

## RECOMMENDATIONS

Draft Delegated Act on the traceability scope of the Union Database

31 March 2025

# Ensure smooth compliance with optimised traceability rules for the gaseous value chain

The European Biogas Association (EBA) welcomes the European Commission's intention to strengthen the traceability of renewable gases through the expansion of the Union Database (UDB). Ensuring a well-functioning and transparent system is essential to supporting the growth of the biomethane sector and achieving Europe's decarbonisation goals.

However, the proposed Delegated Act raises **several practical concerns** that must be addressed to ensure effective implementation without disrupting market operations.

This position paper puts forward **8 key recommendations** to improve the **clarity** and **feasibility** of the new requirements. In particular, EBA draws the attention of the European Commission to the need for a concerted information strategy to inform thousands of economic operators across Europe about the new requirements related to the Union Database.

Scope of obligated parties	Transaction reporting	Feedstock	Implementation
1. Clarify if biogas producers must register to the UDB	2. Enlarge the list of triggering points  3. Extend the timeframe to report on transaction data  4. Remove the finalisation deadline for transactions  5. Revise the approach to the suspension of economic operators	6. Provide a harmonised list of feedstock categories	7. Extend the implementation deadline for the gaseous value chain  8. Prepare a cooperative strategy to inform and prepare the market

## A. Scope of obligated parties

### 1. Clarify if producers of biogas for electricity and power generation should register to the UDB

It is still unclear to the sector whether biogas producers should register themselves and their feedstock into the UDB.

**This should be clarified urgently** as a few thousands of Economic Operators would then have to be informed and to get ready for the new requirements.

## B. Transaction reporting

### 2. Enlarge the list of triggering points (Article 5.1)

The draft Delegated Act states 5 options are possible: (a) an invoice issuance date; (b) a surveyor report issuance date; (c) a bill of lading issuance date; (d) the issuance date of an internal system reference document covering multiple shipments; or (e) a truck report issuance date.

The possibilities are welcome, but they do not capture accurately the current feedstock trading and procurement practices.

**EBA recommends adding 2 more options:**

1. *End of mass balance period.* The use of this triggering point will align the transaction reporting with the timing of PoS issuance and the corresponding bulk upload of PoS to the UDB. This is likely to fit the practice of most First Gathering Points and biomethane producers.
2. *Physical delivery of the raw material to the Economic Operator (EO).* This can be proved by a proof of delivery such as a stamped bill of lading.

Draft Delegated Regulation	Suggested improvements
<p>Article 5</p> <p>1. Economic operators, referred to in Article 3(1) of this Regulation, that are obliged to enter transactions data in the Union database under national law and in accordance with Article 31a of Directive (EU) 2018/2001 shall enter such data within three working days from a triggering point, which shall be one of the following:</p> <p>(a) an invoice issuance date;</p> <p>(b) a surveyor report issuance date;</p> <p>(c) a bill of lading issuance date;</p> <p>(d) the issuance date of an internal system reference document covering multiple shipments; or</p> <p>(e) a truck report issuance date.</p>	<p>Article 5</p> <p>1. Economic operators, referred to in Article 3(1) of this Regulation, that are obliged to enter transactions data in the Union database under national law and in accordance with Article 31a of Directive (EU) 2018/2001 shall enter such data within three working days from a triggering point, which shall be one of the following:</p> <p>(a) an invoice issuance date;</p> <p>(b) a surveyor report issuance date;</p> <p>(c) a bill of lading issuance date;</p> <p>(d) the issuance date of an internal system reference document covering multiple shipments;</p> <p>(e) a truck report issuance date;</p> <p><b>(f) the physical delivery of the raw material to the Economic Operator, which may be proved by points (c ), (d) or (e ) above;</b></p> <p><b>(g) the end of the mass balance period.</b></p>

**3. Extend the timeframe to report on transaction data (Article 5)**

EBA agrees with the importance of timely data entry but believes the current timeframe (i.e. 3 working days) for sellers and buyers to generate and accept transactions is too restrictive. Different economic operators may have varying operational practices, which should be accounted for.

