Normative Interpretation: Application of Article 29(15) REDIII - Grandfathering Clause

1 Purpose

This normative interpretation provides guidance on the application of Article 29(15) of Directive (EU) 2018/2001 as amended by Directive (EU) 2023/2413 (hereinafter referred to as “REDIII”). On 18 July 2025, France became the first Member State in the EU to invoke the grandfathering clause. SBP is publishing this interpretation, as requested by the European Commission, to support the implementation of this clause by SBP Certificate Holders and Certification Bodies.

2 Legal basis

This normative interpretation provides guidance on the application of Article 29(15) of Directive (EU) 2018/2001 as amended by Directive (EU) 2023/2413 (hereinafter referred to as “REDIII”), which establishes a transitional provision for the continued recognition of sustainability and greenhouse gas (GHG) emissions saving criteria set out in Article 29(15) of Directive (EU) 2018/2001 (referred to hereinafter as “REDII”).

This interpretation allows **operators** to continue to apply REDII criteria, provided specific market conditions are met (see Eligibility below).

3 Scope

This interpretation applies to SBP Certificate Holders located in EU Member States that have adopted the grandfathering rules and sourcing and supplying biomass and their Certification Bodies.

4 Normative interpretation

4.1 Eligibility

The conditions are set by article 29(15): “Until 31 December 2030, energy from biofuels, bioliquids and biomass fuels may also be taken into account [...] where:

(*a) support was granted before 20 November 2023, in accordance with the sustainability and greenhouse gas emissions saving criteria set out in Article 29 in its version in force on 29 September 2020* [REDII] *and,*

(b) support was granted in the form of a long-term support for which a fixed amount has been determined at the start of the support period and provided that a correction mechanism to ensure the absence of overcompensation is in place [...].”

As such, operators can continue to demonstrate compliance with REDII sustainability and greenhouse gas emissions requirements if they were granted support before 20 November 2023 and the support meets criteria set in (b). It is the responsibility of the operators to demonstrate they meet the conditions set in article 29(15) of REDIII as published by the EU Member State invoking the grandfathering clause and as available on SBP website.

4.2 Rules

- **SBP-certified Biomass Producers** wishing to deliver REDII-compliant biomass exclusively to EU Member States that have formally adopted the grandfathering clause may opt to demonstrate compliance with REDII requirements.
    - Biomass Producers are **not required to comply with REDIII sustainability and GHG requirements** if they exclusively sell biomass to operators based in an EU Member State that has invoked the grandfathering clause, and as long as all Article 29(15) conditions are met.
- **SBP-certified Traders** wishing to exclusively sell REDII-compliant biomass to EU Member States that have adopted the grandfathering clause may opt to use and demonstrate compliance with REDII requirements. In such case, Traders are only permitted to trade REDII-compliant biomass.
    - Traders that have been found compliant with REDIII requirements are allowed to buy from and sell biomass to EU Member States that have adopted the grandfathering clause. Traders must maintain an adapted Mass Balance system to account for REDII and REDIII-compliant biomass.
- **SBP-certified End-users** wishing to consume REDII-compliant biomass in EU Member States that have adopted the grandfathering clause may opt to use and demonstrate compliance with REDII requirements.
    - End-users are allowed to purchase SBP-compliant biomass from operators that have been found compliant with the REDIII requirements.
    - End-users that have been found compliant with the REDIII requirements are allowed to buy and consume biomass that has been found compliant with REDII requirements.

This interpretation remains valid **until 31 December 2030** or until such time as the relevant EU Member States withdraw the application of the grandfathering rule.

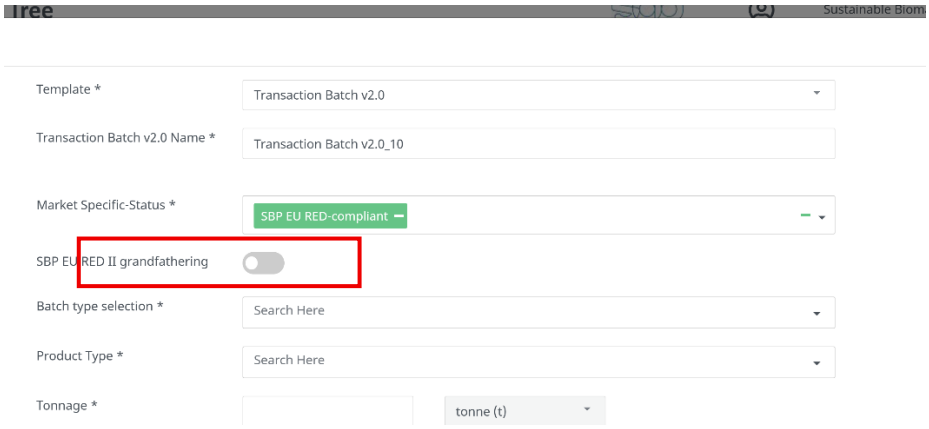
5 Practical application

- **Eligibility**: Only applicable to SBP-certified entities whose operations meet the above conditions set out in Article 29(15) and in this Normative Interpretation.
- **Mixed market supply**: If a Biomass Producer or Trader supplies to **any market not covered** by Article 29(15), then the **entire production must comply with** SBP Instruction Document EU RED: Bridging Requirements for Meeting the Renewable Energy Directive (EU/2023/2413), v2.0.
- **Audit and verification**: Certification Bodies must verify that the biomass produced in accordance with SBP Instruction Document REDII: Bridging requirements for meeting REDII, v1.2, published 13 November 2024, is solely supplied to eligible EU Member States and must review the evidence that the operator complies with the conditions set out in 3.1 and the requirements of this Normative Interpretation.
- **SBP compliance**: The Biomass Producer must remain compliant with all other applicable SBP certification requirements.

6 DTS claim and transaction

When making a transaction in the SBP Data Transfer System (DTS), the Biomass Producer shall:

- Use the claim: "SBP EU RED-compliant"
- Check the box: "SBP EU REDII grandfathering"



This indicates that the biomass only meets the REDII sustainability and GHG emissions saving criteria, and should only be accepted in EU Member States applying the grandfathering rule.

For Traders and End-users

No additional action is required other than to ensure that the **"SBP EU REDII grandfathering"** box remains checked when reselling the biomass. This maintains the traceability of the original EU RED compliance basis throughout the SBP Chain of Custody.

Proof of Sustainability (PoS)

The operators shall ensure that the PoS attached to the purchase of REDII-certified biomass from operators certified against other EU-recognised voluntary schemes bear the required information.

SBP-certified operators selling REDII biomass to non SBP-certified operators and wishing to submit a PoS shall select the correct option of compliance.



7 Audit Portal

Operators applying REDII criteria shall report their findings in Annex 2a - EU REDII Supply Base Evaluation of the Supply Base Report.

8 Review and update

This interpretation will be reviewed regularly. Updates may be issued should additional EU Member States adopt the grandfathering provision or if the legal or policy framework changes.