E10 consultation questions and answers

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Organisation	On behalf of an organisation?
	As an individual?

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Please tick one box below that best describes your company or organisation.	
	Micro business (0-9 employees)
	Small business (10-49 employees)
	Medium business (50-249 employees)
	Large Company (250+ employees)
YES	Representative Organisation
	Trade Union
	Interest Group
	Local Government
	Central Government
	Other (please describe):
If you are responding on behalf of an organisation or interest group how many members do you have and how did you obtain the views of your members:	57,000 members – views received through qualitative research across a number of years, at formal and informal gatherings, plus formal approval of this submission by the organisation's Board

Questions and Answers

1. **Do you agree that the best way to introduce E10 petrol is as a direct replacement for the current 95 E5 premium grade? If not, please provide further information.**

No. The Motorcycle Action Group challenges the fundamental premise of the proposal that, we argue, is based on a false understanding of the real world facts. The way in which the question is phrased makes the incorrect assumption that everyone agrees with the introduction of E10 in the first place. However, the assumption that introducing E10 at all is flawed for the following reasons.

Evidence suggests that the introduction of E10 will increase, not decrease, emissions of the type the policy is intended to reduce. See the following references to understand the basic scientific error on which the policy is based:

https://www.factcheck.org/2015/11/ethanol-higher-emissions-or-lower/

Also:

https://link.springer.com/article/10.1007/s10584-016-1764-4

This study suggests that, far from reducing emissions, international biofuel production can create up to 420 times MORE CO2 than conventional fuels:

https://experts.umn.edu/en/publications/land-clearing-and-the-biofuel-carbon-debt

Here is the same report, as recorded in the environmentally conscious Guardian newspaper:

https://www.theguardian.com/science/2008/feb/08/scienceofclimatechange.biofuels

Since this research and many others like it have been available since 2008, the Government has no excuse for pretending the hard, scientific evidence is not available, or has been uncovered too recently to have been noticed.

Others have recognised these facts. The BBC has published UNEQUIVOCAL guidance in its educational offering that confirms bioethanol increases greenhouse gas emissions, stating clearly: 'Although biofuels are in theory carbon neutral, this does not take into account the carbon dioxide emissions associated with growing, harvesting and transporting the crops, or producing the ethanol from them. Therefore, overall, more carbon dioxide is emitted than is absorbed, which means that it contributes to global warming.' There is no ambiguity in this statement. Here is the reference:

https://www.bbc.co.uk/bitesize/guides/z8sb2p3/revision/4

As this consultation document itself concedes, there is not even any guarantee that E10 supplies can be provided regularly and consistently (see below)

It is known that there will be a large number of issues for many vehicles, including motorcycles, which might still run but will not do so efficiently, increasing fuel consumption and emissions. We return to this later.

Finally, the use of edible agricultural products for engine fuel production is regarded by many as morally unjustifiable. While petrol and diesel can only be used for energy related purposes, the land and products used in E-10 can feed those who are currently not able to receive sufficient nutrition. It is not acceptable, in the view of many motorcyclists, to divert food related resources to energy production when the environmental benefit hasn't even been credibly argued.

2. **Do you agree that introducing a minimum ethanol content of 5.5% in the 95 grade is the best way to ensure E10 is introduced across the UK? If not, what alternative would you propose?**

No. The way the question is phrased is once again trying to force agreement with the introduction of E10. This is NOT the position taken by the Motorcycle Action Group. Since we have a fundamental concern regarding the apparent ignorance of, or disregard for, the science associated with the incorrect claim that E10 will necessary provide a net benefit, even environmentally, we cannot subscribe to the assumption that E10 should be forced into the fuel tanks of the UK, regardless of the negative consequences to many engines, the least wealthy and the environment. If the Government wishes to provide the option of E10 for whatever reason, this should be done on a discretionary basis in which the market is allowed to decide who wants to use it, and accepting that the introduction of E10 carries with it a negative environmental cost, as outlined in our answer to question 1.

