



Notification Number: 1994/124/UK

THE MOTOR FUEL (COMPOSITION AND CONTENT) REGULATIONS 1994.

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Message

MINISTERE DE L'INDUSTRIE ET DE LA RECHERCHE
ATT. M. MORTUREUX

INSTITUT BELGE DE NORMALISATION,
ATT. M. CROON

INSPECTION DU TRAVAIL ET DES MINES
VIA MINISTERE DES AFFAIRES ETRANGERES
ATT. M. A. SCHUSTER

MINISTERE DE L'INDUSTRIE
ATT. M. CAVANNA

DEPT. OF TRADE AND INDUSTRY, QUALITY AND EDUCATION DIVISION,
ATT. MR. K. LAWLESS

GOVERNMENT SERVICE OF INDUSTRY AND COMMERCE, NSAI
ATT. MR. J. NULTY

MINISTERIE VAN ECONOMISCHE ZAKEN, (DG BEB),
ATT. MR. B. SIEBRING

ERHVERVSFREMME STYRELSEN
INDUSTRIMINISTERIET
ATT. MR. KELD DYBKJAER AND KLAUS SPOEHR

MINISTRY OF INDUSTRY, ENERGY & TECHNOLOGY
ATT. MR. Z.P. MAVROUKAS

HELLINIKOS ORG. TYPOPOSEOS
ATT. MR. MELAGRAKIS

MIN WIRTSCHAFT
ATT. DR. WINKEL



MIN PARA RELACIONES CON LA COMUNIDA
ATT MR. D. ALFREDO RAMBLA JOVANI

MIN INDUSTRIA
ATT MR. ADALBERTO PEREA MARTIN, ESPAGNE

DIRECCIO GERAL QUALIDAD
ATT MR. CANDIDO DOS SANTOS, PORTUGAL

DGS INTERNATIONAL BELGIUM

REP PERMANENTE ROYAUME UNI

REP PERMANENTE IRLANDE

REP PERMANENTE GRECE

EUROPEAN FREE TRADE ASSOCIATION SURVEILLANCE AUTHORITY
ATT. M. BOHR

TELEX 001

COMMUNICATION FROM THE COMMISSION - SG (94) D/50723
DIRECTIVES 83/189/EEC AND 88/182/EEC

NOTIFIKATION - NOTIFIZIERUNG - NOTIFICATION - NOTIFICACION
NOTIFICATION - NOTIFICA - KENNISGEVING - NOTIFICACAO 94/0124/UK

FRISTERNE INDLEDES IKKE -KEIN FRISTBEGINN - DOES NOT OPEN THE
DELAYS - NO ABRE EL PLAZO - N'OUVRE PAS DE DELAIS - NON FA
DECORRERE LA MORA - GEEN TERMIJNBEGIN - NAO INICIA O PRAZO

- 3B1 : 9400723.EN

1. Structured Information Line

TLX 001 IND- 94 0124 UK- EN ----- 940526 --- ---

2. Member State

UNITED KINGDOM

3. Department Responsible

DEPARTMENT OF TRADE AND INDUSTRY: STANDARDS POLICY UNIT.

3. Originating Department

THE DEPARTMENT OF TRANSPORT.

4. Notification Number

94/0124/UK

5. Title

THE MOTOR FUEL (COMPOSITION AND CONTENT) REGULATIONS 1994.



6. Products Concerned

MOTOR FUEL

7. Notification Under Another Act

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8. Main Content

THE REGULATIONS MAKE REQUIREMENTS AS TO THE COMPOSITION AND CONTENT OF MOTOR FUEL BY MANDATING THE EUROPEAN STANDARDS, AS APPROVED BY THE EUROPEAN COMMITTEE FOR STANDARDIZATION (CEN), FOR UNLEADED PETROL OF PREMIUM AND REGULAR GRADE AND FOR AUTOMOTIVE DIESEL FUEL. THESE ARE RESPECTIVELY ENTITLED 'SPECIFICATION FOR UNLEADED PETROL' AND 'SPECIFICATION FOR AUTOMOTIVE DIESEL FUEL', HAVE THE ADDITIONAL STATUS OF BRITISH STANDARDS AND ARE NUMBERED BS EN 228:1993 AND BS EN 590:1993.

