

Pursuant to article 19, paragraph 1 of the Law on the Government of the Federation of Bosnia and Herzegovina (Official Gazette of the Federation of BiH, No. 1/94, 8/95, 58/02, 19/03, 2/06 and 8/06), the Government of the Federation of BiH, at the 54th session performed on 07 May 2008, adopted

DECREE

ON TYPES, CONTENT AND QUALITY OF BIOFUELS IN MOTOR VEHICLE FUELS

I. GENERAL PROVISIONS

Article 1

This Decree prescribes names of the types of biofuels, limit values of biofuels, quality and verification, share of biofuel and monitoring, obligations of the supplier and supervision on implementation of this Decree.

II. NAMES OF THE TYPES OF BIOFUELS

Article 2

Expressions used in this Decree have the following meaning:

1. **fuel** is a liquid fuel for the propulsion of motor vehicles in accordance with provisions that define physical and chemical characteristics of liquid fuels,
2. **biofuel** is a liquid or a gas fuel for the propulsion of motor vehicles produced from biomass,
3. **biomass** is biologically degradable fraction of product, waste and residues from agriculture, including materials of vegetable and animal origin, forest industry and related manufacturing activities, as well as biodegradable fraction of industrial waste from the city landfills,
4. **other renewable fuels** are renewable fuels besides biofuels, that originate from renewable energy sources, as defined in Directive 2001/77/EC that are used for transportation needs,
5. **placing the fuels on the market** means supplying the final user of the fuel, in return for payment or free of charge,
6. **energy value** is a lower calorific value of the fuel,
7. **supplier of liquid fuels** (hereinafter: the supplier) is legal or natural person that produces liquid fuels, imports liquid fuels and/or places liquid fuels on the market, extracts it or is itself the final user of the imported, extracted or produced fuel,
8. **physical and chemical characteristics of the fuel** must be such as not to cause critical environmental pollution and that they comply with applicable standards,
9. **monitoring is:**
 - a) **monitoring the physical and chemical characteristics of liquid fuel** (hereinafter: monitoring the quality of liquid fuels) in accordance with the standard governing the physical and chemical characteristics of the liquid fuel;
 - b) **monitoring the content of biofuel in fuel** by the procedures for determining the content of biofuel in fuel that include direct checking of technological processes of adding biofuel in fuel, verification of the certificates on which fuel producers guarantee the content of biofuel in fuel, and measurement of the content of biofuel in fuel in individual fuel consignment considering the verification of documents accompanying the fuel consignment (Statement of Compliance, Report on Fuel Testing) according to the procedure determined in the monitoring program of the content of biofuel in fuel.

Article 3

The following biofuels are for the purpose of this Decree, as follows:

- a) bioethanol: ethanol, produced from biomass or biodegradable waste fraction, to be used as biofuel;
- b) biodiesel: fatty acid methyl esters (FAME) produced from vegetable or animal oil if it possesses the quality of diesel, to be used as biofuel;
- c) biogas: combustible gas, produced from biomass and/or biodegradable waste fraction that can be purified to natural gas quality, to be used as biofuel or generator gas;
- d) biomethanol: methanol, produced from biomass, to be used as biofuel;
- e) biodimethylar: dimethylether, produced from biomass, to be used as biofuel;

- f) bio - ETBE: ethyl - tertiary - butyl ether: ETBE produced on the basis of bioethanol. The percentage by volume of bio - ETBE that is calculated as biofuel is 47%;
- g) bio - MTBE: methyl - tertiary - butyl ether, fuel produced on the basis of biomethanol. The percentage by volume of bio - MTBE that is calculated as biofuel is 36 %;
- h) synthetic biofuels: synthetic hydrocarbons or hydrocarbon mixtures produced from biomass;
- i) biohydrogen: hydrogen produced from biomass and/or biodegradable waste fraction, to be used as biofuel;
- j) pure vegetable oil: oil produced from oil plants through pressing, extraction or similar processes, crude or refined, but chemically unchanged, if it is compatible with specific types of engines as well as with the relevant requirements considering the emission.

