



EUROPEAN COMMISSION

*Brussels, 27.03.2015  
C(2015) 2185 final*

*Dear President,*

*The Commission would like to thank the Bundesrat for its Opinion concerning the Commission's proposal for a Council Directive laying down calculation methods and reporting requirements pursuant to Article 7a of Directive 98/70/EC of the European Parliament and of the Council relating to the quality of petrol and diesel fuels (Fuel Quality Directive) {COM(2014) 617 final}.*

*The Commission has taken note of the Bundesrat's concern as regards fuels derived from 'tar sands'. In that regard the Commission would like to recall that the purpose of Article 7a of the Fuel Quality Directive is to reduce the carbon content of fuel used for road transport. The aim of the Fuel Quality Directive is not to discourage the use of any specific type of fuel but to ensure the appropriate accounting for greenhouse gas emissions. The approach chosen by the Commission addresses key stakeholder concerns and is a compromise reflecting the opposition that specific values for the carbon intensity of fuels, based on individual feedstocks, such as oil sands, has found.*

*Furthermore the proposed Directive would give Member States a certain degree of discretion, including for the accounting and verification of upstream emission reductions. Member States have the possibility to adopt further rules, as appropriate, since Article 7a has an environmental legal basis i.e. Article 192 of the Treaty on the Functioning of the European Union.*

*The Commission would also like to recall that the European Parliament, at its plenary session on 17 December 2014, endorsed the position adopted by the Council on 5 December on this proposal.*

*In that regard the legislators agreed to introduce a new Recital 6, which foresees the Commission's involvement in the preparation of non-legislative guidance on approaches to quantify, verify, validate and monitor upstream emission reductions to facilitate the transposition of the implementing act by the Member States.*

*Mr Volker BOUFFIER  
President of the Bundesrat  
Leipziger Straße 3-4,  
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*As regards the Bundesrat's concerns about the proposal on joint reporting and fulfilment of reduction target by groups of fuels suppliers, the legislators chose to delete the Commission's proposal to allow for cross border joint reporting in the final text.*

*The Commission hopes that these clarifications address the concerns raised by the Bundesrat and looks forward to continuing our political dialogue in the future.*

*Yours faithfully,*

*Frans Timmermans  
First Vice-President*

*Miguel Arias Cañete  
Member of the Commission*