

<p>Draft name Draft Regulation of the Minister for Industry <i>on the methods of testing the quality of liquid biofuels</i></p> <p>Lead ministry and cooperating ministries Ministry of Industry</p> <p>Person responsible for the draft: Minister, Secretary of State or Undersecretary of State Minister for Industry Marzena Czarnecka</p> <p>Contact details for the draft supervisor Marta Kosicka, Senior Specialist at the Department of Oil, Gas and Hydrogen Economy (email: marta.kosicka@mp.gov.pl)</p>	<p>Drafted on 8 May 2025</p> <p>Source: Statutory authorisation Article 26(2) of the Act of 25 August 2006 on the system for monitoring and controlling fuel quality (Journal of Laws 2024, item 1209, 1940 and 1946; and 2025, item 303)</p> <p>Number on the list of works of the Minister for Industry: 3</p>
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REGULATORY IMPACT ASSESSMENT

1. What issue is being addressed?

The Minister for Industry, on the basis of the power conferred under Article 26(2) of the Act of 25 August 2006 *on the system for monitoring and controlling fuel quality*, is obliged to determine methods for testing the quality of liquid biofuels, taking into account the methods set out in the relevant standards in this regard.

The Regulation of the Minister for Industry and the Minister for Climate and the Environment of 21 March 2025 on quality requirements for liquid biofuels (Journal of Laws, item 426) lays down, inter alia, quality requirements for a new type of liquid biofuel, i.e. liquid bio-hydrocarbons, constituting an intrinsic fuel and paraffinic diesel, hereinafter ‘paraffinic bio-hydrocarbons’, which creates the opportunity of trading and producing these biofuels in Poland. In addition, in this Regulation, the quality requirements for other liquid biofuels, i.e. methyl ester constituting an intrinsic fuel (B100), diesel fuel containing 20 % methyl ester (B20) and petrol containing 70 % to 85 % bioethanol (E85), are adapted to current standards.

At the heart of the problem is the lack of specific methods for testing the quality of paraffinic bio-hydrocarbons and the partly outdated quality testing methods for B100, B20 and E85.

In order to obtain information about the issue, an analysis of the current standards was carried out, i.e.:

- for B100: PN-EN 14214+A2:2019-05 Liquid petroleum products — Fatty acid methyl esters (FAME) for use in diesel engines and heating applications — Requirements and test methods;
- for B20: PN-EN 16709+A1:2018-12 Fuels for motor vehicles — High FAME diesel fuel (B20 and B30) — Requirements and test methods;
- for paraffinic bio-hydrocarbons: PN-EN 15940:2023-10 Automotive fuels — Paraffinic diesel fuel from synthesis or hydrotreatment — Requirements and test methods;
- for E85: PN-EN 15293:2018-09 Automotive Fuels - Ethanol Automotive Fuels (E85) - Requirements and test methods.

The consequence of non-action would be limited quality control of paraffinic bio-hydrocarbons by the Trade Inspectorate as part of the system for monitoring and controlling fuel quality, as it would be restricted solely to an analysis of the documents submitted by a business operator. The Trade Inspectorate would not be able to take samples or carry out quality tests.

2. The recommended solution, including planned intervention tools and expected impact

The recommended solution is to define methods for testing the quality of paraffinic bio-hydrocarbons and to update the quality testing methods for B100, B20 and E85.

The expected effect of the proposed changes is to enable full quality control of paraffinic bio-hydrocarbons by the Trade Inspectorate thanks to defining methods for testing the quality of this liquid biofuel, and to ensure an adequate level of quality control of B100, B20, and E85 by adapting test methods to the current versions of standards.

The objective of the draft cannot be achieved by other means due to the fact that the statutory authorisation obliges the minister competent for energy raw materials to define test methods for liquid biofuels by means of a regulation.

3. How has this problem been solved in other countries, in particular in OECD/EU Member States?

The technical standards relating to quality testing methods have been developed by an international team of experts. For this reason, standards are the most common and popular source of national guidelines on methods for testing the quality of liquid biofuels. The European Committee for Standardization (CEN) is officially recognised by the European Union as a standardisation organisation. CEN brings together national standardisation bodies from 34 countries (including all EU countries).

4. Entities affected by the draft

Group	Size	Data source	Impact
Provincial Trade Inspectorate Units	16	https://www.uokik.gov.pl/	Extending the scope of quality control to include a new type of liquid biofuel and aligning changes in quality testing methods
Office of Competition and Consumer Protection	1	https://www.uokik.gov.pl/	Extension of the system for monitoring and controlling the quality of liquid biofuels to include a new type of liquid biofuel and taking into account changes in the methods of quality testing under the System for Monitoring and Controlling Fuel Quality
Research laboratories	approx. 30	www.pca.gov.pl	Extension of the scope of operations to include testing of a new type of liquid biofuel and adaptation to changes in testing methods of B100, B20 and E85, as well as obtaining accreditation from the Polish Accreditation Centre
Entities licensed to produce liquid biofuels	13	https://rejstry.ure.gov.pl/	Inclusion of changes in the scope of testing the quality of manufactured liquid biofuels

5. Information on the scope, duration, and summary of consultation results

The draft was not the subject of pre-consultation.

