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Dear Ladies and Gentlemen!

Please find enclosed the answers of the Section Plant Production of the Federal Ministry of Agriculture, Forestry, Environment and Water Management concerning the consultation on the topic "Indirect Land Use Change Impacts of Biofuels".

- 1) Do you consider that the analytical work referred to above, and/or other analytical work in this field, provides a good basis for determining how significant indirect land use change resulting from the production of biofuels is?

In general we agree that it is necessary to think about how the EU policy on biofuels can possibly be influenced by land use and land use changes around the world and try to estimate problems, which might arise. However the outcome of the four studies has shown, that due to the high amount of possible influence factors, it is not possible to achieve results, which tell exactly what should be done. In general we have the opinion, that these studies are a good basis for further discussion on this item. It should be a general aim of further elaboration to have a common (scientific) understanding what is meant by ILUC, which even seems not to be the case at this stage.

- 2) On the basis of the available evidence, do you think that EU action is needed to address indirect land use change?



The Renewable Energy Directive has to be implemented until the 5th December 2010 in all Member States. It has to be stated, that there are still a lot of outstanding issues concerning the Directive, which the Commission should have already been solved or discussed with the Member States. The sustainability criteria of the RES Directive aim to prevent negative effects on the environment by the production and use of biofuel and bioliquids. As far as these sustainability criteria are not yet implemented by Member States (except Germany), we do not know, whether these measures are effective or not, especially for raw materials from outside the European Union. Therefore and because of the varying results of the studies it is too early to take concrete action on indirect land use change. Of course the situation has to be monitored in order to be able to react, if problems arise out of the EU biofuel policy.

- 3) If action is to be taken, and if it is to have the effect of encouraging greater use of some categories of biofuel and /or less use of other categories of biofuel than would otherwise be the case, it would be necessary to identify these categories of biofuel on the basis of the analytical work. As such, do you think it is possible to draw sufficiently reliable conclusions on whether indirect land use change impacts of biofuels vary according to
- feedstock type?
 - geographical location?
 - land management?
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See our answer of question 4

- 4) Based on your responses to the above questions, what course of action do you think appropriate?
- A. Take no action for the time being, while monitoring impacts including trends in certain key parameters and, if appropriate, proposing corrective action at a later date.
Please say how the monitoring should be done and what these parameters should be.
 - B. Take action by encouraging greater use of some categories of biofuel
 - C. Take action by discouraging the use of some categories of biofuel
 - D. Take some other form of action

According to our answers we prefer A for the moment. As far as we do not have any experience with the implementation of the RES Directive we cannot say how the monitoring should be done at this stage.

For the Federal Minister:
DI Stangl