**EBA proposes extending the timeframe to generate and accept transactions within the UDB to 30 working days after the triggering point** instead of the current 3 days mentioned in Article 5(1) and (3). This should also be applied to:

- Grouping of physical shipments in one transaction (Article 5(2)).
- Raw material transfers between sites belonging to the same Economic Operator (Article 5(6)).

Thirty calendar days will allow for more flexible data management practices, ensuring that transactions are recorded accurately without imposing undue pressure on operators. Given the fact that timely data entry to UDB is required for further trading activities, economic operators will be naturally motivated to report on transactions in a timely manner.

Draft Delegated Regulation	Suggested improvements
<p>Article 5</p> <p>1. Economic operators, referred to in Article 3(1) of this Regulation, that are obliged to enter transactions data in the Union database under</p>	<p>Article 5</p> <p>1. Economic operators, referred to in Article 3(1) of this Regulation, that are obliged to enter transactions data in the Union database under</p>

national law and in accordance with Article 31a of Directive (EU) 2018/2001 shall enter such data within three working days from a triggering point, which shall be one of the following: [...]	national law and in accordance with Article 31a of Directive (EU) 2018/2001 shall enter such data within <del>three working</del> <b>thirty calendar days</b> from a triggering point, which shall be one of the following: [...] <b>If the deadline falls on a public holiday, a Saturday or a Sunday, the next calendar day shall apply.</b>
Article 5 3. Once the transaction has been validated by the seller, the buyer shall have three working days to either accept or reject the transaction in the Union database. In case of no action from the buyer, the transaction shall be automatically cancelled by the Union database and sent back to the seller.	Article 5 3. Once the transaction has been validated by the seller, the buyer shall have <del>three working</del> <b>thirty calendar days</b> to either accept or reject the transaction in the Union database. In case of no action from the buyer, the transaction shall be automatically cancelled by the Union database and sent back to the seller. <b>If the deadline falls on a public holiday, a Saturday or a Sunday, the next calendar day shall apply.</b>

### 5. Remove the finalisation deadline for transactions (Article 5(5))

The final sentence of Article 5(5) reads *"The transaction may be finalized at the latest by the earliest date of net mass balancing of either the seller or the buyer."* This is not workable in practice for several reasons:

- The notion of "net mass balancing" is not defined in the regulation;
- the seller and the buyer don't know their counterparty's mass balance period;
- it is not be realistic to finalise transactions in the UDB on the last day of a mass-balancing period as it takes time for figures to be issued and that day could fall a non working day (weekend / public holiday).

EBA recommends providing more flexibility by removing the final sentence of Article 5(5).

Draft Delegated Regulation	Suggested improvements
Article 5 5. Once accepted by the buyer, the transaction data shall not be modified. In case of identified errors, another correcting transaction shall be launched by the economic operator who is willing to operate the corrections. In case the accumulated greenhouse gas emissions data are not available at the moment of entering the transaction, that field may remain empty and be updated at a later stage. Until this update of the greenhouse gas emissions data field is made and accepted by the buyer, the transaction shall not be completed. The transaction may be finalized at the latest by the earliest date of net mass balancing of either the seller or the buyer.	Article 5 5. Once accepted by the buyer, the transaction data shall not be modified. In case of identified errors, another correcting transaction shall be launched by the economic operator who is willing to operate the corrections. In case the accumulated greenhouse gas emissions data are not available at the moment of entering the transaction, that field may remain empty and be updated at a later stage. Until this update of the greenhouse gas emissions data field is made and accepted by the buyer, the transaction shall not be completed. <del>The transaction may be finalized at the latest by the earliest date of net mass balancing of either the seller or the buyer.</del>

### 6. Revise the principles for suspension of economic operators (Article 6.2)

The current Article 6.2 mandates an automatic suspension of the certified status of an Economic Operator and its products if they failed to update their *"relevant certification data according to the established procedure by the voluntary or national scheme before the expiration date of the previous certificate"*.

There is a significant risk of human error leading to business disruption and financial loss. Some days of interruption can have serious impact on a business, including the closing down small-scale plants.