3. **Do you agree that the minimum ethanol content requirements should apply to filling stations that sell more than one million litres of fuel per year and that this would only allow certain specialist retailers to continue to sell 95 E5? If not, please provide further information and alternative suggestions.**

No. The Motorcycle Action Group emphatically reminds the Government that, since E10 does not provide an environmental benefit, risks damaging engines of creating the scrapping for hundreds of thousands of vehicles for no benefit, and introduces unreliability in the supply chain, this should only be offered as a niche product for those wishing to use it, despite the ecological on-cost and potential additional fuel charge of the product. While MAG finds it hard to see why any consumer would make such a choice, it is obvious that it must BE a choice, and not a mandate that could expose the Government to legal challenge based on the retrograde nature of the policy imposition in regard to reducing climate change gases in the shortest possible time. See the following:

https://www.theccc.org.uk/what-is-climate-change/the-legal-landscape/the-climate-change-act/

4 Do you agree that there should be an exemption for filling stations supplied from fuel terminals that are in turn supplied by ship? Is this definition suitable? Should other terminals be included or should a different or no exemption be applied?

The Motorcycle Action group observes that this question is once again 'loaded' to imply that there should NOT be an exemption for other filling stations not supplied by ship. Since E10 should not be introduced on a mass scale in the first place, the only way in which E10 should be available is on a discretionary basis. However, the Government must also then introduce policies to mitigate against the increased emission of greenhouse gases the use of E10 will generate. Without that, it is questionable whether, under the Government's own legal obligations, it should allow the sale of E10 at all.

5 Do you agree that introducing E10 in 2021 and providing industry and motorists with at least six months' notice and a two-month implementation period is sufficient to prepare for the change in fuel grades? If not, what alternative timelines would you suggest and why?

Leaving aside the environmentally damaging nature of the introduction in terms of sustained, increased greenhouse gas emissions, the Motorcycle Action Group points to compelling evidence to indicate that E10 will lead to the scrapping of at least 600,000 perfectly serviceable road vehicles, many of them motorcycles and many of these owned by those economically least able to replace them. The RAC has clearly expressed similar views. The RAC foundation has conducted research into this, and the Motorcycle Action Group confirms their findings are also applicable to motorcycles. See:

https://www.racfoundation.org/wp-content/uploads/The_impact_of_E10_final_Wengraf_July_2018.pdf

The Government has not made any comment about the fact this change will negatively affect those with the oldest vehicle stock – motorcycles and cars. At a time of particular hardship for millions of citizens, including for an indeterminate number of years as the country recovers from the Covid-19 pandemic, it seems inconceivable that a policy would be introduced that actually increases that hardship for no material benefit to the environment or economy.

6 Do you agree that the protection grade should apply to the 97+ octane super petrol grade at filling stations that supply at least one million litres of fuel in the last calendar year and supply at least two grades of petrol? If not, please explain why and provide any alternative suggestions.

For the reasons stated already, the 'protection grade' proposal takes the inverse approach to what is logical here. Rather than compelling the use of an environmentally more damaging fuel than that which is being currently used, and

which requires the scrapping of, or creates poor performance in, large numbers of motorcycles (and cars), this E10 option should, at most, be offered as an optional 'niche' fuel. There should be no question of enforcing its use until: (a) the ecological calculation has robustly been improved to credibly show a net reduction in emissions, and, (b) the massive issues affecting large numbers of economically challenged road users, motorcyclists and drivers alike, are addressed in terms of the additional hardship the forced obsolescence of their vehicles will create.

7 Do you agree that the protection grade should apply for the maximum period of five years after the introduction of E10 before being reviewed for any further extension? If not, please explain why and provide any alternative suggestions.

The Motorcycle Action Group points out that choosing a time period is entirely notional and arbitrary. The time period should in fact be determined by the science and supply realities. Once it is unequivocally shown that there are environmental benefits in making the change, then a transition period may be applicable. However, the supply chain must demonstrably be able to cope, without putting an unsustainable burden on food and other agricultural activity, which competes for land space against fuel production. If the Government forces the issue now, it lays itself open to a repetition of the palm oil scandal of the early 21st Century. See:

https://www.nytimes.com/2018/11/20/magazine/palm-oil-borneo-climate-catastrophe.html

8 Do you agree that short-term derogations are required to ensure fuel supply resilience can be maintained? If you do not agree, please set out the reasons why?

