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# Requirements for Liquid Fuels<sup>1</sup>

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Amended by the following acts

Passed	Published	Entry into force
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26.04.2012	RT I, 03.05.2012, 3	06.05.2012
26.07.2013	RT I, 30.07.2013, 1	02.08.2013
12.03.2014	RT I, 18.03.2014, 6	21.03.2014
10.01.2017	RT I, 13.01.2017, 9	16.01.2017
11.04.2019	RT I, 18.04.2019, 4	01.05.2019

This Regulation is made under subsection 1 of § 8 of the Liquid Fuel Act.

## § 1. Scope of application

(1) The scope of application of this Regulation includes the following liquid fuels (hereinafter, 'fuel'):

1) petrol – fuel whose eight-digit reference in the combined nomenclature (hereinafter, 'CN') established by Council Regulation (EEC) no. 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, pp. 1–675) is 2710 12 41, 2710 12 45 or 2710 12 49;

[RT I, 03.05.2012, 3 – entry into force 06.05.2012]

2) diesel – fuel whose eight-digit reference in the CN is 2710 19 29, 2710 19 43 or 2710 20 11;

[RT I, 03.05.2012, 3 – entry into force 06.05.2012]

3) biofuel – fuel, including biodiesel, which is produced from biomass and which is used in transport, and which can be used as fuel directly or when mixed with petrol or diesel.

[RT I, 30.07.2013, 1 – entry into force 02.08.2013]

(2) Requirements for heavy and light fuel oil are established by the regulation referred to in subsection 1 of § 120 of the Atmospheric Air Protection Act.

[RT I, 13.01.2017, 9 – entry into force 16.01.2017]

(3) The commodity codes cited in this Regulation are based on the CN as current on 1 January 2012.

[RT I, 03.05.2012, 3 – entry into force 06.05.2012]

## § 1<sup>1</sup>. Definitions

The terms used in this Regulation are defined as follows:

1) 'biomass' means the biodegradable fraction of biological-origin products, waste matter and residues from agriculture, including plant and animal material, from forestry and forestry-related production, as well as from fisheries and aquaculture, and the biodegradable fraction of industrial and household waste;

2) 'biodiesel' means fatty acid methyl esters (FAME) which are used either in 100% concentration as diesel fuel or as an admixture to diesel fuel;

3) 'sustainability criteria' means the requirements established under subsection 2 of § 58 of the Ambient Air Protection Act concerning the sustainability criteria of biofuels;

4) 'supply chain' means the body of actions that includes persons and activities starting from the growing of the raw material required for the production of biofuel until the making available of the biofuel to the consumers;

5) 'mass balance system' means the system of monitoring the movement of consignments in the supply chain, under which a consignment from one part of the supply chain to another part of that chain includes the

product as well as information concerning that product, such as information concerning the quantity, origin and properties of the product, and other information.

[RT I, 30.07.2013, 1 – entry into force 02.08.2013]

## § 2. Requirements for fuel

(1) Petrol, diesel and paraffinic diesel must meet the requirements established in the regulations made under subsection 1 of § 120 of the Atmospheric Air Protection Act.

[RT I, 18.04.2019, 4 – entry into force 01.05.2019]

(2) Biodiesel must conform to the Estonian standard EVS-EN 14214.

[RT I, 02.12.2010, 3 – entry into force 05.12.2010]

(2<sup>1</sup>) [Repealed – RT I, 18.04.2019, 4 – entry into force 01.05.2019]

(2<sup>2</sup>) [Repealed – RT I, 18.04.2019, 4 – entry into force 01.05.2019]

(3) Information concerning the standards is provided by the Ministry of Economic Affairs and Communications.

## § 3. Identifiers for petrol, diesel and paraffinic diesel

[RT I, 18.04.2019, 4 - entry into force 01.05.2019]

(1) The identifier for petrol is a circle that contains the indication EX in which E signals an ethanol content in the petrol and X is replaced by a number showing the maximum ethanol content of the petrol in volume percentage.

(2) The identifier for diesel is a square that contains the indication BX in which B signals a biodiesel content in the diesel and X is replaced by a number showing the maximum biodiesel content of the diesel in volume percentage.

(3) Where the supplier of fuel fulfils the obligation set out in subsection 1 of § 2<sup>1</sup> of the Liquid Fuel Act partially or in its entirety by an agreement concluded between suppliers or with a person who has released biomethane for final consumption, any identifier which has been installed prior to conclusion of the agreement and which is an identifier that corresponds to subsection 1 or 2 is not required to be changed during the period of validity of the agreement, provided the physically maximum proportion of the biofuel in the relevant fuel does not exceed what is shown in the indication.

(4) The marker for paraffinic diesel is a square that contains the indication XTL.

(5) One of the following indications is to be displayed on the identifier for petrol depending on the Research Octane Number of the petrol to be identified:

- 1) *bensiin 91* – petrol whose octane number is at least 91, but less than 95;
- 2) *bensiin 95* – petrol whose octane number is at least 95, but less than 98;
- 3) *bensiin 98* – petrol whose octane number is at least 98.

(6) The seller of fuel indicates the identifier of the fuel on the fuel dispenser and on the fuel dispenser nozzle.

(7) The identifier shown on the fuel dispenser is to include a reference to the Estonian standard to which the fuel that is being handled conforms.

(8) The identifier must be shown in black type on a white or silver background.

(9) An example of the identifier for petrol depending on the octane number and ethanol content in volume percentage, an example of the identifier for diesel depending on the biodiesel content in percent volume and an example of the identifier for paraffinic diesel are shown in the annex to this Regulation, entitled “Examples of identifiers for petrol, diesel and paraffinic diesel”.

