Text consolidated by Valsts valodas centrs (State Language Centre) with amending regulations of:

24 July 2007 [shall come into force on 28 July 2007];

25 June 2009 [shall come into force on 3 July 2009];

3 November 2009 [shall come into force on 7 November 2009];

21 June 2011 [shall come into force on 1 July 2011];

1 April 2014 [shall come into force on 1 June 2014];

10 December 2019 [shall come into force on 1 January 2020];

21 March 2023 [shall come into force on 24 March 2023].

If a whole or part of a paragraph has been amended, the date of the amending regulation appears in square brackets at the end of the paragraph. If a whole paragraph or sub-paragraph has been deleted, the date of the deletion appears in square brackets beside the deleted paragraph or sub-paragraph.

Republic of Latvia

Cabinet

Regulation No. 772

Adopted 18 October 2005

**Regulations Regarding Requirements for Biofuel Quality, Conformity Assessment, Market Supervision and Procedures for Consumer Information**

*Issued pursuant to*

*Section 6, Paragraph two, Section 7, Paragraph of the Biofuel Law and Section 7 of the Law On Conformity Assessment*

**I. General Provisions**

1. The Regulation prescribes:

1.1. the quality requirements for biofuel;

1.2. the procedures by which the conformity assessment of biofuel and the transfer thereof for processing shall be carried out;

1.3. the procedures by which the production of biofuel and blending thereof with fossil fuel shall be controlled;

1.4. the procedures by which biofuel not conforming to quality requirements shall be destroyed;

1.5. the procedures by which consumers shall be informed regarding the content of biofuel present at points of sale and the conformity thereof with quality requirements.

2. In Latvia, it is permitted to sell the following biofuels to be used in internal combustion engines and blends of fossil fuel with a high concentration of biofuel content which conform to the requirements laid down in Chapter II of this Regulation:

2.1. biodiesel – fatty acid methyl ester (FAME);

2.2. [10 December 2019];

2.3. [10 December 2019];

2.4. diesel fuel with an increased content of fatty acid methyl esters (FAME) (B20 or B30);

2.5. pure rapeseed oil and other pure unrefined or refined vegetable oils obtained from oilseeds that are suitable for use as a fuel in specific types of internal combustion engines;

2.6. unleaded petrol containing dehydrated (having alcoholic strength of at least 99.5 percent by volume) bioethanol if the content of absolute ethanol is 70 to 85 percent by volume of the total quantity of this fuel;

2.7. biogas – fuel gas obtained from biomass and (or) biodegradable fraction of waste and purified to a quality equivalent to the quality of natural gas;

2.8. [10 December 2019];

2.9. [10 December 2019];

2.10. paraffinic diesel fuel obtained from biomass.

[*25 June 2009; 21 June 2011; 1 April 2014; 10 December 2019*]

**II. Quality Requirements and Conformity Assessment Procedures for Biofuel and Blends of Fossil Fuel with High Concentration of Biofuel Content**

[*10 December 2019*]

3. The quality requirements for the product referred to in Sub-paragraph 2.1 of this Regulation shall conform to the standard LVS EN 14214+A2:2019. Liquid petroleum products. Fatty acid methyl esters (FAME) for use in diesel engines and heating applications. Requirements and test methods.

[*10 December 2019*]

4. [10 December 2019]

4.1 The quality requirements for the product referred to in Sub-paragraph 2.6 of this Regulation shall conform to the standard LVS EN 15293:2018. Automotive fuels. Automotive ethanol (E85) fuel. Requirements and test methods.

[*10 December 2019*]

5. [25 June 2009]

6. The quality requirements for the product referred to in Sub-paragraph 2.4 of this Regulation shall conform to the standard LVS EN 16709+A1:2019. Automotive fuels. High FAME diesel fuel (B20 and B30). Requirements and test methods.

[*10 December 2019*]

6.1 The quality requirements for the product referred to in Sub-paragraph 2.5 of this Regulation have been laid down in Annex 4 to this Regulation.