THE REGULATIONS ALSO MAKE REQUIREMENTS AS TO THE COMPOSITION AND CONTENT OF HIGH OCTANE (SUPER) UNLEADED PETROL AND FOR LEADED PETROL BY REFERENCE TO CERTAIN FUEL QUALITY PARAMETERS AS SPECIFIED IN BRITISH STANDARDS BS 7800:1992 AND BS 4040:1988. THESE REQUIREMENTS ARE EITHER EQUIVALENT TO OR LESS STRINGENT THAN THOSE OF THE CEN STANDARDS, EXCEPT THAT REGULATIONS LIMIT THE VOLATILITY REQUIREMENTS FOR HIGH OCTANE (SUPER) UNLEADED PETROL AND, FOR SUMMERTIME ONLY, LEADED PETROL TO THAT SPECIFIED FOR THE UK NATIONAL NORM BY THE EUROPEAN CEN STANDARD BS EN 228:1993.

BS 4040:1988 IS THE LATEST EDITION OF BRITISH STANDARD 4040, WHICH HAS SPECIFIED REQUIREMENTS FOR LEADED PETROL SINCE 1967. THE ORIGINAL VERSION HAS BEEN REFINED AND UPDATED OVER THE YEARS TO INCLUDE, OR MAKE PROVISION FOR, EC REQUIREMENTS IN RELATION TO LEAD CONTENT, BENZENE CONTENT AND LEVELS OF OXYGENATES. THE TEST METHOD IN APPENDIX B HAS BEEN INCLUDED IN ACCORDANCE WITH EC DIRECTIVE 87/441/EEC PERMITTING THE USE OF NATIONAL TEST METHODS IN NATIONAL SPECIFICATIONS FOR PETROL PENDING THE PREPARATION OF A EUROPEAN STANDARD. THE METHOD WILL BE REPLACED BY THE EUROPEAN STANDARD METHOD WHEN AVAILABLE. LEADED PETROL SALES IN THE UK ARE EXPECTED TO BE NEGLIGIBLE BY THE END OF THE DECADE. BOTH PREMIUM LEADED AND UNLEADED THE BRITISH STANDARD BS 7800:1992 WAS DRAWN UP TO ENABLE OIL COMPANIES WHO WISHED TO MARKET A GRADE OF UNLEADED PETROL WITH A HIGHER OCTANE RATING THAN PREMIUM UNLEADED. ITS USE IS PRIMARILY TARGETED AT OWNERS OF OLDER CARS THAT WERE DESIGNED TO BE USED WITH LEADED PETROL AND WHICH CANNOT BE ADJUSTED FOR USE WITH LOWER OCTANE PREMIUM UNLEADED PETROL. SALES OF THIS - SUPERUNLEADED - PETROL ACCOUNT FOR LESS THAN 6 PER CENT OF TOTAL PETROL SALES AND ONLY ONE TENTH OF UNLEADED PETROL SALES. HIGH OCTANE (SUPER) UNLEADED PETROL IS NOT IMPORTED INTO THE UK. THE STANDARD INCLUDES



PROVISIONS TO IMPLEMENT DIRECTIVE 85/536/EEC ON SUBSTITUTE FUEL COMPONENTS. IT INCLUDES TEMPORARY PROVISION FOR A TEST METHOD, AS ABOVE, FOR OXYGENATES. THIS BRITISH STANDARD IS BEING REVISED TO ALIGN, AS FAR AS POSSIBLE WITH EUROPEAN CEN STANDARD EN 228:1993.