**EBA urges:**

- To require **one warning** within the data update procedure of Schemes before suspension.
- To protect Economic Operators from the failure of **certification bodies** to provide updated data.
- to implement a **human validation** by the Schemes before suspension to avoid the risk of EO's operations unfairly disrupted by an error.
- to **clarify** how the suspension ends as soon as the operator's reporting and certification.

Draft Delegated Regulation	Suggested improvements
<p>Article 6 2. Voluntary and national schemes shall ensure a system of data updates. They shall ensure that their certification bodies and the economic operators carry out the certification data updates in accordance with the procedures provided for by the scheme for such data updates. The Union database shall automatically suspend the active status of the economic operators concerned if relevant certification data has not been updated according to the established procedure by the voluntary or national scheme before the expiration date of the previous certificate. The validity period of certificates in the Union database shall not be longer than one year.</p>	<p>Article 6 2. Voluntary and national schemes shall ensure a system of data updates. They shall ensure that their certification bodies and the economic operators carry out the certification data updates in accordance with the procedures provided for by the scheme for such data updates. <del>The Union database shall automatically suspend the active status of the economic operators concerned if relevant certification data has not been updated according to the established procedure by the voluntary or national scheme before the expiration date of the previous certificate.</del> The validity period of certificates in the Union database shall not be longer than one year.</p>
	<p>3 (new). The Union database shall suspend the active status of the economic operators concerned when:</p> <ul style="list-style-type: none"> <li>- relevant certification data has not been updated by the economic operator according to the established procedure by the voluntary or national scheme before the expiration date of the previous certificate; and</li> <li>- the economic operator has not performed the data updated within 10 calendar days (excluding public holidays, Saturdays or a Sundays) after a written warning by the relevant voluntary or national scheme.</li> </ul> <p>The first subparagraph should not apply when the certification body has failed to provide to the economic operator the necessary data by the deadline in the procedures established by the relevant voluntary or national scheme. The system of data updates developed by the voluntary and national schemes shall specify the procedure laid down in this paragraph.</p>

## C. Feedstock classification (Article 3)

### 7. Provide a harmonised list of feedstock categories (Article 3)

Different naming and coding practices of raw materials (feedstock) among certification schemes and national databases makes it difficult to transfer Proofs of sustainability across borders. This creates uncertainty about the recognition of a PoS from a country A in the compliance program of a country B.

A harmonised list of feedstock categories used in the UDB and across Schemes and national databases will simplify cross-border trade.

In the frame of this Delegated Act, **EBA recommends specifying the responsibility of the European Commission** (referred to in draft DA as the “Union database manager”) with regard to the list of raw material types to be used in the UDB.

**EBA recommends creating a legal obligation for the European Commission to set-up and maintain a public list of harmonised raw material categories to ensure uniformity in the naming and coding practices.** This list should:

- be defined at a sufficiently high level to be aligned with Annex IX of RED and to cater for national variations in the way feedstocks are classified.
- be mandatory for all voluntary and national schemes – in this regard this obligation should be set in the revision of the Implementing Act 2022/996.

Harmonisation of main categories of raw materials will provide enough guidance, while giving flexibility to the market regarding regional specific feedstock.

Draft Delegated Regulation	Suggested improvements
	Article 3 (new) 4bis. The Union database manager shall set-up an EU list of raw material categories used in the production process of fuels that are within the scope of the Union Database. This EU list should have the only purpose of ensuring harmonisation of naming and coding raw material categories across the Union Database, the voluntary and national schemes. The Union database manager shall consult voluntary and national schemes as well as relevant stakeholders before enforcing the list in the Union Database.
5. If a specific type of raw material cannot be found on the lists pre-defined in the Union database, the economic operator may send a request to the Union database manager, through the relevant voluntary or national scheme, requesting its inclusion in the list. The Union database manager shall review the request, together with the voluntary or national scheme concerned, and either include it in the list in the database or provide the economic operator with a justification why this would not be possible.	5. If a specific category of raw material cannot be found on the <del>EU list set-up in paragraph 4bis lists pre-defined in the Union database</del> , the economic operator may send a request to the Union database manager, through the relevant voluntary or national scheme, requesting its inclusion in the list. The Union database manager shall review the request, together with the voluntary or national scheme concerned, and either include it in the list in the database or provide the economic operator with a justification why this would not be possible, <b>within 20 working days.</b>
6. The Union database manager shall ensure that the raw materials that are included in the lists pre-defined in the Union database and that can be clearly identified on the list of raw materials	6. The Union database manager shall ensure that the raw materials that are included in the <b>EU list set-up in paragraph 4bis lists pre-defined in the Union database</b> and that can be clearly identified

