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Text No 6

**Order of 1 June 2018 amending the Order of 23 December 1999, as amended, on the characteristics of gas oil and low-temperature gas oil**

NOR: TRER1807855A

ELI:https://www.legifrance.gouv.fr/eli/arrete/2018/6/1/TRER1807855A/jo/texte

Public concerned: natural or legal persons providing fuels used for the propulsion of road vehicles, for consumption.

Purpose: to update certain technical specifications for gas oil and low-temperature gas oil fuels and update the standardised labelling on the volume meters delivering this fuel.

Entry into force: this order includes certain measures concerning undertakings and which fall within the scope of the deferred entry into force mechanism. This order shall enter into force on the day after its publication, with the exception of certain provisions of Article 5 and the provisions of Article 6, which shall enter into force on 12 October 2018.

Notice: Directive 2014/94/EU of the European Parliament and of the Council of 22 October 2014 on the deployment of alternative fuels infrastructure must be enacted into national law. The first and second paragraphs of Article 7 of this directive introduce information that has been standardised within the Union, concerning the compatibility of vehicles with the alternative fuels and energies offered by stations. It indicates that Member States should ensure that relevant, consistent and clear information is available concerning motor vehicles that can be regularly fuelled with the various fuels placed on the market. This information must be simple, easy to understand and affixed in a clearly visible way, notably at the fuelling points.

References: the order enacts part of Directive 2014/94/EU of the European Parliament and of the Council of 22 October 2014 on the deployment of alternative fuels infrastructure. It may be consulted on the Légifrance website (http://www.legifrance.gouv.fr).

The Minister of State for the Ecological and Inclusive Transition, the Minister for Economy and Finance and the Minister for Public Action and Accounts,

Having regard to 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, as amended;

Having regard to Directive (EU) 2014/94 of 22 October 2014 on the deployment of alternative fuels infrastructure;

Having regard to Directive (EU) 2015/1535 of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services;

Having regard to the Energy Code and in particular Articles D641-4 to D641-11 thereof;

Having regard to the Order of 23 December 1999 on the characteristics of gas oil and low-temperature gas oil, as amended;

Having regard to the Order of 30 June 2010 on the characteristics of fatty acid methyl esters (FAME), as amended;

Having regard to the Order of 19 January 2016, as amended, establishing the list of fuels authorised with regard to the provisions of Article 265 *ter* of the Customs Code;

Having regard to the opinion of the technical Committee on the use of petroleum products dated 21 June 2017,

Hereby order:

**Article 1**

Article 1 of the aforementioned amended Order of 23 December 1999 is replaced by the following provisions:

‘Article 1. - Gas oil may only be held for sale or sold if it complies with the minimum requirements defined in Article 2 below or those of any other standard or specification in force in a Member State of the European Union, any other State in the European Economic Area or Turkey guaranteeing an equivalent level of quality for the same climatic conditions.’

**Article 2**

Article 2 of the aforementioned amended Order of 23 December 1999 is replaced by the following provisions:

‘Article 2. - B7 gas oil is a mixture of mineral or synthesised hydrocarbons and, potentially, fatty acid methyl esters under the conditions provided for in the aforementioned amended Order of 30 June 2010, intended to supply compression-ignition combustion engines and meeting the following specifications:

a) the technical characteristics comply with the requirements laid down in Annex I to this order;

b) concerning requirements dependent on climate conditions, the cold resistance characteristics of gas oil offered for sale or sold on national territory comply with the provisions laid down in Annex II to this order;

c) no particular colourant shall be added to gas oil.’

**Article 3**

Article 3 of the Order of 23 December 1999 on the characteristics of gas oil and low-temperature gas oil is replaced by the following provisions:

‘Article 3. - ‘low-temperature gas oil’ means a gas oil that complies with the specifications defined in Article 2 above and whose cold resistance characteristics are covered by the provisions laid down in Annex II.’

**Article 4**

Article 4 of the Order of 23 December 1999 on the characteristics of gas oil and low-temperature gas oil is replaced by the following provisions:

‘Article 4. - The test methods and interpretation of the results of measurements concerning the specifications indicated in Annexes I and II shall be defined by decision of the director responsible for hydrocarbons published in the Official Journal of the French Republic.’

**Article 5**

Article 6 of the aforementioned amended Order of 23 December 1999 is replaced by the following provisions:

‘Article 6. - Without prejudice to the provisions of Article 2, the designation ‘gas oil’, as well as the sale price per litre must feature on the distribution device in very visible characters at least 2 centimetres high.

Where delivery is made in receptacles, the aforementioned designation must appear on these receptacles as soon as they are filled for sale.