III. LIMIT VALUES OF BIOFUELS, QUALITY AND DEMONSTRATION

Article 4

Biofuels that are placed on the domestic market are:

- a) **biodiesel** in the form of pure biofuel or in high concentrations in petroleum products, if it meets the requirements of the standard BAS EN 590 for the quality of fuels for motor vehicles and standard BAS EN 14214 for the quality of fatty acid methyl esters for diesel engines,
- b) **euroliesel** containing up to 5 % v/v (volume per volume) of biodiesel that meets the prescribed limit values of the quality characteristics according to the requirements of standard BAS EN 590;
- c) **gasoline** in which the biofuel is mixed in low percentage and which meets the prescribed limit values of the quality characteristics according to the requirements of standard BAS EN 228;
- d) **pure vegetable oil**, if it is in accordance with the requirements from Article 8 of this Decree,
- e) **biogas**, if it is in accordance with the requirements from Article 7 of this Decree,
- f) **fuel that is produced from biofuel**, if the biofuel is in accordance with Article 3, line f) and g) of this Decree.

Article 5

If the content of biofuel that is being mixed with petrol products is higher than 5% (v/v) of the volume of fatty acid methyl esters FAME or 5% of the volume of bioethanol, supplier, with the aim of protection of misfits vehicles, must ensure that the final customer is informed of that fact at the time of ordering or delivering the fuel so that the selling place is properly marked.

Article 6

Limit values of quality parameters of euroliesel that contains 5 % (v/v) of biodiesel and testing methods of these parameters have to fulfil requirement of standard BAS EN 590. Test method BAS EN 14078 is applied for determination of the quality of fatty acid methyl esters (FAME) in fuel.

Limit values of quality parameters of biodiesel that comes in the form of pure biofuel or it is mixed in

a high percentage in the liquid petroleum fuel and testing methods for determination of prescribed limit values of quality parameters have to fulfill the requirement of the standard BAS EN 14214.

Limit values for filter plugging point of biofuel and testing method from paragraph 2 of this Article are:

| Characteristics of quality | Unit | Limit value | Testing method |
|---|------|-------------|----------------|
| Filter plugging point for period : | 0C | the most | BAS EN 116 |
| - from April 16 th to September 30 th | | 0 | |
| - from October 1 st to November 15 th | | -10 | |
| - from March 1 st to April 15 th | | -10 | |
| - from November 16 th to February 29 th | | -15 | |

Article 7

Limit values of quality parameters of biogas and testing methods are:

| Characteristics of quality | Testing method | Unit | Limit value | |
|----------------------------|----------------|-------------------|-------------------|----------|
| | | | the least | the most |
| Relative density | BAS ISO 6976 | - | 0,55 | 0,70 |
| Calorific value* | BAS ISO 6976 | MJ/m ³ | 30,2 | 47,2 |
| Wobbe index* | BAS ISO 6976 | MJ/m ³ | 46,1 | 56,6 |
| Particles | - | - | technically clean | |

(* valid at temperature of 288, 15 K and pressure of 101,325 kPa)

Article 8

Limit values of quality parameters of pure vegetable oil and testing methods are:

| Characteristics of quality | Testing method | Unit | Limit value | |
|------------------------------|--------------------------------------|--------------------|-------------|---------|
| | | | najmanje | najviše |
| Density at 15°C | BAS EN ISO 3675 | kg/m ³ | 900 | 930 |
| Ignition point | BAS EN ISO 2719 | K | 493 | - |
| Calorific value | BAS ASTM D 240 BAS ASTM D 4868 | MJ/kg | 35 | - |
| Kinematic viscosity at 400C | BAS EN ISO 3104 | mm ² /s | | 38 |
| The amount of carbon residue | BAS EN ISO 10370 | % (m/m) | | 0,40 |
| Iodine value | EN 14111 | g/100 g | 100 | 120 |
| Quantity of sulphyr | BAS EN ISO 20884 BAS EN ISO 20846 | mg/kg | | 10 |
| Total contamination | BAS EN 12662 | mg/kg | | 25 |
| Acid number | EN 14104 | mg KOH/g | | 2,0 |
| Oxidation stability at 1100C | EN 14112 | h | 5,0 | - |
| Quantity of phosphorus | EN 14107 | mg/kg | | 15,0 |