laid down in Annex IX to Directive (EU) 2018/2001 or Annex IV to Implementing Regulation (EU) 2022/996, are marked in the database as raw materials belonging to Annex IX, Part A or Part B, to Directive (EU) 2018/2001.	on the list of raw materials laid down in Annex IX to Directive (EU) 2018/2001 or Annex IV to Implementing Regulation (EU) 2022/996, are marked in the database as raw materials belonging to Annex IX, Part A or Part B, to Directive (EU) 2018/2001.
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## D. Implementation

### 8. Extend the implementation deadline for the gaseous value chain (Article 7)

EBA fully supports the objectives of the Union Database and acknowledges the importance of implementing robust traceability mechanisms. However, the registration of the raw material supply chain was not foreseen for the gaseous value chain based on informal information given by the European Commission in the past two years.

The requirements put forward in the draft Delegated Act imply **substantial workload for the value chain, including farmers and small waste management operators**. From the day of adoption of the Delegated Act, the sector would have at minimum 2 months to get prepared for compliance. This is too short a deadline.

Substantial amount of time is necessary for:

- *biomethane producers, "first gathering points"* (which could be small farmers and small waste management operators) *and feedstock traders* to set-up IT systems and processes and train their staff,
- for *first gathering points* to identify within the UDB their numerous Points of Origin, and connect their IT systems to the UDB for smooth bulk upload of data,
- *certification bodies* to set-up the appropriate processes to perform regular transaction data checks (as required by Article 31a(5) subparagraph 1 of the RED III),
- *voluntary and national schemes* to achieve the initial registration of EO and set up a system of data updates.

EBA calls for a more gradual implementation of the Union Database for gaseous fuels. While the modules for gaseous fuel producers and their downstream supply chain up to consumption should be rolled out as soon as possible in 2025, EBA urges that the integration of the feedstock supply chain within the UDB for the gaseous fuels occurs **6 months after the date of entry into force**. This will facilitate the uptake of the UDB by all players along the value chain and mitigate risks of disruption of ongoing operations.

Draft Delegated Regulation	Suggested improvements
	Article 7 (new) 2. It shall apply to gaseous renewable fuels from 6 months after the date of entry into force.

### 9. Prepare a cooperative strategy to inform and prepare the market

The European Commission should not underestimate the necessary time to inform market players about their new responsibilities. The number of obligated parties is **thousands of economic operators** only in the biogas and biomethane value.

Informing such a high number of stakeholders requires a **concerted strategy** between the European Commission, relevant industry associations and voluntar and national Schemes.

In this regard, EBA urges the European Commission to:

- prepare such a **strategy as soon as possible** and consult relevant stakeholders;
- work on a **guidance as well as training and communication materials** for trade associations and certification schemes to spread to their networks. The consultancy should cooperate

with trade associations, national and voluntary schemes to prepare the materials and ensure wide dissemination.

EBA is committed to supporting the European Commission's efforts to enhance transparency and traceability in the renewable gas sector. We remain available for bilateral discussion.

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## About the EBA

The European Biogas Association is the voice of renewable gas in Europe since 2009. EBA advocates the recognition of biomethane and other renewable gases as sustainable, on demand and flexible energy sources that provide multiple knock-on socio-economic and environmental benefits. Supported by its members, EBA is committed to work with European institutions, industry, agricultural partners, NGOs and academia to develop policies which can enable the large-scale deployment of renewable gases and organic fertilisers throughout Europe, supported by transparent, well-established sustainability certification bodies to ensure that sustainability remains at the core of the industry. The association counts today on a well-established network of over 200 national organisations, scientific institutes, and companies from Europe and beyond.