[*24 July 2007*]

6.2 The quality requirements for the product referred to in Sub-paragraph 2.7 of this Regulation shall conform to the standard LVS EN 16723-2:2019. Natural gas and biomethane for use in transport and biomethane for injection in the natural gas network. Part 2: Automotive fuels.

[*21 March 2023*]

6.3 [*10 December 2019*]

6.4 [*10 December 2019*]

6.5 The quality requirements for the product referred to in Sub-paragraph 2.10 of this Regulation shall conform to the standard LVS EN 15940+A1+AC:2019. Automotive fuels. Paraffinic diesel fuel from synthesis or hydrotreatment. Requirements and test methods.

[*10 December 2019*]

7. Conformity of the products referred to in Sub-paragraphs 2.1, 2.4, 2.5, 2.6, 2.7, and 2.10 of this Regulation with the quality requirements shall be confirmed by one of the following documents:

7.1. a conformity certificate issued by the conformity assessment body which has been accredited in accordance with the laws and regulations regarding assessment, accreditation, and supervision of conformity assessment bodies or another conformity assessment body accredited in European Union Member States. An accredited conformity assessment body shall issue the conformity certificate on the basis of test reports of an accredited testing laboratory, interpreting the results in accordance with the requirements referred to in the relevant quality standards or in accordance with the following standards:

7.1.1. LVS EN ISO 4259-1:2018. Petroleum and related products. Precision of measurement methods and results. Determination of precision data in relation to methods of test;

7.1.2. LVS EN ISO 4259-2:2018. Petroleum and related products. Precision of measurement methods and results. Part 2: Interpretation and application of precision data in relation to methods of test;

7.1.3. LVS EN ISO 4259-3:2020. Petroleum and related products. Precision of measurement methods and results. Part 3: Monitoring and verification of published precision data in relation to methods of test;

4.1.7. LVS EN ISO 4259-4:2022. Petroleum and related products. Precision of measurement methods and results. Part 4: Use of statistical control charts to validate “in-statistical-control” status for the execution of a standard test method in a single laboratory;

7.2. if the fuel is produced in the European Union, a certificate of approval accompanied by a fuel test report which has been issued by a testing laboratory accredited in accordance with the laws and regulations regarding assessment, accreditation, and supervision of conformity assessment bodies.

[*10 December 2019; 21 March 2023*]

7.1 The products referred to in Paragraph 2 of this Regulation may only be sold if they are accompanied by a document which confirms conformity of such products with the quality requirements.

[*3 November 2009*]

7.2 [*10 December 2019*]

8. In the document referred to in Paragraph 7 of this Regulation which confirms the compliance of the product with quality requirements, in the winter period (from 1 November to 31 March) additional information regarding the climatic class or category shall be indicated:

8.1. for the product referred to in Sub-paragraph 2.1 of this Regulation – in accordance with the standard LVS EN 14214+A2:2019. Liquid petroleum products. Fatty acid methyl esters (FAME) for use in diesel engines and heating applications. Requirements and test methods;

8.2. for the product referred to in Sub-paragraph 2.10 of this Regulation – in accordance with the standard LVS EN 15940+A1+AC:2019. Automotive fuels. Paraffinic diesel fuel from synthesis or hydrotreatment. Requirements and test methods.

[*21 June 2011; 1 April 2014; 10 December 2019*]

9. [10 December 2019]

10. [10 December 2019]

11. Conformity of the products referred to in Sub-paragraphs 2.1, 2.4, 2.5, 2.6, 2.7, and 2.10 of this Regulation with the requirements of this Regulation shall be verified by using the test methods specified in Paragraphs 3, 4.1, 6, 6.2, and 6.5 of this Regulation and the quality standards referred to in Annex 4 to this Regulation, interpreting the results in accordance with the requirements referred to in the relevant quality standards.

[*10 December 2019*]

11.1 The fatty acid methyl ester (FAME) content of the product referred to in Sub-paragraph 2.4 of this Regulation in middle distillates shall be determined by testing the product and interpreting the results in accordance with the standard LVS 379:2006. Liquid petroleum products. Determination of 30 % fatty acid methyl ester (FAME) content in middle distillates. Infrared spectrometry method.