[RT I, 18.04.2019, 4 – entry into force 01.05.2019]

## § 3<sup>1</sup>. Requirements for biofuel

(1) Biofuel that is sold to a final consumer must be obtained through a biofuel supply chain that ensures:

- 1) provision, to all persons participating in the supply chain, of reliable information concerning consignments and of reliable general information;
- 2) the functioning of the mass balance system at all handlers participating in the supply chain and at other persons;
- 3) disclosure, at the demand of an authority exercising state supervision, of data that were used to develop the information referred to in clause 1;
- 4) the auditing, on an annual basis, by an independent auditor and in accordance with relevant standards, of the functioning of the entire supply chain;

5) dissemination to all interested parties of the auditor's conclusions, which have been drawn up based on a verification of the accuracy, reliability and robustness against fraud of the systems that were used by the undertakings, and on an evaluation of the frequency and methodology of the internal auditing used in the supply chain as well as of the credibility of the data.

(2) The requirements for biofuel must be met regardless of whether the biofuel or the feedstock for that biofuel have been produced in the European Union or have been imported into the Union.  
[RT I, 30.07.2013, 1 – entry into force 02.08.2013]

### **§ 3<sup>2</sup>. Information shared in the supply chain**

(1) The general information referred to in clause 1 of subsection 1 of § 3<sup>1</sup> is

- 1) information concerning the quantities in consignments of biofuel or biofuel feedstocks;
- 2) information concerning the scheme for proving conformity of biofuel to sustainability requirements (hereinafter, 'scheme');
- 3) information concerning conformity to particular sustainability criteria;
- 4) information on whether the biofuel has been produced from waste matter, residues, non-food cellulosic material or lignocellulose.

(2) The general information referred to in clause 1 of subsection 1 of § 3<sup>1</sup> is:

- 1) information concerning measures taken for the protection of soil, water and air, for the restoration of degraded land and, in areas where water is scarce, for the prevention of excessive water consumption;
- 2) information concerning measures to be taken in order to take into account the potential socio-economic problems related to the introduction of biofuels;
- 3) information on whether the third countries and Member States that are a material source of the raw material for the biofuel have ratified and applied the relevant conventions of the International Labour Organization (ILO).

(3) The schemes referred to in clause 2 of subsection 1 of this section are:

- 1) a voluntary scheme recognized by the European Commission under Directive 2009/28/EC of the European Parliament and of the Council on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC (OJ L 140, 5.6.2009, pp. 16–62);
- 2) a scheme applied under bilateral or multilateral agreements concluded by the European Union with third countries;
- 3) a national scheme of another Member State of the European Union.

(4) The socio-economic problems referred to in clause 2 of subsection 2 of this section are:

- 1) an increasing demand for biofuels, which has an impact on social sustainability in the European Union and in third countries;
- 2) on the impact of the biofuel policy of the European Union on the availability of foodstuffs;
- 3) respect for land-use rights.

(5) The relevant conventions of the International Labour Organization (ILO) referred to in clause 3 of subsection 2 of this section are:

- 1) the Convention concerning Forced or Compulsory Labour;
- 2) the Convention concerning Freedom of Association and Protection of the Right to Organize;
- 3) the Convention concerning the Application of the Principles of the Right to Organize and to Bargain Collectively;
- 4) the Convention concerning Equal Remuneration of Men and Women Workers for Work of Equal Value;
- 5) the Convention concerning the Abolition of Forced Labour;
- 6) the Convention Concerning Discrimination in Respect of Employment and Occupation;
- 7) the Convention concerning Minimum Age for Admission to Employment;
- 8) the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

[RT I, 30.07.2013, 1 – entry into force 02.08.2013]

### **§ 3<sup>3</sup>. Functioning mass balance system**

A mass balance system is deemed to be functioning if:

- 1) the system makes it possible to arrange for the intermixing, and accounting for such intermixing, of consignments which contain raw material or biofuel characterized by different sustainability criteria (hereinafter, 'mixture');
- 2) with respect to a mixture, the system ensures the provision of information concerning the conformity to sustainability criteria, and quantity, of each consignment that has been added to that mixture;
- 3) when consignments are issued from the mixture, the system ensures that the sum of all consignments withdrawn from the mixture is described as if it had the same sustainability characteristics and the same quantities as the sum of all consignments added to the mixture.

[RT I, 30.07.2013, 1 – entry into force 02.08.2013]

### **§ 3<sup>4</sup>. Special rule concerning the provision of information to supervisory authorities**

If a supervisory authority requires the handler of biofuel or a person participating in the supply chain to provide information under clause 3 of subsection 1 of § 3<sup>1</sup> of this Regulation when proof concerning the conformity of the consignment to the sustainability criteria for biofuels has been provided by means of a scheme referred to in clause 1 or 2 of subsection 3 of § 3<sup>2</sup> of this Regulation, the supervisory authority may not require provision of additional proof regarding the criteria mentioned in clause 3 of subsection 1 of § 3<sup>2</sup> or, for the parts of the supply chain that are included in the particular scheme, of information referred to in clauses 1–3 of subsection 2 of § 3<sup>2</sup>.  
[RT I, 30.07.2013, 1 – entry into force 02.08.2013]

### **§ 4. Repeal of regulations**

[Omitted from this text.]

<sup>1</sup>Directive 2009/28/EC of the European Parliament and of the Council on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC (OJ L 140, 5.6.2009, pp. 16–62)

[RT I, 30.07.2013, 1 - entry into force 02.08.2013]

[Annex](#) Examples of identifiers for petrol, diesel and paraffinic diesel

[RT I, 18.04.2019, 4 - entry into force 01.05.2019]