THE REGULATIONS WILL, INTER ALIA, REPLACE EXISTING REGULATIONS BY ENFORCING EC MANDATORY REQUIREMENTS IN RESPECT OF THE LEAD, BENZENE AND OXYGENATE CONTENT OF PETROL AND THE SULPHUR CONTENT OF DIESEL, WHICH ARE NOW CONTAINED IN THE STANDARDS, AND INTRODUCE THE NEW EC REQUIREMENTS IN RESPECT OF THE SULPHUR CONTENT OF DIESEL FUEL (EC DIRECTIVE 93/16/EC) WHICH IS CONTAINED IN BS EN 590:1993.

THE REGULATIONS ALSO MANDATE ALL OTHER PARAMETERS OF FUEL CONTAINED IN THE STANDARDS, WHICH HAVE AN ENVIRONMENTAL EFFECT, E.G. VOLATILITY, OCTANE, DISTILLATION, FINAL BOILING POINT, SULPHUR CONTENT OF PETROL AND THE CETANE NUMBER, DENSITY AND COLD OPERABILITY OF DIESEL FUEL.

REGULATION 5 DEFINES THE REQUIREMENTS TO BE MET FOR MOTOR FUEL BY REFERENCE TO THE RELEVANT SECTIONS OF THE STANDARDS AND INCLUDES PROVISION FOR DIFFERING SEASONAL VOLATILITY REQUIREMENTS. THIS HAS INVOLVED SOME REPETITION IN THE REGULATION FOR THE SAKE OF CLARITY. REGULATIONS 6 AND 7 ONLY MAKE IT AN OFFENCE TO DISTRIBUTE OR SELL MOTOR FUEL WHICH DOES NOT MEET THE RELEVANT REQUIREMENTS IN REGULATION 5. THE REGULATIONS DO NOT IMPOSE ANY RESTRICTIONS ON PRODUCTION, TREATMENT, IMPORT, MANUFACTURE OR STORAGE OF MOTOR FUEL AND WILL NOT IMPACT ON TRADING BETWEEN THE UK AND OTHER MARKETS.

TO THE EXTENT THAT HIGH OCTANE (SUPER) UNLEADED AND LEADED FUELS ARE NOT CURRENTLY SUBJECT TO FORMAL EUROPEAN STANDARDS, REGULATION 11 PROVIDES FOR THE DISTRIBUTION AND SALE OF FUEL WHICH FULFILS THE REQUIREMENTS OF EQUIVALENT PROVISIONS TO THOSE CONTAINED IN THE BRITISH STANDARDS IN A CORRESPONDING STANDARD. A CORRESPONDING STANDARD IS DEFINED, IN REGULATION 11(2), AS INCLUDING NOT ONLY A STANDARD OR CODE OF PRACTICE OF A NATIONAL STANDARDS BODY OR AN INTERNATIONAL STANDARD RECOGNISED AS A STANDARD BY A MEMBER STATE, BUT ALSO A TECHNICAL SPECIFICATION OR CODE OF PRACTICE WHICH, WHETHER MANDATORY OR NOT, IS RECOGNISED FOR USE AS A STANDARD BY A PUBLIC AUTHORITY OF ANY MEMBER STATE. THE CORRESPONDING STANDARD MUST OF COURSE PROVIDE AN EQUIVALENT LEVEL OF CONTROL OF AIR POLLUTION TO THE BRITISH STANDARDS.

THE UK DOES NOT CONSIDER IT NECESSARY, IN THIS CASE, TO REFER TO PROCEDURES OR PROCESSES OF MANUFACTURE, WHETHER TRADITIONAL OR INNOVATORY OR OTHER, SUCH AS ARE CONTAINED IN (IV) AND (V) OF THE GENERAL MUTUAL RECOGNITION CLAUSE (DOC 82/92(B) -EN). THIS IS BECAUSE THE STANDARDS DO NOT SPECIFY MANUFACTURING PROCESSES OF PROCEDURES BUT SIMPLY THE LEVELS



OF QUALITY WHICH FUEL SHOULD MEET WHEN TESTED BY THE METHODS INDICATED IN THE STANDARDS. IT IS THUS OPEN TO ANY PROCESS OR PROCEDURE, PROVIDED THAT THE FUEL CONFORMS WITH THE LIMITS SPECIFIED. AS INDICATED ABOVE, HOWEVER, ANY TECHNICAL SPECIFICATION OR CODES OF PRACTICE, WHETHER OR NOT MANDATORY, WHICH IS RECOGNISED FOR USE AS A STANDARD BY A PUBLIC AUTHORITY OF ANY MEMBER STATE IS INCLUDED WITHIN THE TERMS OF REGULATION 11(2).

