



Notification Number: 2013/613/UK

Quality Protocol Biodiesel End of waste criteria for the production and use of biodiesel derived from waste cooking oil and rendered animal fat

Date received : 12/11/2013

End of Standstill : 13/02/2014

Message

Message 001

Communication from the Commission - TRIS/(2013) 02876

Directive 98/34/EC

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notification - Notifica - Pieteikums - Pranešimas - Bejelentés - Notifika - Kennisgeving - Zawiadomienie - Notificação - Hlásenie-Obvestilo - Ilmoitus - Anmälan - Нотификация : 2013/0613/UK - Notificare.

No abre el plazo - Nezahtuje odlady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - Не се предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201302876.EN)

1. Structured Information Line

MSG 001 IND 2013 0613 UK EN 12-11-2013 UK NOTIF

2. Member State

UK

3. Department Responsible

Department for Business, Innovation and Skills
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3. Originating Department

Department for Environment, Food and Rural Affairs



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4. Notification Number

2013/0613/UK - N40E

5. Title

Quality Protocol Biodiesel

End of waste criteria for the production and use of biodiesel derived from waste cooking oil and rendered animal fat

6. Products Concerned

Quality biodiesel

7. Notification Under Another Act

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8. Main Content

The biodiesel quality protocol has three main purposes: – (1) to provide greater certainty of the point at which quality biodiesel has undergone a complete recovery operation, has been fully recovered and has ceased to be waste within the meaning of Article 3(1) of the revised Waste Framework Directive (2008/98/EC); (2) to provide users with confidence that the quality biodiesel they purchase conforms with an approved standard; and (3) to protect human health and the environment by setting standards for the production and use of quality biodiesel in specified end uses and describing acceptable good practice for its use. Quality biodiesel will be regarded as having been fully recovered and ceased to be waste, and therefore no longer subject to waste management controls, only when a) it has been produced using only those input materials specified in Section 2.3.2 of the protocol, b) it has been produced via a chemical process in accordance with Section 2 of the protocol, c) it meets the requirements of an approved standard so requires no further processing before use, d) it is destined for combustion as an automotive or heating fuel, and e) it is not used in such a way as to adversely affect human health or the environment, thus not undermining the aims of the Waste Framework Directive and Water Framework Directive (2000/60/EC). Producers must demonstrate that these criteria have been met by producing and keeping copies of customer supply documentation that include a declaration of conformance with the protocol. Where these conditions are met, the quality biodiesel will be regarded as having ceased to be waste when despatched to the customer.

9. Brief Statement of Grounds

The Waste Framework Directive requires Member States to encourage the use of waste as a resource, and sets out the grounds for end of waste criteria in Article 6. Specifically, Article 6(4) allows for national end of waste criteria where EU-level criteria have yet to be established. Subject to ECJ case law, it rests with Member States' competent authorities to determine on a case-by-case basis when substances or objects are discarded and become waste, and when waste has been fully recovered and ceases to be waste. Based on the principles set by the ECJ in case law, the biodiesel end-of-waste Protocol seeks to identify the point at which quality biodiesel has ceased to be a waste. In so doing, the biodiesel end-of-waste Protocol's objective is to provide greater certainty for both establishments or undertakings producing quality biodiesel under the terms of a permit issued



by the competent authority under Article 23 of the Waste Framework Directive, or a permit exemption registered under Article 24 of the Directive, and to users of biodiesel produced by such waste recovery operations. The greater certainty provided by the biodiesel end-of-waste Protocol fulfils the objective of the Waste Framework Directive by making more effective use of waste as a resource.

10. Reference Documents - Basic Texts

No Basic Text exists

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

An impact assessment was provided with the original notification of this regulation (2008/0590/UK)

16. TBT and SPS aspects

TBT aspect

No - The draft has no significant impact on international trade

SPS aspect

No - The draft has no significant impact on international trade

European Commission

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