Draft of 25 September 2025

REGULATION

OF THE MINISTER FOR ENERGY[1)]

of [date]

on the method of sampling for liquid fuels and liquid biofuels[2)]

Pursuant to Article 19(1) of the Act of 25 August 2006 on the system for monitoring and controlling fuel quality (Journal of Laws of 2024, items 1209, 1940, and 1946; Journal of Laws of 2025, item 303), the following is hereby decreed:

Chapter 1

General provisions

§ 1. The Regulation lays down the method of sampling of liquid fuels and liquid biofuels.

§ 2. Samples shall be taken by filling the container for samples with a sample.

§ 3. Containers for samples:

1) shall be made of materials that are chemically inert to the liquid fuel or liquid biofuel being withdrawn;
2) shall be fitted with gland gaskets or have sealed connections to prevent the containers from opening as a result of internal pressures arising during normal operation thereof;
3) shall be fitted with a closing device that:
   a) ensure consistency of sample's quality parameters, or
   b) consist of a nut with a washer:
      – matching,
      – resistant to the effects of liquid fuel or liquid biofuel,
      – which is not made of cork or rubber;

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1) The Minister for Energy manages the Government Administration Department for Energy Resources Management, pursuant to § 1(2)(2) of the Regulation of Prime Minister of 25 July 2025 on the specific scope of activities of the Minister for Energy (Journal of Laws, item 1206).

2) This Regulation was notified to the European Commission on …… under number ……/……/PL, pursuant to § 4 of the Regulation of the Council of Ministers of 23 December 2002 concerning the manner in which the national notification system of standards and legal acts functions (Journal of Laws, item 2039, and Journal of Laws of 2004, item 597) which implements Directive (EU) 2015/1535 of the European Parliament and of the Council 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 (codification) (OJ EU L 241, 17.9.2015, p. 1).

4) feature the option of securing the sample with a seal;

5) may not be protected against corrosion with petroleum-based products.

§ 4. 1. Containers for samples:

1) of liquid fuels,

2) of liquid biofuels consisting of a mixture of diesel fuel and biocomponents,

3) of liquid biohydrocarbons constituting self-contained fuels and which are paraffin diesel fuel,

4) of liquid biofuels consisting of a mixture of petrol and bioethanol,

5) of bioethanol-based liquid biofuels used in selected fleets equipped with compression-ignition engines

— shall be made of glass or metal and shall not contain lead.

2. Containers for samples for testing the content of contaminants in:

1) diesel fuel,

2) liquid biofuels consisting of a mixture of diesel fuel and biocomponents,

3) methyl ester constituting a self-contained fuel,

4) liquid biohydrocarbons which are self-contained fuels and which are paraffin diesel fuel

— shall be made of dark brown glass or shall be made of glass of a different colour and shall be enclosed in a protective cover that shields the sample from light during transport and storage.

3. Containers intended for samples of methyl ester constituting a self-contained fuel shall be made of stainless steel, chemically inert plastics, including in particular polyethylene terephthalate (PET) or high-density polyethylene (HDPE).

§ 5. Containers for samples:

1) for testing of:

   a) vapour pressure,

   b) the content of pollutants in:

      – diesel fuel,

      – liquid biofuels consisting of a mixture of diesel fuel and biocomponents,

      – methyl ester constituting a self-contained fuel,

      – liquid biohydrocarbons which are self-contained fuels and which are paraffin diesel fuel

   — shall have the capacity of 1 l;

2) in cases other than those referred to in point 1 — shall have the capacity of 5 l.

§ 6. When sampling petrol and liquid biofuels consisting of a mixture of petrol and bioethanol, the containers for samples shall be cooled and there shall be no water vapour condensation on their inner walls.

§ 7. Containers for samples:

1) for testing of:
   a) vapour pressure — shall be filled with a sample between 70 % and 80 % of the container's capacity,
   b) the content of pollutants in:
      – diesel fuel,
      – liquid biofuels consisting of a mixture of diesel fuel and biocomponents,
      – methyl ester constituting a self-contained fuel,
      – liquid biohydrocarbons which are self-contained fuels and which are paraffin diesel fuel

   — shall be filled with a sample between 80 % and 85 % of the container's capacity;
2) in cases other than those referred to in point 1 — shall be filled with sample to 80 % of the container's capacity.

§ 8. The container samples, when filled with a sample, shall be closed immediately.

§ 9. 1. The tightness of the sealed container for samples and its closure shall be assessed by turning the container upside down and holding it in this position for at least 30 seconds.