[*24 July 2007*]

11.2 The parameters of the product referred to in Sub-paragraph 2.7 of this Regulation shall be determined by testing the products and interpreting the results in accordance with the standard LVS EN ISO 13686:2014. Natural gas. Quality designation, the standard LVS EN ISO 6976:2016. Natural Gas. Calculation of calorific values, density, relative density and Wobbe indices from composition, and the standard LVS EN ISO 13443:2007 L. Natural gas. Standard reference conditions.

[*21 March 2023*]

12. A manufacturer of biodiesel shall ensure the quality of biodiesel in accordance with the standard LVS EN 14214+A2:2019. Liquid petroleum products. Fatty acid methyl esters (FAME) for use in diesel engines and heating applications. Requirements and test methods.

[*10 December 2019*]

12.1 A manufacturer of biodiesel shall ensure that the biodiesel referred to in Sub-paragraph 2.5 of this Regulation (including pure rapeseed oil and other pure vegetable oils obtained from oilseeds and supplied by a manufacturer of vegetable oils to tax warehouses) conforms to the quality requirements laid down in Annex 4 to this Regulation.

[*24 July 2007*]

12.2 For unleaded petrol to which dehydrated (having alcoholic strength of at least 99.5 percent by volume) bioethanol is added if the content of absolute ethanol is 85 percent by volume of the total quantity of this fuel, the manufacturer shall ensure quality in accordance with the standard LVS EN 15293:2018. Automotive fuels. Automotive ethanol (E85) fuel. Requirements and test methods.

[*24 July 2007; 3 November 2009; 1 April 2014; 10 December 2019*]

12.3 The climate-related requirements for the product referred to in Sub-paragraph 2.6 of this Regulation have been laid down in Annex 6 to this Regulation. In Latvia, Class A shall be used from 1 April to 31 October, but Class B – from 1 November to 31 March.

[*25 June 2009*]

12.4 The content of the metallic additive methylcyclopentadienyl manganese tricarbonyl (MMT) in the products referred to in Sub-paragraphs 2.1, 2.4, 2.5, 2.6, and 2.10 of this Regulation may not exceed 2 mg of manganese (Mn) per litre. At fuel points of sale where fuel with metal additives is available to consumers, an indication showing the content of metal additives in the fuel shall be placed on fuel dispensers, together with information on the type of fuel, with the following labelling text: “Contains metal additives”. The size of the label shall not be smaller than 3 x 6 cm, and the lettering shall be large enough to be clearly visible and legible.

[*10 December 2019*]

**III. Manufacturing of Biofuel, Blending with Fossil Fuel, Circulation and Procedures for Control**

13. Biofuel shall be manufactured, blended with fossil fuel (petroleum products) and processed, as well as brought into the market of Latvia from European Union Member States in accordance with the law On Excise Duties and laws and regulations regarding the procedures for circulation of excise goods.

14. [24 July 2007]

15. [24 July 2007]

16. In order to receive a supporting document, a tax warehousekeeper shall take a sample from a product batch in accordance with the standard LVS EN ISO 3170:2005 L. Petroleum liquids. Manual sampling. The tax warehousekeeper shall agree on the procedures for taking a specific sample with the State Revenue Service. Parameters of biogas shall be determined by testing the samples and interpreting the results in accordance with the standard LVS EN ISO 13686:2014. Natural gas. Quality designation.

[*21 March 2023*]

17. [24 July 2007]

18. [24 July 2007]

19. A merchant may also blend the products referred to in Sub-paragraphs 2.1, 2.4, and 2.6 of this Regulation by using also the method of liquid blending flow if such process is permitted by other laws and regulations in the field of circulation of excise goods.

[*21 June 2011; 10 December 2019*]

20. [24 July 2007]

21. Manufacturing the products referred to in Paragraph 2 of this Regulation, a manufacturing deed shall be drawn up in accordance with the laws and regulations regarding the procedures for circulation of excise goods. In addition, the following shall be indicated in the deed:

21.1. [24 July 2007];

21.2. information regarding the origin of the raw materials (for example, from rape seed oil, from other agricultural products). If biofuel is used as a raw material, additional information regarding the concentration of biofuel present shall be indicated in percentage form;

21.3. quantity of biofuel expressed as a percentage of the total quantity of the end product if biofuel is blended with fossil fuel.

