4. Hold final biofuel users accountable for the validity and verification of sustainability certificates.
5. Harmonize feedstock definitions under Annex IX to prevent fraud.
6. Ensure strict quality control on biodiesel and ethanol fuel imports by CEN standards to guarantee safety and fair market access.
7. Copa and Cogeca fundamental regulatory requirements for fraud prevention are:
 - A plausibility check requires before the sustainability certificate can be accepted as legally valid. If there is any suspicion, the certificate must not be accepted, with reference to the reservation of inspection. The buyer does not obtain any protection of confidence in this case; see the cases of fraud in Germany.
 - The biofuel manufacturer, who is the last point of contact and enters the sustainability data into the UDB, must confirm in each certificate that on-site inspections are allowed globally at any time.
 - If it is decided that the certification system negligently recognizes certifications issued by certification bodies, e.g., in the case of first audits, failure to exercise due diligence must have consequences under liability law (indemnity, temporary withdrawal of recognition).

The current legislative framework is placing European agriculture and sustainable biofuel production at a competitive disadvantage. Immediate corrective action is needed to restore market integrity, support EU-grown feedstocks, and reinforce the Union's long-term energy and environmental goals. Copa and Cogeca emphasize that the provisions of RED II and its amendment mentioned above lay the foundation for an international level playing field for fair competition for greater sustainability, climate protection and resource efficiency.

Yours faithfully,



Elli Tsiforou
Secretary general

Copy: COREPER 1