| | | | | |
|-------------------|------------------|---------|--|-------|
| Ash content | BAS EN ISO 6245 | % (m/m) | | 0,01 |
| Quantity of water | BAS EN ISO 12937 | % (m/m) | | 0,075 |

Article 9

Biofuels that are placed on the domestic market have to be accompanied by the Statement of Compliance with the prescribed values of quality parameters of biofuels from Article 4 of this Decree (hereinafter: Statement of Compliance).

Supplier is obligated, with the consignment of biofuel, to file the Statement of Compliance from paragraph 1 of this Article, which is a written guarantee that the biofuel complies with the limit values of quality parameters of biofuel that are prescribed by this Decree. The form of the Statement of Compliance is attached to this Decree as an integral part of it.

Original of Statement of Compliance follows the consignment, and supplier keeps the copy.

Original and copy of Statement of Compliance must be kept for one year from the date of issuance.

Control of biofuel is performed by the program that is adopted by the Federal Ministry of Energy, Mining and Industry (hereinafter: the Ministry) at least once a year in accordance with the Rulebook on manner of monitoring performance.

Article 10

Inspection body issues the Statement of Compliance from Article 9, paragraph 1 of this Decree based on report on the inspection performed in accredited laboratory according to the request of the Standard BAS EN ISO/IEC 17025.

The Statement of Compliance must contain information about accredited laboratory in which inspection was performed and number and date of the inspection report from paragraph 1 of this Article.

The recognition of the inspection report issued abroad performs nominated accredited inspection body that meets the requirements of the Standard BAS EN ISO/IEC 17020, type A.

Article 11

Supplier must keep records on quantity and type of biofuel, pure or in mixture, that is placed on the market.

Supplier shall submit data from records to the Ministry no later than the 10th of the month for the past month, classified by the type of biofuel on the form from the Attachment 3, that is an integral part of this Decree.

IV SHARE OF BIOFUEL AND MONITORING

Article 12

Average annual content of biofuel in all fuels for motor vehicles that operate on the market of the Federation as fuels for motor vehicles, by years, is as follows:

1. 2.00 % by the end of 2008
2. 3.00 % by the end of 2009 and
3. 5.75 % by the end of 2010

Content of biofuel from paragraph 1 of this Article is expressed as a percentage of energy value of the fuel that is operated as fuel for motor vehicles, considering energy value of biofuels and fossil fuels from the Attachment 1, that is an integral part of this Decree.

Article 13

In order to achieve the indicative target from Article 12, paragraph 1 of this Decree, the Government of the Federation at the suggestion of the Ministry, which was previously agreed with the Federal Ministry of Agriculture Water-Management and Forestry and the Federal Ministry of Environment and Tourism, determines annual percentage of biofuel in total share of fuel on domestic market, and annual amount of biofuel to be placed on domestic market.

Article 14

In accordance with decision of the Government of the Federation from Article 13 of this Decree the Ministry submits the Plan of placing biofuels on the market (hereinafter: the Plan) which determines the annual amount of biofuel that certain supplier of fuel has to place on the market.

The first year for which the Plan is adopted from paragraph 1 of this Article is 2009.

Pursuant to Article 9, paragraph 5 of this Decree the Ministry determines the manner of monitoring performance within 12 (twelve) months from the date of entry into force of this Decree.

V. OBLIGATIONS OF SUPPLIER

Article 15

Supplier shall ensure that annual average content of biofuel in any fuels that are placed on market of the Federation in each calendar year is at least equivalent to the content that is determined for that calendar year in Article 12 of this Decree.