In accordance with Article 5 of the Act of 7 July 2005 on lobbying activities in the law-making process (Journal of Laws 2017, item 248; 2024, item 1535) and with Article 52 of Resolution No 190 of the Council of Ministers of 29 October 2013 – Rules of Procedure of the Council of Ministers (Polish Official Gazette of 2024, item 806; 2025, item 408), the draft was made available in the Public Information Bulletin on the website of the Government Legislation Centre in the Government Legislative Process tab.

As part of the public consultation, the draft was sent (10 days) to the following stakeholders:

- 1) Polish Chamber of Liquid Fuels (Polska Izba Paliw Płynnych);
- 2) Polish Organisation of Oil Industry and Trade (Polska Organizacja Przemysłu i Handlu Naftowego);
- 3) Polish National Chamber of Biofuels (Krajowa Izba Biopaliw);
- 4) Polish Automotive Industry Association (Polski Związek Przemysłu Motoryzacyjnego);
- 5) Motor Transport Institute (Instytut Transportu Samochodowego);
- 6) Oil and Gas Institute – National Research Institute (Instytut Nafty i Gazu – Państwowy Instytut Badawczy);
- 7) Łukasiewicz Research Network – Industrial Automotive Institute (Sieć Badawcza Łukasiewicz – Przemysłowy Instytut Motoryzacji);
- 8) BOSMAL Automotive Research and Development Institute (Instytut Badań i Rozwoju Motoryzacji BOSMAL Sp. z o.o.);
- 9) Sieć Badawcza Łukasiewicz – Instytut Chemii Przemysłowej im. prof. Ignacego Mościckiego (Łukasiewicz Research Network – Prof. Ignacy Mościcki Institute of Industrial Chemistry);
- 10) Air Force Institute of Technology (Instytut Techniczny Wojsk Lotniczych);
- 11) National Chamber of Alternative Fuels (Krajowa Izba Paliw Alternatywnych);
- 12) Domestic Council of Alcohol Distillation and Production of Biofuels (Krajowa Rada Gorzelnictwa i Produkcji Biopaliw);
- 13) National Association of Rapeseed and Protein Plant Producers (Krajowe Zrzeszenie Producentów Rzepaku i Roślin Białkowych);
- 14) Polish Association of Oil Producers (Polskie Stowarzyszenie Producentów Oleju);
- 15) PERN S.A.;
- 16) BP Polska Sp. z o.o.;
- 17) ORLEN S.A.;
- 18) Shell Polska Sp. z o.o.;
- 19) Slovnaft – Polska S.A.;
- 20) Circle K Polska Sp. z o.o.;
- 21) Unimot S.A.;
- 22) Tanquid Polska Sp. z o.o.;
- 23) AMIC Polska Sp. z o.o.;
- 24) HUZAR PSP S.A.;

- 25) ANWIM S.A.;
- 26) Aramco Fuels Poland Sp. z o.o.

The draft was submitted for opinion (10 days) to the following entities:

- 1) President of the Office for Competition and Consumer Protection;
- 2) President of the Energy Regulatory Office;
- 3) President of the Polish Committee for Standardisation;
- 4) General Director of the National Support Centre for Agriculture.

In view of the scope of the project, which does not concern:

- 1) the tasks of trade unions – it is not subject to an opinion by representative trade unions;
- 2) the rights and interests of employers' associations – it is not subject to an opinion by representative employers' organisations;
- 3) matters relating to local self-government, referred to in the Act of 6 May 2005 on the Joint Commission of the Government and Local Self-Government and on the representatives of the Republic of Poland in the European Committee of the Regions (Journal of Laws 2024, item 949) – it is not subject to an opinion by the Joint Commission of the Government and Local Self-Government;
- 4) matters referred to in Article 1 of the Act of 24 July 2015 on the Social Dialogue Council and other institutions of social dialogue (Journal of Laws 2018, item 2232, as amended) – it is not subject to an opinion by the Social Dialogue Council;
- 5) matters referred to in Article 35(2)(2) of the Act of 24 April 2003 on Public Benefit Activity and Voluntary Work (Journal of Laws 2024, item 1491, 1761 and 1940) – it does not require an opinion from the Council for Public Benefit Work.

The draft does not require submission to institutions and bodies of the European Union, including the European Central Bank, for an opinion, notification, consultation or agreement.