Not only would these derogations be required immediately; they would also be required in perpetuity, given the variable nature of agricultural output. The Motorcycle Action Group again points out the contradiction in introducing a policy which the Government itself recognises introduces a serious instability into the fuel supply chain for no apparent environmental benefit at this time. It must also address a fundamental moral issue: in the event of a shortage of E10 organic product in the UK, will it source this product from abroad, notwithstanding the demonstrable damage this can do to the very targets the UK is seeking to achieve? The palm oil scandal is again a salutary lesson in the law of unintended consequences here. It is inevitable that, if the economic circumstances are favourable to the wide scale supply of E10 related produce to the First World, this will happen again. Since the Government has now been warned about this eventuality, it exposes itself to legal liability under its own environmental legislative framework – even leaving aside the moral issues associated with supplying the UK with these products from Second and Third world countries that will be economically driven to provide us with fuel at the potential cost of feeding their own populations. For an indication of how this may affect the world's richest country in terms of food supply, see:

https://e360.yale.edu/features/the_case_against_ethanol_bad_for_environment

The effect on less wealthy countries is outlined here. Note that these problems were extensively reported as far back as 2007. Unless the oil price remains consistently low, which is extremely unlikely given market forces and cartel supply planning, the issue is not a possibility, but a probability:

https://archive.nytimes.com/www.nytimes.com/cfr/world/20070501faessay_v86n3_runge_senauer.html?pagewanted=4

9. What are likely scenarios in which a derogation may be required?

A derogation would be required when: (a) E10 is not available, (b) the environmental damage of E10 is demonstrated, (c) the cost of E10 becomes prohibitive (d) public opposition becomes so great that the policy becomes unsustainable. The Motorcycle Action Group requests clarification regarding what policy the Government intends to have regarding the foreign sourcing of E10 product, in the context of the issues outlined in our answer to Question 7.

10 Are the duration, process and reporting elements of the derogations appropriate, and if not, what changes would you like to see and why?

The reporting elements of the derogations ignore the supply chain implications for price, environmental damage and potential cost to food production in the UK and abroad. Given the perilously weak strategic justification for the introduction of E10, the Motorcycle Action Group perceives the very real possibility that the E10 introduction will at some point be suspended indefinitely through the mechanism of a derogation. In the interim, we stress again that there is no justification for forcing an environmentally damaging policy on the British public in what will appear to many as a bare-faced example of 'virtue signalling' – given the counterproductive nature of the policy.

11. Is the classification of a fuel supplier appropriate for the application of derogations and if not, what would you suggest?

This question is a moot point. There should be a derogation available across the United Kingdom, such that access to E10 should be discretionary and mandatory. If the Government chooses to force larger suppliers to supply E10, then it will necessarily create instability in the system, and unintended consequences, which will eventually force a retraction of the policy either for scientific of pragmatic political reasons – or as a result of a challenge through law.

12. Do you agree with the proposed wording for the E10 labelling? If not, why not and what alternative would you suggest?

This change in wording opens the Government to further legal liability. By changing the wording from "Not suitable for all vehicles: consult vehicle manufacturer before use" to "Suitable for most petrol vehicles: check before use" the Government is creating the false impression that 'most' – in other words 'my' – motorcycle will be able to use it. The Motorcycle Action Group is at a loss to understand why the

Government is proposing this wording at all. It would be like saying on some food: 'suitable for most people: check before use' when previously the labelling said 'Not suitable for all people: consult your doctor before use.' MAG concludes that this proposed wording change has more to do with attempting to make the change to E10 appear palatable in a way that, for hundreds of thousands of riders and drivers, it is not. We believe that the change in wording is likely to lead to a test case whereby a vehicle user will claim they made the 'reasonable' assumption that the Government would only have mandated that form of wording if it was in all likelihood that the E10 product was safe for their vehicle, using the medical food labelling precedent as a strong basis for the plaintiff's case.

