

PRESS RELEASE: European ethanol producers raise new legal challenge to EU aviation-fuel legislation

In latest action addressing improper policymaking and discrimination against sustainable crop-based biofuels, EU ethanol industry seeks partial annulment of RefueEU Aviation Regulation

BRUSSELS, 14 February 2024 – European renewable ethanol producers have launched a new legal challenge, now directed to the EU’s RefueEU Aviation Regulation, charging that it improperly excludes crop-based biofuels from the effort to reduce greenhouse-gas emissions from air transport.

It’s the second legal challenge from the EU renewable ethanol industry to be raised in recent months alleging discrimination in EU policymaking against RED-compliant crop-based biofuels despite their proven sustainability and benefits for emissions-reduction. In December 2023 the industry [filed](#) a similar [case against the FuelEU Maritime Regulation](#).

The new aviation Court action comes from companies representing nearly all of the EU’s production of renewable ethanol, who are seeking to annul specific sections of the RefueEU Aviation Regulation that exclude crop-based biofuels from the definition of sustainable aviation fuel.

“As with the FuelEU Maritime case, this RefueEU Aviation legislation once again jeopardies the EU’s ambitions for transport decarbonisation by discriminating against RED-compliant sustainable biofuels,” said David Carpintero, Director General of ePURE, the European renewable ethanol association. “Renewable ethanol has a proven track record of emissions reduction and sustainability as confirmed in the Renewable Energy Directive. Instead of being excluded, it should be empowered in the Union interest.”

The legal action is based on several arguments, including among others that the European Parliament and Council committed a manifest error of assessment by contradicting available scientific and technical data in preparing their policy; and violated the principle of proportionality by effectively enacting bans on the use of RED compliant crop-based biofuels.

The legal application for annulment of RefueEU Aviation was filed with the General Court of the European Union on 24 January. The challenge was filed by members of ePURE, the European renewable ethanol association, along with Pannonia Bio Zrt.

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