2. Should leakage of the liquid fuel or liquid biofuel be observed during the assessment referred to in paragraph 1, the closure of the container shall be replaced with a new one and the leakage assessment of that container and its closure shall be repeated in the manner referred to in paragraph 1.

3. Should the leakage of the liquid fuel or liquid biofuel persist, the sample shall be taken again using a new container with a new closure and an assessment of tightness of that container and its closure shall be carried out as referred to in paragraph 1.

Chapter 2

Method of sampling from a tank or unit packaging

§ 10. 1. Samples from a tank or unit packaging shall be taken manually using sampling devices made of materials that are chemically inert to the liquid fuel or liquid biofuel being sampled.

2. The sampling devices referred to in paragraph 1 shall be selected taking into account:

1) the state of the art with regard to:
   a) types of these instruments,
   b) design and intended use of the different types of these instruments
   — arising from experience in manual sampling of either liquid fuel or liquid biofuel;
2) type of sample to be taken.

3. The samples referred to in paragraph 1 shall be taken:

1) when the contents of the tank or unit packaging are at rest;
2) in order from the surface of the liquid to the bottom of the tank or unit packaging;
3) from the higher levels of the tank in such a manner as to avoid disturbing the liquid fuel or liquid biofuel in the lower levels of the tank.

Chapter 3

Method of sampling from the dispenser

§ 11. Prior to commencing sampling from the dispenser, the readings of the liquid fuel or liquid biofuel meter on the dispenser shall be recorded.

§ 12. A sufficient number of containers for samples should be placed next to the dispenser from which the samples shall be taken.

§ 13. Samples shall be taken from the dispenser by the filling pipe line of the dispenser.

§ 14. In the case of sampling of petrol or liquid biofuels consisting of a mixture of petrol and bioethanol, the sampling attachment shall be placed in a vertical position in the container for samples in such a manner that it shall reach the bottom of the container.

§ 15. 1. The end of the dispenser's filling pipe line shall be inserted into the container for samples, and in the case of sampling of petrol or liquid biofuels consisting of a mixture of petrol and bioethanol — into the sampling attachment placed in the container for samples.

2. The end of the dispenser’s filling pipe line shall be thoroughly cleaned with a clean, smooth-textured, cotton cloth prior to being introduced into the container for samples.

§ 16. 1. The end of the dispenser's filling pipe line, and in the case of sampling petrol or liquid biofuels consisting of a mixture of petrol and bioethanol, also the sampling attachment, shall be flushed with at least 4 l of the liquid fuel or liquid biofuel to be sampled.

2. Liquid fuel or liquid biofuel taken in the manner referred to in paragraph 1 shall be poured into the prepared container.

§ 17. The sampling attachment for petrol or liquid biofuels consisting of a mixture of petrol and bioethanol shall be made of electrically conductive material which does not cause sparks and shall:

1) be fitted with an air hose connected to the sensor of the device cutting off the supply of liquid fuel or liquid biofuel, enabling air to flow to the sensor of the device cutting off the supply of liquid fuel or liquid biofuel, or
2) loosely fitted to the end of the dispenser's filling pipe line to allow air to flow to the sensor of the device cutting off the supply of liquid fuel or liquid biofuel through the gaps between the end of the dispenser's filling pipe line and the sampling attachment.

§ 18. Should the sampling attachment for petrol or liquid biofuels consisting of a mixture of petrol and bioethanol be:

1) fitted with the air hose as referred to in § 17(1), it shall be verified, prior to the collection of liquid fuel or liquid biofuel, that the hose is connected to the sensor of the liquid fuel or liquid biofuel cut-off device;
2) loosely fitted to the end of the dispenser's filling pipe line, in order to satisfy the requirement referred to in § 17(2), the flow rate of liquid fuel or liquid biofuel shall be such as to prevent spillage in the event of turbulent flow.

Chapter 4

Final provision

§ 19. This Regulation shall enter into force 14 days after its publication.[3)]

MINISTER FOR ENERGY

Approved for legal, legislative, and editorial compliance
Arkadiusz Żurawel
Director of the Legal Department of the Ministry of Energy
/signed with a qualified electronic signature/

[3])This Regulation was preceded by the Regulation of the Minister for Economy of 1 September 2009 on the method of sampling liquid fuels and liquid biofuels (Journal of Laws of 2014, item 1035) which shall expire on the date of entry into force of this Regulation, in accordance with Article 32 of the Act of 11 February 2016 amending the Act on government administration departments and certain other acts (Journal of Laws, items 266 and 1592).