[*24 July 2007*]

22. When transporting and selling the products referred to in Paragraph 2 of this Regulation, a fuel supply document shall be drawn up and attached in accordance with the laws and regulations governing circulation of excise goods and accounting. The fuel supply document shall further indicate the quantity of biodiesel or bioethanol expressed as a percentage of the total quantity of fuel and the number and date of issue of the document confirming quality and referred to in Sub-paragraph 7.1 or 7.2 of this Regulation.

[*21 June 2011; 10 December 2019*]

23. The quantity of biodiesel and pure rapeseed oil, and other pure vegetable oils obtained from oilseeds which have already been manufactured and for which it is intended to receive a supporting document shall be indicated in the accounting of goods of the tax warehouse in accordance with the laws and regulations regarding circulation of excise goods.

[*24 July 2007*]

24. [24 July 2007]

25. The products referred to in Paragraph 2 of this Regulation shall be stored, accounted for and sold separately from other petroleum products.

26. The products referred to in Paragraph 2 of this Regulation with a different percentage of biofuel shall be stored, accounted for and sold separately if, as the result, the quality requirements for the product change.

**IV. Market Supervision**

27. Market supervision of the products referred to in Paragraph 2 of this Regulation shall be carried out by the State Construction Control Bureau, the State Revenue Service, the State Police, and the Consumer Rights Protection Centre (hereinafter – the supervisory bodies) according to the competence thereof.

[*10 December 2019*]

28. [10 December 2019]

29. A merchant involved in the circulation of the products referred to in Paragraph 2 of this Regulation upon the request of the supervisory institution shall present the quality confirming document referred to in Paragraph 7 of this Regulation.

30. [10 December 2019]

31. A merchant involved in the circulation of the products referred to in Paragraph 2 of this Regulation shall be responsible for compliance with the requirements referred to in this Regulation.

32. All expenses related to the supervision of compliance for the products referred to in Paragraph 2 of this Regulation shall be covered from the resources of the institutions that carried out the supervision. If it has been determined that products do not comply with quality requirements specified in this Regulation, the relevant expenses shall be covered by the owner or possessor of these products.

**V. Procedures for Consumer Information**

33. At the points of sale of the products referred to in Paragraph 2 of this Regulation, fuel dispensers and nozzles thereof shall be labelled in accordance with the standard LVS EN 16942+A1:2021. Fuels. Identification of vehicle compatibility. Graphical expression for consumer information.

[*21 March 2023*]

34. A retail trader of fuel shall indicate in the informative sign that internal combustion engines designed or later adjusted for use of biofuel or biofuel blend are required for the use of the products referred to in Sub-paragraphs 2.1, 2.4, 2.5, and 2.6 of this Regulation.

[*21 June 2011; 10 December 2019*]

35. In each stage of the circulation of the products referred to in Paragraph 2 of this Regulation, including in retail trade locations, the relevant document confirming the quality of biofuel or biofuel blending or a copy thereof shall be required. Retail trader of fuel shall present the referred to document upon the request of consumer.

**VI. Procedures for Processing or Disposal of Biofuel or Blend of Biofuel with Fossil Fuel not Complying with the Quality Requirements**

36. If a merchant or supervisory institution determines that a biofuel or a biofuel blend does not comply with the quality requirements specified in this Regulation, it shall be disposed of or given over for processing in order to obtain a product complying with the quality requirements or used as a heating fuel for the production of heat energy.

37. Costs of transport and disposal of biofuel or biofuel blend not complying with the requirements of this Regulation shall be covered by the owner or possessor thereof.

38. A merchant who can ensure the presence of combustion products in high temperature for a sufficient period of time in order to divide macromolecular hydrocarbons shall be permitted to dispose of bioethanol, denatured bioethanol and the products referred to in Paragraph 2 of this Regulation.