REGULATION 11(2) CONTAINS THE SAME PROVISIONS, IN RELATION TO THE RECOGNITION OF CORRESPONDING STANDARDS, AS THOSE AGREED WITH THE COMMISSION FOR INCLUSION IN THE TYRES (SAFETY AMENDMENT) (REGULATIONS) (CASE NO. 93/0075/UK). THE SAME PROVISIONS FOR RECOGNISING CORRESPONDING STANDARDS WERE ALSO RECENTLY AGREED WITH THE COMMISSION FOR INCLUSION IN THE ROAD VEHICLES (CONSTRUCTION AND USE) (AMENDMENT) REGULATIONS 1994 WHICH DEALT WITH THE SUBJECT OF MOTOR CYCLE SILENCERS. AS INDICATED ABOVE, IN OUR VIEW SIMILAR CONSIDERATIONS APPLY. THE UNITED KINGDOM WOULD LIKE TO BE INFORMED BY OTHER MEMBER STATES OF THEIR OWN STANDARDS OR REGULATIONS OFFERING AN EQUIVALENT LEVEL OF SAFETY AND SECURITY.

9. Brief Statement of Grounds

THE PRIMARY REASON FOR MAKING THE REGULATIONS IS TO MEET THE UK GOVERNMENT'S ENVIRONMENTAL COMMITMENTS ON AIR QUALITY, ON WHICH PETROL AND DIESEL FUEL HAVE A DIRECT BEARING. IT IS ESTIMATED THAT EMISSIONS OF VOLATILE ORGANIC COMPOUNDS OF 24 KILOTONNES WILL BE SAVED, REDUCING SUMMER OZONE LEVELS BY 0.3 PARTS PER BILLION.

TO TAKE ACCOUNT OF THE OIL INDUSTRY'S WORKING ARRANGEMENTS, WHEREBY WINTER OR INTERMEDIATE PETROL IS DELIVERED TO FILLING STATIONS FROM 1 SEPTEMBER, IT IS INTENDED TO BRING THE REGULATIONS INTO FORCE ON THAT DATE. IT IS ALSO NECESSARY TO IMPLEMENT EC DIRECTIVE 93/12/EEC ON THE SULPHUR CONTENT OF DIESEL FUEL BY 1 OCTOBER. THIS IS BEING ACHIEVED BY MANDATING THE DIESEL FUEL STANDARD BS EN 590:1993 IN THE REGULATIONS.

A MUTUAL RECOGNITION CLAUSE HAS BEEN PROVIDED AT PARAGRAPH 11 OF THE DRAFT TEXT OF THE REGULATIONS.

10. Reference Documents - Basic Texts

THE MOTOR FUEL (COMPOSITION AND CONTENT) REGULATIONS 1994.

BS EN 590:1993 SPECIFICATION FOR AUTOMOTIVE DIESEL FUEL.

BS EN 228:1993 SPECIFICATION FOR UNLEADED PETROL (GASOLINE) FOR MOTOR VEHICLES.

BS 7800:1992 SPECIFICATION FOR HIGH OCTANE (SUPER) UNLEADED PETROL (GASOLINE) FOR MOTOR VEHICLES.



BS 4040:1988 BRITISH STANDARD SPECIFICATION FOR LEADED PETROL
(GASOLINE) FOR MOTOR VEHICLES.

11. Invocation of the Emergency Procedure

NO

12. Grounds for the Emergency

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D. WILLIAMSON
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