

October 14, 2020

RE: International Council on Clean Transportation comments on the *Entwurf eines Gesetzes zur Weiterentwicklung der Treibhausgasminderungs-Quote* and the *Verordnung zur Festlegung weiterer Bestimmungen zur Weiterentwicklung der Treibhausgasminderungs-Quote* from the Bundesministerium für Umwelt, Naturschutz und nukleare Sicherheit

These comments are submitted by the International Council on Clean Transportation (ICCT). The ICCT is an independent nonprofit organization founded to provide unbiased research and technical analysis to environmental regulators. Our mission is to improve the environmental performance and energy efficiency of road, marine, and air transportation, in order to benefit public health and mitigate climate change. We promote best practices and comprehensive solutions to increase vehicle efficiency, increase the sustainability of alternative fuels, reduce pollution from the in-use fleet, and curtail emissions of local air pollutants and greenhouse gases (GHG) from international goods movement.

The ICCT applauds the Bundesministerium für Umwelt, Naturschutz und nukleare Sicherheit for proposing to increase the greenhouse gas reduction in transport. In particular, we support several proposals as outlined in the draft law and ordinance: the reduction of the cap on food-based feedstocks, excluding high-ILUC feedstocks by 2026, support measures for electric vehicles, and capping Annex IX, Part B feedstocks.

We would be glad to clarify or elaborate on any points made in the below comments. If there are any questions, feel free to contact [REDACTED]

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ICCT applauds the proposal to quickly phase out high-ILUC feedstocks and introduce a strict cap on food-based biofuels. By phasing out high-ILUC feedstocks by 2026, the German government will help achieve faster reductions in greenhouse gas emissions from the transport sector than would have occurred were these feedstocks phased out by 2030, as required in the recast of the Renewable Energy Directive (RED II). Multiple land use change studies from Europe have consistently shown that food-based biodiesel, especially that made from palm oil, is worse for climate than fossil fuels (Valin et al., 2015; Laborde, 2011). In addition, by not allowing the contribution of other food-based feedstocks to backfill high-ILUC feedstocks' contribution to the food-based cap, the BMU is aligning its legislation with the goal to transition to advanced, sustainable alternative fuels. This measure also limits the risk of the GHG quota causing an indirect increase in palm oil consumption. Research has shown that increased consumption of biofuel produced from other vegetable oils, including rapeseed and soy, results in increased European imports of palm oil to supply non-biofuel uses (Santeramo, 2017; Santeramo et al., 2020).

ICCT also supports the cap on Annex IX, Part B feedstocks. Increasing the cap any further would lead to further displacement of animal fats from other productive uses, which could be exacerbated by “downgrading” higher quality fats into lower quality categories to qualify for Annex IX. A strict cap on Part B feedstocks will also limit the potential for fraudulent used cooking oil imports.

The BMU proposals also correctly support efforts to decarbonize road transport using renewable electricity in electric vehicles. Battery electric vehicles are a much more efficient use of renewable electricity (Santeramo et al., 2020).

References

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