Article 16

Supplier shall, no later than 31 October of the current year, request the approval of the Ministry for placing biofuel on the market in the following year.

Along with the request for placing biofuel on the market in the following year, supplier shall provide:

- the proposed annual plan for placing biofuel on the market in the following year;
- proposal of the program for monitoring the content of biofuel for the following year compliant with the Rulebook on the manner of monitoring performance;
- copy of the decision from Article 18 of this Decree on fulfilment of the annual plan for placing biofuel on the market in the past year, except in cases when the request is submitted for the first time;
- Report on the quantity of biofuel which the requester placed on the market with estimated quantity of biofuel that will be placed on the market by the end of the current year.

Article 11

Federal Minister of Energy, Mining and Industry (hereinafter: the minister) within 30 days from the receipt of a proper request adopts decision on fulfilment of the conditions for placing biofuel on the market.

Article 18

Minister issues decision that confirms fulfilment of the annual plan for placing biofuel on market for the past year, for each individual supplier considering:

- data from the annual report on fulfilment of obligations from the annual plan for placing biofuel into market, in accordance with Article 16 of this Decree;
- data on monitoring the content of biofuel in fuels.

The minister adopts decision on fulfilment of the annual plan for placing biofuel on market for the past year not later than 31 June of the current year.

By decision from paragraph 1 of this Article the minister specifies annual quantity of biofuels that supplier transferred from the past to the current year, as obligation from Article 20 of this Decree.

Article 19

Supplier shall, not later than 31 January of the current year, deliver to the Ministry the report on fulfilment of obligations from the Plan for the past calendar year.

The integral part of this report from paragraph 1 of this Article is

Attachment 1

Average energy values and average density of fuels and biofuels

| Type of fuel | Energy value | | Density | |
|--------------------|--------------|--------------------|---------|--------------------|
| | Value | Unit | Value | Unit |
| Diesel | 42,60 | MJ/kg | 0,845 | kg/l |
| Biodiesel | 36,90 | MJ/kg | 0,883 | kg/l |
| Pure vegetable oil | 35,17 | MJ/kg | 0,920 | kg/l |
| Gasoline | 43,85 | MJ/kg | 0,785 | kg/l |
| ETBE | 36,29 | MJ/kg | 0,744 | kg/l |
| MTBE | 34,92 | MJ/kg | 0,744 | kg/l |
| Bioethanol | 26,67 | MJ/kg | 0,794 | kg/l |
| Biomethanol | 18,86 | MJ/kg | 0,797 | kg/l |
| Natural gas* | 34,08 | MJ/Nm ³ | 0,680 | kg/Nm ³ |
| Biogas* | 32,64 | MJ/Nm ³ | 0,680 | kg/Nm ³ |

*at temperature of 288,15°K and air pressure 101,325 KPa

Attachment 2

STATEMENT OF COMPLIANCE OF BIOFUEL QUALITY

1. Number: _____

report on monitoring performance, made by the appointed inspection body engaged in performance of monitoring program.

Supplier bears costs of monitoring performance.

Supplier and inspection body regulate among themselves all aspects of performance of monitoring program of biofuel share.

Article 20

If it is determined on the bases of delivered report from Article 19, paragraph 1 that supplier did not fulfil the obligations from the Plan for the past calendar year, the Ministry shall issue decision that obligates supplier to place on the market quantity of biofuel, determined by the Plan, plus the difference of quantity of biofuel that was not placed on the market in the past calendar year.

VI. SUPERVISION

Article 21

Federal Administration for Inspection shall perform supervision on implementation of this Decree.