39. Disposal of the products referred to in Paragraph 2 of this Regulation shall be co-ordinated with the State Revenue Service, the relevant regional environmental board of the State Environmental Service and the relevant local government (the place and time of disposal). Bioethanol and denatured bioethanol shall be disposed of in storage places thereof or in places indicated by the regional environmental board or local government in accordance with laws and regulations and standards determining the requirements for environmental quality.

40. All expenses related to the supervision of compliance for the products referred to in Paragraph 2 of this Regulation shall be covered from the resources of the institutions that carried out the supervision. If it has been determined that products do not comply with quality requirements specified in this Regulation, the relevant expenses shall be covered by the owner or possessor of these products.

**VII. Closing Provisions**

41. Until 1 January 2008 the maximum sulphur content in diesel fuel to which biodiesel has been added and which it is intended to be used in off-road mobile machinery, agricultural and forestry tractors shall not exceed 2000 mg/kg of the mass of the diesel fuel. There shall be a relevant sign in a sales location regarding such information.

42. Annex 1, Paragraph 15 of this Regulation shall come into force on 1 July 2006.

43. [25 June 2009]

44. Paragraph 22 of this Regulation shall also be applicable where mandatory delivery notes-invoices are used for petroleum products (fuel). The mandatory delivery notes-invoices may be used for petroleum products (fuel) until the period specified in the law On Taxes and Fees.

[*24 July 2007*]

45. [10 December 2019]

46. [10 December 2019]

47. [10 December 2019]

48. Until 31 December 2011, the maximum sulphur content in diesel fuel intended for use in railway vehicles and agricultural and forestry tractors may not exceed 1000 mg/kg.

[*21 June 2011*]

**Informative Reference to European Union Directives**

[*10 December 2019*]

The Regulation contains legal norms arising from:

1) Directive 98/70/EC of the European Parliament and of the Council of 13 October 1998 relating to the quality of petrol and diesel fuels and amending Council Directive 93/12/EEC;

2) Directive 2003/17/EC of the European Parliament and of the Council of 3 March 2003 amending Directive 98/70/EC relating to the quality of petrol and diesel fuels;

3) Directive 2009/30/EC of the European Parliament and of the Council of 23 April 2009 amending Directive 98/70/EC as regards the specification of petrol, diesel and gas-oil and introducing a mechanism to monitor and reduce greenhouse gas emissions and amending Council Directive 1999/32/EC as regards the specification of fuel used by inland waterway vessels and repealing Directive 93/12/EEC;

4) Commission Directive 2011/63/EU of 1 June 2011 amending, for the purpose of its adaptation to technical progress, Directive 98/70/EC of the European Parliament and of the Council relating to the quality of petrol and diesel fuels;

5) Directive 2014/94/EU of the European Parliament and of the Council of 22 October 2014 on the deployment of alternative fuels infrastructure.

Prime Minister A. Kalvītis

Minister for Economics A. K. Kariņš

**Annex 1**

Cabinet Regulation No. 772

18 October 2005

**Quality Requirements for Biodiesel Obtained from Rapeseed Oil(1)**

[10 December 2019]

**Annex 2**

Cabinet Regulation No. 772

18 October 2005

**Quality Requirements for Diesel Fuel (Gas Oil) to Which Biodiesel is Added (5 Per Cent by Volume of the Total Volume of Petroleum Products)(1)**

[3 November 2009]

**Annex 3**

Cabinet Regulation No. 772

18 October 2005

**Quality Requirements for Diesel Fuel (Gas Oil) to Which Biodiesel Obtained from Rapeseed Oil is Added (30–30.5 Per Cent by Volume of the Total Volume of Petroleum Products)(1)**

[10 December 2019]

**Annex 4**

Cabinet Regulation No. 772

18 October 2005

**Quality Requirements for Pure Rapeseed Oil and Another Pure Unrefined or Refined Vegetable Oil Obtained from Oilseeds and Suitable for Use as a Fuel in Specific Types of Internal Combustion Engines(1)**

