

Grower Declaration of conformity with sustainability criteria

for biomass production, according to the requirements of the EU Directive 2009/28/CE

I, the undersigned, (*your name*) declare:

1. The totality of the canola coming from my land and delivered to Emerald Grain has been cultivated on farmland already classified as arable land on 1st January 2008. This includes all leased and share farmed land.
2. That this land was not either primary forest, wooded land of native species or a designated nature protection area in or after January 2008.
3. That this land was not wetland, continually forested (trees of at least 5 metres and crown cover of 30%) or peat land in or after January 2008.
4. That this land is not part of an area affected by legal requirements regarding nature protection, or the protection of ecosystems or rare species, or that if part of the land on my farm is within such protection area, I comply with all the specific legal requirements for agricultural activities in this area.
5. I commit to maintain and make available whenever required, all the relevant information to demonstrate that this declaration is accurate and trustworthy and therefore that the biomass has been produced in conformity with the sustainability criteria of the European Directive 2009/28/CE. I also have read and understood Article 17 of the Renewable Energy Directive. (*Sections 1 to 5 are re-produced for your convenience below.*)
6. I also commit to inform the first gathering entity (Emerald Grain) of any change related to any of the above statements.
7. (a) My Property Location is as follows; (*please complete*)

	Property 1	Property 2
Property Name:		
Property Address:		
Area & Postcode:		
Latitude / Longitude		

If more than two property locations please attach details.

(b) The size of my farmland is as follows: (*please complete*)

Total land size of my farmland (hectares). This includes leased and shared cropped land.

Total protected areas (hectares).

(c) I have attached a farm plan

Grower Sustainability Declaration



8. My Trading Details are as follows: *(please complete)*

Trading Name:

NGR / CBH Number:

If more than one relating to this property please also include here.

9. Declaration:

Declared at (address):

Date: Signature:

Definitions according to the EU Renewable Energy Directive (RED) Article 17 (sections 1-5): Sustainability criteria for biofuels and bioliquids

1. Irrespective of whether the raw materials were cultivated inside or outside the territory of the Community, energy from biofuels and bioliquids shall be taken into account for the purposes referred to in points (a), (b) and (c) only if they fulfill the sustainability criteria set out in paragraphs 2 to 6:

- (a) measuring compliance with the requirements of this Directive concerning national targets;
- (b) measuring compliance with renewable energy obligations;
- (c) eligibility for financial support for the consumption of biofuels and bioliquids.

However, biofuels and bioliquids produced from waste and residues, other than agricultural, aquaculture, fisheries and forestry residues, need only fulfil the sustainability criteria set out in paragraph 2 in order to be taken into account for the purposes referred to in points (a), (b) and (c).

2. The greenhouse gas emission saving from the use of biofuels and bioliquids taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 shall be at least 35 %.

With effect from 1 January 2017, the greenhouse gas emission saving from the use of biofuels and bioliquids taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 shall be at least 50 %. From 1 January 2018 that greenhouse gas emission saving shall be at least 60 % for biofuels and bioliquids produced in installations in which production started on or after 1 January 2017.

The greenhouse gas emission savings from the use of biofuels and bioliquids shall be calculated in accordance with Article 19(1).

In the case of biofuels and bioliquids produced by installations that were in operation on 23 January 2008, the first subparagraph shall apply from 1 April, 2013.

3. Biofuels and bioliquids taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 shall not be made from raw material obtained from land with high biodiversity value, namely land that had one of the following statuses in or after January 2008, whether or not the land continues to have that status:

- (a) primary forest and other wooded land, namely forest and other wooded land of native species, where there is no clearly visible indication of human activity and the ecological processes are not significantly disturbed;
- (b) areas designated:
 - (i) by law or by the relevant competent authority for nature protection purposes; or
 - (ii) for the protection of rare, threatened or endangered ecosystems or species recognised by international agreements or included in lists drawn up by intergovernmental organisations or the International Union for the Conservation of Nature, subject to their recognition in accordance with the second subparagraph of

Article 18(4); unless evidence is provided that the production of that raw material did not interfere with those nature protection purposes;

(c) highly biodiverse grassland that is:

(i) natural, namely grassland that would remain grassland in the absence of human intervention and which maintains the natural species composition and ecological characteristics and processes; or

(ii) non-natural, namely grassland that would cease to be grassland in the absence of human intervention and which is species-rich and not degraded, unless evidence is provided that the harvesting of the raw material is necessary to preserve its grassland status.

The Commission shall establish the criteria and geographic ranges to determine which grassland shall be covered by point (c) of the first subparagraph. Those measures, designed to amend non-essential elements of this Directive, by supplementing it shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 25(4).

4. Biofuels and bioliquids taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 shall not be made from raw material obtained from land with high carbon stock, namely land that had one of the following statuses in January 2008 and no longer has that status:

(a) wetlands, namely land that is covered with or saturated by water permanently or for a significant part of the year;

(b) continuously forested areas, namely land spanning more than one hectare with trees higher than five metres and a canopy cover of more than 30 %, or trees able to reach those thresholds in situ;

(c) land spanning more than one hectare with trees higher than five metres and a canopy cover of between 10 % and 30 %, or trees able to reach those thresholds in situ, unless evidence is provided that the carbon stock of the area before and after conversion is such that, when the methodology laid down in part C of Annex V is applied, the conditions laid down in paragraph 2 of this Article would be fulfilled.

The provisions of this paragraph shall not apply if, at the time the raw material was obtained, the land had the same status as it had in January 2008.

5. Biofuels and bioliquids taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 shall not be made from raw material obtained from land that was peatland in January 2008, unless evidence is provided that the cultivation and harvesting of that raw material does not involve drainage of previously undrained soil.