The results of public consultations and opinions were discussed in the report on the consultations, containing a summary of the presented positions and opinions and the response of the requesting authority, made available on the website of the Government Legislation Centre, in the Government Legislative Process tab.

No entities indicated an interest in working on the draft in accordance with the Act of 7 July 2005 on lobbying activities in the law-making process.

6. Impact on the public finance sector

(fixed prices from 2025)	Impact over 10 years from implementing the amendments [PLN million]											
	0	1	2	3	4	5	6	7	8	9	10	Total (0–10)
Total revenue	0	0	0	0	0	0	0	0	0	0	0	0
state budget	0	0	0	0	0	0	0	0	0	0	0	0
local government units	0	0	0	0	0	0	0	0	0	0	0	0
other units (separately)	0	0	0	0	0	0	0	0	0	0	0	0
Total expenditure	0	0	0	0	0	0	0	0	0	0	0	0
state budget	0	0	0	0	0	0	0	0	0	0	0	0
local government units	0	0	0	0	0	0	0	0	0	0	0	0
other units (separately)	0	0	0	0	0	0	0	0	0	0	0	0
Total balance	0	0	0	0	0	0	0	0	0	0	0	0
state budget	0	0	0	0	0	0	0	0	0	0	0	0
local government units	0	0	0	0	0	0	0	0	0	0	0	0
other units (separately)	0	0	0	0	0	0	0	0	0	0	0	0

Sources of financing	Not applicable
Additional information, including the identification of data sources and assumptions made in the calculation	<p>The entry into force of the Regulation will not cause additional financial consequences for the public finance sector entities, including the state budget and budgets of local government units, consisting in increasing expenditures or decreasing revenues of these entities as compared to those stemming from the provisions currently in force.</p> <p>The costs of extending the System for Monitoring and Controlling Fuel Quality to include paraffinic bio-hydrocarbons were estimated in the Regulatory Impact Assessment of the draft Regulation on quality requirements for liquid biofuels. This draft does not have such an effect.</p>

7. Impact on the competitiveness of the economy and entrepreneurship, including the functioning of enterprises and impact on families, citizens and households								
		Impact						
Time in years since entry into force of the amendments		0	1	2	3	5	10	Total (0–10)
In monetary terms (in PLN millions, fixed prices from 2025)	large enterprises	0	0	0	0	0	0	0
	micro-, small- and medium-sized enterprises	0	0	0	0	0	0	0
	families, citizens and households	0	0	0	0	0	0	0
	persons with disabilities and the elderly	0	0	0	0	0	0	0
In non-monetary terms	large enterprises	Not applicable						
	micro-, small- and medium-sized enterprises	Not applicable						
	families, citizens and households	Not applicable						
	persons with disabilities and the elderly	Not applicable						
Unmeasurable		Not applicable						
Additional information, including the identification of data sources and assumptions made in the calculation		None						
8. Change in the regulatory burdens (including disclosure obligations) resulting from the draft								
<input checked="" type="checkbox"/> not applicable								
Burdens are placed outside those strictly required by the EU (see the inverted compatibility table for details).				<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> not applicable				
<input type="checkbox"/> reduction in the number of documents <input type="checkbox"/> reduction in the number of procedures <input type="checkbox"/> shortening of the time to settle the matter <input type="checkbox"/> other:				<input type="checkbox"/> increase in the number of documents <input type="checkbox"/> increase in the number of procedures <input type="checkbox"/> extension of the time to settle the matter <input type="checkbox"/> other:				
The introduced burdens are suitable for digitisation.				<input type="checkbox"/> yes <input type="checkbox"/> no <input checked="" type="checkbox"/> not applicable				
Comment: The entry of the draft Regulation into force shall not generate regulatory burdens.								
9. Impact on the labour market								
The entry into force of the Regulation will not affect the labour market.								
10. Impact on other aspects								
<input type="checkbox"/> natural environment <input type="checkbox"/> regional standing and development <input type="checkbox"/> ordinary, administrative or military courts			<input type="checkbox"/> demographics <input type="checkbox"/> state property <input type="checkbox"/> other:			<input type="checkbox"/> computerisation <input type="checkbox"/> health		
Discussion of the impact		Not applicable						
11. Planned implementation of the provisions of the act								
The draft Regulation shall enter into force 14 days after the date of its publication.								
12. How and when will the impact of the draft be assessed, and what measures will be applied?								
An evaluation will take place three years after the entry into force of this regulation. As part of the evaluation, a metric will be used in the form of the number of problems with the assessment of the quality of liquid biofuels using methods								

set out in the draft Regulation, reported to the office serving the minister competent for energy raw materials.
13. Annexes (important source documents, research, analyses, etc.)
None