[*24 July 2007; 3 November 2009; 10 December 2019*]

|  |  |  |  |
| --- | --- | --- | --- |
| No. | Particulars | Unit of measurement | Limits |
| Minimum | Maximum |
| 1. | Density, 15 oC(2) | kg/m3 | 900 | 930 |
| 2. | Flash point | oC | 220 | - |
| 3. | Kinematic viscosity, 40 oC | mm2/s | - | 36.0 (38.0\*) |
| 4. | Calorific value(3) | kJ/kg | 36,000 | - |
| 5. | Cetane number | - | 39 | - |
| 6. | Coking residue(4) | % (m/m) | 0 | 0,40 |
| 7. | Iodine value | g I2/100g | 95 | 125 |
| 8. | Sulphur content | mg/kg |  | 10 |
| 9. | Total contamination | mg/kg |  | 24 |
| 10. | Acid number | mg KOH/g |  | 2.0 (3.5\*) |
| 11. | Oxidation stability, 110 oC(5) | hours | 6.0 (5.0\*) |  |
| 12. | Phosphorous content | mg/kg |  | 12 (20\*) |
| 13. | Magnesium and calcium content | mg/kg |  | 20 |
| 14. | Ash content | % (m/m) |  | 0,01 |
| 15. | Water content | % (m/m) |  | 0,075 |

Notes.

(1)Test methods for specific characteristics of pure rapeseed oil and another pure unrefined or refined vegetable oil which are suitable for use as a fuel in specific types of internal combustion engines have been laid down in the applicable standards recommended by the Ministry of Economics to the national standardisation body.

(2)If density is experimentally determined at a different temperature, it shall be recalculated for the temperature of 15°C.

(3)Average calorific value (market data demonstrate that it is approximately 37 500 kJ/kg).

(4)Determine for the oil rather than the 10 % distillation residue thereof.

(5)Verify without the addition of additives.

(\*)Indicators shall be applicable during the transitional period until 1 January 2010.

**Annex 5**

Cabinet Regulation No. 772

18 October 2005

**Quality Requirements for Unleaded Petrol to Which Dehydrated (Having Alcoholic Strength of at Least 99.5 Per Cent by Volume) Bioethanol is Added (70–85 Per Cent by Volume of the Total Quantity of the End Product)(1)**

[10 December 2019]

**Annex 6**

Cabinet Regulation No. 772

18 October 2005

[*21 March 2023*]

**Climate-Related Requirements for Unleaded Petrol to Which Dehydrated (Having Alcoholic Strength of at Least 99.5 Per Cent by Volume) Bioethanol is Added (70–85 Per Cent by Volume of the Total Quantity of the End Product)(1)**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| No. | Particulars | Units | Class A | Class B |
| 1. | Ethanol + higher alcohols | % (V/V), min | 75 | 70 |
| 2. | Higher-class unleaded petrol, as indicated in the standard LVS EN 228+A1:2017. Automotive fuels. Unleaded petrol. Requirements and test methods(2) | % (V/V) | 14–22 | 14–30 |
| 3. | Vapour pressure(3) | kPa, minkPa, max | 35,060,0 | 50,0100,0 |
| 4. | Final boiling point FBP | oC, max | 210 | 210 |
| 5. | Distillation residue | % (V/V), max | 2 | 2 |

Notes.

(1) Employ the test methods specified in the standard LVS EN 15293+A1:2018. Automotive fuels. Automotive ethanol (E85) fuel. Requirements and test methods.

(2)The content of unleaded petrol can be determined by subtracting the sum of water and alcohol strength from 100 as a percentage.

(3)Indicate the dry vapour pressure equivalent (DVPE).

**Annex 7**

Cabinet Regulation No. 772

18 October 2005

**Quality Requirements for Unleaded Petrol with the Addition of Bioethanol of up to 10 Per Cent by Volume of the Total Petrol Volume**

[10 December 2019]

**Annex 8**

Cabinet Regulation No. 772

18 October 2005

**Quality Requirements for Diesel Fuel with the Addition of Biodiesel of up to 7 Per Cent by Volume of the Total Fuel Volume**

[10 December 2019]