



COMMISSION IMPLEMENTING REGULATION (EU) 2025/196
of 3 February 2025
amending Implementing Regulation (EU) 2022/996 as regards the accreditation of certification
bodies and correcting Annex VII to that Regulation

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources ⁽¹⁾, and in particular Article 30(8) thereof,

Whereas:

- (1) Correct and harmonised certification by voluntary schemes is essential to determine whether biofuels, bioliquids, biomass fuels, renewable gaseous and liquid fuels of non-biological origin and recycled carbon fuels comply with the requirements of Directive (EU) 2018/2001. To ensure legal certainty on the rules applicable to economic operators and voluntary schemes, Commission Implementing Regulation (EU) 2022/996 ⁽²⁾ sets out harmonised rules, applicable across the certification process.
- (2) During implementation of the requirements for Member States regarding accreditation of certification bodies, as set out in Article 11(1) of Implementing Regulation (EU) 2022/996, it has been concluded that the proper preparation of accreditation programmes by Member States would require a much longer period, therefore the application of those requirements has been already deferred for one year by Commission Implementing Regulation (EU) 2024/805 ⁽³⁾.
- (3) The subsequent preparatory work undertaken by the Member States to apply the provisions on accreditation of certification bodies has identified the need for further additional time to prepare and adopt accreditation programmes by the national accreditation bodies of the Member States as well as to clarify the standards, on which basis such programmes should be prepared. To facilitate the preparation of the accreditation programmes by the competent authorities of the Member States, a mandatory process of assessment of the suitability for accreditation of the certification standards of the voluntary and national schemes should also be introduced. That assessment should be part of the overall assessment of the schemes before their recognition by the Commission and should be carried out in consultation with the national accreditation bodies of the Member States under the coordination role of the European cooperation for Accreditation.
- (4) The definition of ‘certification body’ in Article 2(14) of the Implementing Regulation (EU) 2022/996 should also be amended to align its content with the new provisions on accreditation.
- (5) To ensure business continuity and avoid any risk of disrupting the certification market, it is necessary to provide for a transition period, which will apply to certification bodies that are conducting certification activities on behalf of a voluntary or national scheme that has been recognised by the Commission by the end of the transition period. Such certification bodies should be allowed to continue their activities without having to be accredited under Article 11(1) of Implementing Regulation (EU) 2022/996 until 31 December 2026.

⁽¹⁾ OJ L 328, 21.12.2018, p. 82, ELI: <http://data.europa.eu/eli/dir/2018/2001/oj>.

⁽²⁾ Commission Implementing Regulation (EU) 2022/996 of 14 June 2022 on rules to verify sustainability and greenhouse gas emissions saving criteria and low indirect land-use change-risk criteria (OJ L 168, 27.6.2022, p. 1, ELI: http://data.europa.eu/eli/reg_impl/2022/996/oj).

⁽³⁾ Commission Implementing Regulation (EU) 2024/805 of 7 March 2024 amending Implementing Regulation (EU) 2022/996 as regards the date of application of Article 11(1) of that Regulation (OJ L, 2024/805, 8.3.2024, ELI: http://data.europa.eu/eli/reg_impl/2024/805/oj).

- (6) In addition, it is also necessary to correct an evident error in Annex VII to Implementing Regulation (EU) 2022/996. The values for nitrogen fertilisers have been swapped, by error, with the values for urea fertilisers. Therefore, those values should be corrected accordingly.
- (7) Implementing Regulation (EU) 2022/996 should therefore be amended and corrected accordingly.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Committee on the Sustainability of Biofuels, Bioliquids and Biomass fuels,

HAS ADOPTED THIS REGULATION:

Article 1

Implementing Regulation (EU) 2022/996 is amended as follows:

- (1) in Article 2, point (14) is replaced by the following:

‘(14) “certification body” means an independent accredited conformity assessment body that concludes an agreement with a voluntary or national scheme recognised by the European Commission in accordance with Article 30(4)-(6) of Directive (EU) 2018/2001, to provide certification services for raw materials or fuels by carrying out audits of economic operators and issuing certificates on behalf of the voluntary or national schemes using the voluntary or national scheme’s certification system;’
- (2) Article 11 is amended as follows:
 - (a) the title is replaced by the following:

‘Requirements for certification bodies and their auditors’;
 - (b) paragraph 1 is replaced by the following:

‘1. A certification body shall be accredited to EN ISO/IEC 17065.

When a certification body conducts verification activities, either with its internal resources or with other resources under its direct control, it shall also meet the applicable requirements of EN ISO/IEC 17029 and EN ISO 14065. The certification body shall only use other resources for verification activities from accredited bodies that meet the applicable requirements of EN ISO/IEC 17029 and EN ISO 14065.

The accreditation of a certification body shall be conducted by a national accreditation body in accordance with Regulation (EC) No 765/2008 and shall cover the specific scope of certification of the voluntary or national scheme within the scope of Directive (EU) 2018/2001.

As part of the assessment of voluntary or national schemes in accordance with Article 30(4), (5) and (6) of Directive (EU) 2018/2001, the Commission shall also assess, after consulting the European cooperation for Accreditation, if the methodologies, rules, and protocols of the voluntary or national schemes are suitable for accreditation for the purposes of this Article. The conclusion of the assessment of the voluntary and national schemes’ suitability for accreditation shall be included in the technical assessment reports, prepared by the Commission and presented to the Member States as part of the voluntary and national schemes recognition process in accordance with Article 30(4) and (6) of Directive (EU) 2018/2001.

The methodologies, rules and protocols of the voluntary and national schemes that have been recognised by the Commission before or on 24 February 2025 shall be assessed by the Commission by 31 December 2025, after consulting the European cooperation for Accreditation, to ensure that they are suitable for accreditation in accordance with this paragraph.’

(3) in Article 28, the third subparagraph is replaced by the following:

‘Article 11(1) shall apply as of 1 January 2027.’;

Article 2

Annex VII to Implementing Regulation (EU) 2022/996 is corrected in accordance with the Annex to this Regulation.

Article 3

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 3 February 2025.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

In point 1.4.1 of Annex VII to Implementing Regulation (EU) 2022/996, the second sentence is replaced by the following:

'For nitrate fertilisers, the emissions from the neutralisation of nitrogen fertilisers in the soil shall be 0,806 kg CO₂/kg N; for urea fertilisers, the neutralisation emissions shall be 0,783 kg CO₂/kg N.'