As of 12 October 2018, specific labelling, to which the height criterion mentioned in the first paragraph of this article shall not apply, must be clearly affixed to the distribution devices. The characteristics of this labelling are laid down in Annex III.’

**Article 6**

As of 12 October 2018, Annex I of the aforementioned amended Order of 23 December 1999 is replaced by the following Annex:

‘ANNEX I

Technical characteristics

|  |  |  |  |
| --- | --- | --- | --- |
| PROPERTIES | UNIT | LIMITS | |
| Min. | Max. |
| Measured cetane number |  | 51.0 | - |  |
| Calculated cetane index |  | 46.0 | - |  |
| Density (at 15 °C) | kg/m³ | 820.0 | 845.0 |  |
| Polycyclic aromatic hydrocarbons | % (m/m) | - | 8.0 |  |
| Sulfur content | mg/kg | - | 10.0 |  |
| Manganese content | mg/l | - | 2.0 |  |
| Flash point | °C | > 55.0 | - |  |
| Carbon residues (on the 10% distillation residue) | % (m/m) | - | 0.30 |  |
| Ash content | % (m/m) | - | 0.01 |  |
| Water content | mg/kg | - | 200 |  |
| Total contamination | mg/kg | - | 24 |  |
| Copper strip corrosion (3 h at 50 °C) | Rating | Class 1 | |  |
| Oxidation stability | g/m³ | - | 25 |  |
| h | 20 (1) | - |  |
| Lubricity, corrected wear scar diameter  (WSD 1,4) at 60 °C | µm | - | 460 |  |
| Viscosity at 40 °C | mm2/s | 2.000 | 4.500 |  |
| Distillation:  -% (v/v) recovered at 250 °C; | % (v/v) | - | < 65 |  |
| -% (v/v) recovered at 350 °C; | % (v/v) | 85 | - |  |
| -95 % (V/V) recovered at: | °C | - | 360 |  |
| Fatty acid methyl ester content compliant with the Order of 30 June 2010 on the characteristics of fatty acid methyl esters (FAMEs), as amended | % (v/v) | - | 7.0 |  |
| (1) This is an additional specification for diesel fuels with a FAME content greater than 2 % (v/v).’. | | | |  |

**Article 7**

Annex II of the aforementioned amended Order of 23 December 1999 is replaced by the following Annex:

‘ANNEX II

Cold resistance characteristics in metropolitan France

|  |  |  |  |
| --- | --- | --- | --- |
| Season | Date | Class | Cold filter plugging point (°C, max.) |
| Summer | 1 April - 31 October | B | 0 °C |  |
| Winter | 1 November - 31 March | E | -15 °C |  |
| Low-temperature gas oil | 1 January - 31 December | F | -20 °C |  |

Cold resistance characteristics in Guadeloupe, Guiana and Martinique

|  |  |  |
| --- | --- | --- |
| Date | Class | Cold filter plugging point (°C, max.) |
| 1 January - 31 December | B | 0 °C |  |

Cold resistance characteristics in Mayotte and in Réunion

|  |  |  |
| --- | --- | --- |
| Date | Class | Cold filter plugging point (°C, max.) |
| 1 January - 31 December | B | 0 °C |  |

**Article 8**

The aforementioned amended Order of 23 December 1999 is supplemented by Annex III to this order.

**Article 9**

This order shall enter into force on the day after its publication in the Official Journal of the French Republic, with the exception of certain provisions of Article 5 and the provisions of Article 6, which shall enter into force on 12 October 2018.

**Article 10**

The Director of energy, the Director-General for Competition Policy, Consumer Affairs and Fraud Control and the Director-General of customs and indirect taxation shall be responsible, each for their own area of competence, for the execution of this order, which shall be published in the Official Journal of the French Republic.

**Annex**

ANNEX III

SPECIFIC LABELLING TO BE AFFIXED TO THE DISTRIBUTION DEVICES

Specific labelling shall be clearly affixed to dispensers. This labelling is shown below and must be a minimum of 4 cm wide:

You can consult the entire text with its images in the authenticated electronic extract from the Official Journal that is accessible at the foot of the page

Specific labelling should also be affixed to the pistol of the distribution device. This is shown below and must be a minimum of 1.5 cm wide:

You can consult the entire text with its images in the authenticated electronic extract from the Official Journal that is accessible at the foot of the page

Done on 1 June 2018.

The Minister of State for the Ecological and Inclusive Transition,

For the Minister of State and by delegation:

The Director of energy,

V. Schwarz

The Minister for Economy and Finance,

For the Minister and by delegation:

The Director-General for Competition Policy, Consumer Affairs and Fraud Control,

V. Beaumeunier

The Minister for Public Action and Accounts,

For and on behalf of the Minister:

The Director-General of customs and indirect taxation,

R. Gintz