13. Do you have further comments or suggestions for communicating the E10 compatibility message?

The Motorcycle Action Group observes that if the wording of the statement is to be in any way worthwhile, and if it is to absolve the supplier or Government of liability, it has to provide something meaningful in terms of information. The proposed wording does not. A better phrase would be: 'Not suitable for all vehicles, and may increase greenhouse emissions: check before use.'

14. Would an increase in RTFO targets, alongside or subsequent to an introduction of E10, deliver additional GHG savings from the scheme?

Since the introduction of E10 product is likely to increase emissions in the context of RTFO targets, then the Motorcycle Action Group suggests it is self-contradictory to increase those targets at the same time. The fact this question is even being asked indicates a fundamental lack of understanding in terms of the simple emissions facts.

15. Would you be supportive of such a change? You may wish to consider the level of any increase and the timing of it within your answers. Please provide any evidence you may have to support your response.

The Motorcycle Action Group does not support an increase in RTFO targets, nor a shortening in the timetable and nor, it seems, does the Government, given the counterproductive nature of the proposed introduction of E10. MAG has previously outlined the errors in the claims made in regard to the relation between climate change and transport emissions. In terms of motorcycles that would have to be scrapped, we have seen absolutely no indication from the Government of why it would seek to scrap perfectly serviceable small motorcycles which deliver fuel consumption exceeding 100mpg, in favour of E10 that cannot possible provide such efficiencies for most cars. For example, shifting single occupancy car travel to something like a Honda C90 would genuinely reduce emissions, by reducing the actual fuel consumption associated with the journey and also by reducing congestion, and therefore secondary emissions. A typical commuting motorcycle that achieves this would be an old Honda C90:

https://www.motorcyclenews.com/bike-reviews/honda/c90/1985/

Thus, the obvious way to reduce emissions is, at least as an interim measure, modal shift from cars to motorcycles. There are many reports to support this approach. For one example, see research which has been around for at least 8 years and which MAG has previously shared with the Department for Transport. This proves a genuine way to reduce emissions is modal shift to motorcycles and scooters, requiring no infrastructure or fuel change:

https://newatlas.com/motorcycles-reduce-congestion/21420/

In addition, the current apparent determination to replace petrol, diesel and hybrid motorcycles and scooters with electric vehicles by 2035 or earlier indicates a willingness to rely entirely on electrical power supply for the entire road transport fleet. Since there is no prospect of supplying that power 'cleanly' by 2035, this means that the Government itself has no 'exit strategy from carbon dioxide emissions.' Although it is beyond the scope of this consultation, the Motorcycle Action Group observes that the Government needs a credible, cohesive energy strategy before it even begins to consider shortening targets that E10 make sit harder of the Government to achieve.

Finally, the Government appears to be entirely silent on fuel additives, which can achieve genuine savings in emissions and fuel consumption with no need for E10. Examples for fuel catalysts are abundantly available, and are even required as part of the fuel offering in parts of the world. The Government's failure to act in any way regarding fuel catalysts is a serious omission in immediate emissions reduction policy opportunities, a point the Motorcycle Action Group has repeatedly highlighted. Why has no action been taken in this regard, given that there are no negative consequences to existing engines of any age, they improve the emissions footprint and economy of older vehicles, and they do not require vast hectares of land to be set aside for growing fuel related crops? There are a number of fuel catalysts already in the market. See the following example that is in widespread use in Texas, which has a comparable population to the UK:

https://biofriendlyplanet.com/green-alternatives/green-plus/why-you-should-be-using-a-liquid-fuel-catalyst/

16. Do you expect any other risks or potential impacts of such a change other than the ones listed in this call for evidence?

