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**KINGDOM OF BELGIUM**

**FEDERAL PUBLIC SERVICE FOR HEALTH, FOOD CHAIN SAFETY AND  
ENVIRONMENT**

Royal Decree on the quality declaration and quality requirements of petrol and diesel intended for  
export to countries not members of the European Union

PHILIPPE, King of the Belgians,

To all who now are and will be after,

Greetings.

Having regard to the Law of 21 December 1998 on product standards to promote sustainable patterns  
of production and consumption and to protect the environment and public health, Article 5(1)(1), 8°;

Having regard to the Economic Law Code, Article VI.9(1), 2°;

Having regard to the Royal Decree of 18 November 2018 laying down the modalities for the  
operation, financing and organisation of the Oil Products Analysis Fund;

Having regard to the Royal Decree of 8 July 2018 on the name and characteristics of gas-oil diesel  
and petrols;

Having regard to the involvement of the regional governments in the drafting of this Decree on ....;

Having regard to the opinion of the Federal Council for Sustainable Development, issued on ...;

Having regard to the recommendation of the Superior Health Council (SHC) issued on ...;

Having regard to the opinion of the special advisory Consumer Committee, issued on ...;

Having regard to the opinion of the Central Economic Council, issued on ...;

Having regard to the opinion of the Supreme Council for the Self-Employed and Small and Medium  
Enterprises, given on

Having regard to the opinion of the Inspectorate of Finance, issued on ...;

Having regard to the agreement reached by the Secretary of State for Budget, given on...;

Having regard to opinion xx.xxx of the Council of State, issued on ..., pursuant to Article 84(1)(1)(2)  
of the Council of State Acts, coordinated on 12 January 1973;

Whereas Article XV.2(1) of the Code of Economic Law provides that ‘without prejudice to the powers of the police officers of the local and federal police, the officials appointed by the Minister are competent to detect and determine the infringements of this Code. Such officials may exercise the powers laid down in this Title solely for the purpose of detecting and establishing infringements of the provisions of this Code, of its implementing acts and of the regulations of the European Union for which this book provides for sanctions, with the exception of the provisions contained in Book IV and its implementing acts.’;

Whereas, in application of Article XV.2 of the Code of Economic Law, the Ministerial Decree of 25 April 2014 appointing the officials responsible for detecting and detecting the infringements provided for in Article XV(2) of the Code of Economic Law provides in Article 5 that ‘the officials of the General Energy Directorate of the Federal Public Service Economy, SMEs, Middle Classes and Energy shall be authorised to detect and determine the infringements provided for in Article XV.102 of the same Code and the infringements laid down in the implementing decrees referred to in Articles VI.9 and VI.10 and Article VIII.57 of the same Code’;

Whereas, in accordance with Article XV.83(1)(2) of the Code of Economic Law, a level-2 penalty is imposed on those who infringe the provisions of the decisions taken pursuant to Article VI.9;

Whereas this Royal Decree was adopted in implementation of Article VI.9 of the Code of Economic Law;

Whereas, therefore, officials of the General Energy Directorate of the Federal Public Service Economy, SMEs, Middle Classes and Energy have the power to investigate and determine the offences described in this Decree;

Upon the proposal of the Minister for Environment the Minister for Energy, the Minister for Economy and the Minister for Health,

We have decided and hereby decree:

Article 1. This Decree aims to ensure a high level of protection of human health and the environment.

Article 2. For the purposes of this Decree, the following definitions shall apply:

1° ‘petrol’: any volatile mineral oil intended for the operation of internal combustion positive-ignition engines for the propulsion of vehicles and falling within CN codes 2710 11 41, 2710 11 45, 2710 11 49, 2710 11 51 of 2710 11 59 (2);

2° ‘diesel’: diesel fuel: gas oils falling within CN code 2710 19 41 (2) and used for self-propelling vehicles as referred to in Directive 70/220/EEC and Directive 88/77/EEC;

3° ‘FAPETRO’: the Oil Products Analysis Fund referred to in heading 32-7 of the table added to the Organic Law of 27 December 1990 establishing budgetary funds;

4° ‘Royal Decree of 18 November 2018’: The Royal Decree of 18 November 2018 laying down the terms for the operation, financing and organisation of the Oil Products Analysis Fund.

Article 3. §1. The legal entity exporting diesel or petrol from Belgian territory to countries that are not members of the European Union shall prove and guarantee that these products comply with the specifications for each of the products listed in the Annex to this Decree.

§2. Exports of diesel or petrol that do not comply with the quality standards set out in the Annex to this Decree to a country not a member of the European Union shall be prohibited.

§3. Prior to export, each legal person shall make available to FAPETRO and to any other inspection body a conformity analysis report issued by an accredited body in accordance with the provisions of standard ISO 17025.

FAPETRO may carry out inspection tasks on diesels and petrols carried out in accordance with the provisions of the Royal Decree of 18 November 2018.

Article 4. Depending on developments in the nature and specifications of fuels, the Minister responsible for the Environment and the Minister responsible for Energy may amend the Annex, in order to ensure a higher level of protection of human health and the environment.

Article 5 This Decree shall enter into force on ...

Article 6 The Minister responsible for the Environment, the Minister responsible for the Economy, the Minister responsible for Health and the Minister responsible for Energy are respectively responsible for the implementation of this Decree.

Brussels,

By virtue of the King:

The Minister of the Environment,

Z. KHATTABI

The Minister for Energy,

T. VAN DER STRAETEN

The Minister for the Economy,

P. Y. DERMAGNE

The Minister for Public Health,

F. VANDENBROUCKE

#### ANNEXE

<b>Fuel</b>	<b>Characteristics</b>
Petrol	Contains a maximum of: 1° 50 parts per million (ppm) of sulphur; 2° 1 % volume over volume (v/v) to benzene.  Does not contain metal additives.
Diesel	Contains up to 50 parts per million (ppm) of sulphur.