



SCOTTISH QUALITY CROPS

MEMBERS TECHNICAL BRIEFING

Proposed changes to the Renewable Energy Directive - (EU) 2018/2001 and impact on UK assurance schemes

Summary

RED II assurance allows companies to trade crops to the domestic and European bioenergy sector which is a growing and important area of the UK economy.

The UK agri-food supply assurance schemes i.e., Scottish Quality Crops (SQC), Red Tractor Assurance (RTA) and Agricultural Industries Confederation (AIC) are currently accepted as voluntary schemes by the European Commission (via the United Kingdom Accreditation Service (UKAS)), which has allowed them to certify a range of UK companies and farms to RED II, demonstrating that these organisations meet the requirements of the Renewable Energy Directive (EU) 2018/2001.

In line with changes to the Renewable Energy Directive (EU), all relevant voluntary assurance bodies have had to provide evidence of meeting all requirements through the RED Implementing Regulations (IR). However, we have now been informed that as the UK is no longer part of the EU, UKAS is no longer recognised as a National Accreditation Body (as required under IR 11(1)).

SQC, RTA and AIC are currently working with the wider industry and stakeholders to find a way to resolve this current impasse which includes contact with:

1. Guidehouse Europe Ltd - the organisation that manages the voluntary scheme assessment process on behalf of the European Commission (EC)
2. European Commission (EC) to try and reverse this decision
3. United Kingdom Accreditation Service (UKAS) to encourage action to gain recognition from the EC
4. The Department for Transport (DfT) to determine if a UK Scheme could be set up to meet these requirements

5. The Certification Bodies contracted to SQC, RTA and AIC to determine potential alternatives to resolve this issue
6. Member companies/assurance participants to determine the best course of action
7. UK government to seek support and assistance in lobbying efforts on trade agreements

More information will be forthcoming as these discussions progress, but this is a concern to the UK as this is a potential change to the certification status of our RED Certified participants.

We foresee four possible outcomes to this issue as indicated below:

1. The EC makes the decision to continue to recognise UKAS as a National Accreditation Body, so the UK RED II Schemes continue to be recognised
2. The Certification Bodies contracted through SQC, RTA and AIC gain additional accreditation under an EU Accreditation Body, which is recognised by the EC
3. DfT recognises the UK based RED II Schemes that allows continued compliance with domestic renewable fuels legislation
4. None of the above actions are successful and the UK schemes lose their RED assurance status

Guidehouse and the EC have indicated that all requirements to the RED (EU) Implementing Regulations must be in place and approved (by the EC) before 31 December 2023.

If option 4 is the outcome, then alternative assurance against RED II will be required by current certified companies to meet the RED II requirements of customers.

For our members growing for biofuels, this could impact existing contracts from 31 December 2023 if the end customer is the EU biofuel market. If you have any queries on this, please don't hesitate to get in touch via email – info@foodassurance.co.uk - and we can help signpost you.