To summarise the key issues the Motorcycle Action Group perceives would be associated with the introduction of E10: (a) an increase in greenhouse emissions, (b), increased instability in fuel supply, (c) possible knock-on effects on less wealthy countries that may supply the UK with E10, instead feeding their own people, with possible deforestation as an added consideration, (d) the scrapping of hundreds of thousands of serviceable vehicles with significant environmental consequences, plus harm to the least wealthy in society, (e) significant harm to the classic motorcycle (and car) sector (f) the possible suspension of the policy as a result of the scientific facts and supply issues.

There is a related issue here. MAG's understanding from the Impact Assessment is that the UK uses only 29% of our current ethanol manufacturing capacity – with

mothballed plants, and other plants that are not being used to capacity. Yet, the UK also imports a considerable amount of ethanol, apparently because UK production it is not commercially viable at present and would need subsidies to become viable. MAG fails to see how this would be acceptable in international trading terms. There is a vast overcapacity for ethanol production in the European Union, as demand has fallen far short of supply. Thus, it is impossible to understand how the UK Government could legitimately subsidise a sector that already operates with such over-capacity across the EU – a point that almost certainly remains legally salient regardless of Brexit. Furthermore, why is this an economically sound strategy? To subsidise the sector in this way would cost UK citizens, including motorcyclists, extra money simply in order to prop up an economically unviable expansion of the ethanol production sector in the UK.

In addition, if E10 is introduced without changing RTFO targets then petrol engine users (including bikers) will subsidise commercial diesel. The reason is clear. Manufacturers are already at the RTFO target level, so won't use more ethanol where they don't have to, as it costs them more money to do so, and they have no obligation to use more at present in those circumstances than the stated minimum – as increased ethanol increases the cost of the fuel. However, the RTFO target penalises manufacturers if they don't meet the overall target for using ethanol. Yet retailers can't or won't sell more expensive E10, so currently the manufacturers blend the excess ethanol in the commercial diesel to address these obligations. If the government forces sale of E10 to a wider base of users, the manufacturers are very likely to simply reduce ethanol in commercial diesel and keep their E-10 obligations to the same minimum.

There is currently no proposal to change RTFO – the only move that, as the Government itself admits, would significantly alter the overall proportion of ethanol used. Therefore, the proposal and policy as outlined will almost certainly make no difference to the overall amount of E-10 used – it will simply change who has to use it. And, for the reasons stated, forcing a further increase in ethanol usage will carry with it on-costs, reduced engine efficiency and potential further issues with compatibility. Note also, that the more ethanol is used, the larger the negative impact on greenhouse gas emissions, so to alter the RTFO would almost certainly lead to the opposite environmental outcome versus what the policy is intended to create.

Next, as already mentioned, the assumptions in terms of the Impact Assessment appear to attempt to employ favourable parameters in terms of the production of E-10, apparently implicitly assuming short transits distances (within the UK) and favourable farming conditions. No proper account is taken of international farming practice in this regard. The impact report also admits E10 has a lower energy content than petrol and diesel, requiring more to be used. These sorts of confounding factors, together with reduced efficiency for the vehicles that won't run well on E10, compromise the whole calculation. This does not appear to have been taken into account in a quantitatively robust way in the Impact Assessment.

Finally, the impact assessment fails to acknowledge or respond to the vast body of academic research documents that explicitly state biofuels increase greenhouse gas emissions - and even risk starving the third world (references have already been included above). To ignore so much research objectively and quantitatively outlining

these issues further compromises the validity of the Impact Assessment, because it has ignored crucial evidence that persuasively warns against the direction the government is proposing.

17. Please provide any evidence you have on the potential impacts of continuing the GHG saving obligation beyond 2020. We are interested in evidence relating to costs and GHG savings as well as wider impacts on the industry. If the targets were to continue, do you have any views on:

a. Which measures should be rewarded with GHG credits? For example, should UERs continue to be included?

b. The level of the obligation, i.e. should it remain at 6%?

c. Any other changes to the system you would like to propose

While many Motorcycle Action Group members have views in regard to Question 17, it is technically beyond the scope of the organisation to make specific comment on this.