VII. PENAL PROVISIONS

Article 22

Legal person shall be fined for offense with penalty from 7,000 BAM, if:

- the quality of biofuel is not in accordance with the applicable standards (Articles 4, 5, 6, 7, 8 and 9);
- does not inform the end customer on the content of biofuels in fuels for motor vehicles (Article 5);
- the Statement of Compliance is not attached as an addition to consignment of biofuel in fuels for motor vehicles (Article 9);
- places into circulation fuel with the content of biofuel larger than what is prescribed by this Decree (Articles 12 and 15);
- places biofuel on the market without decision on fulfilment of conditions for placing biofuel on the market or if it fails to comply with the provisions from decision on placing into circulation biofuels in fuels for motor vehicles (Articles 16, 17 and 18).

Responsible person within the legal person shall be fined for the offense from paragraph 1 of this Article with penalty from 1,800 BAM.

VIII. FINAL PROVISIONS

Article 23

This Decree shall enter into force on the eight day after the date of publication in the Official Gazette of the Federation of BiH.

V number 358/08

7.

May 2008

Prime minister
Sarajevo

Dr Nadežda Branković, handwritten

2. ID number of supplier:

3. Name of supplier`s company:

Address:

Street and number:

Headquarters of the company:

Telephone: Telefax

E-mail

Name and surname of the responsible person within the legal person
of supplier

4. Name of the product:

Quantity of consignment:

Number of the removal order and date or number of the customs
declaration and
date:

5. Biofuel was produced in the country: -----

6. Biofuel was tested :

- in the laboratory of the supplier:

– in authorised professional institution for testing the quality of products:

– number and date of testing: _____

7. We declare with full responsibility that the quality of biofuel for which this Statement was issued is in accordance with the requirements prescribed in the Decree on quality of biofuels and that the testing was performed in accordance with the prescribed norms and methods of testing.

8. _____ Code

and number of Product Standard _____

9. _____ **I,**

/seal place/

RESPONSIBLE PERSON
(name and surname)

Instructions for Completing the Form BIOFUEL

1. Each Statement of Compliance shall have a record number for ease of reference.
2. Under two should enter: ID number of the supplier of biofuel.
3. Under three should enter name and address of the supplier. For larger companies, name and surname of the responsible person within the legal person of the supplier could be entered.
4. Under four should enter: Name and quantity of the product and number of the removal order or customs declaration and their date. The product must be marked with appropriate name or standard from this Decree.
5. Under five should enter: Country of origin of biofuel.
6. Under six should enter: Information on foreign or domestic testing laboratory or authorised professional institution.
7. Responsible person confirms that the quality of biofuel for which this Statement is issued is in accordance with the requests prescribed in the Decree.
8. Under eight should enter: Code and number of standard for the product.
9. At the end of the form, place and date of completion of the form are entered, and legible name and surname of the responsible person, signature and seal of the company.

Note: All data are written in capital letters, by hand, by typewriter or computer.

Attachment 3

FEDERAL MINISTRY OF
ENERGY, MINING AND INDUSTRY

Decree on quality

biofuels
(Official Gazette, number 1

RECORDS ON QUANTITY AND TYPE OF
BIOFUELS, PURE OR IN MIXTURE,
PLACED ON THE
DOMESTIC MARKET

Part I. Basic data

| | |
|---|--|
| Name of the business organization (supplier): | |
| Headquarters of the supplier: Street and number: Place: | |
| ID number of the supplier: | |
| Name and surname of the responsible person within legal person of supplier: | |
| Telephone: Fax: E-mail: | |
| Year for which data are given: | |

Part U. DATA ON QUANTITY OF BIOFUELS PLACED INTO DOMESTIC MARKET
WITHIN THE PERIOD JANUARY - DECEMBER YEAR

| Name of biofuel | Percentage of biofuel mixed into fuel | January I. | February II. | March III. | April IV. | May V. | June VI. | July VII. | August VIII. | September IX. | October X. | November XI. | December XII. | Total quantity I-XII |
|-----------------|---------------------------------------|------------|--------------|------------|-----------|--------|----------|-----------|--------------|---------------|------------|--------------|---------------|----------------------|
| \$) | | | | | | | | | | | | | | |
| m | | | | | | | | | | | | | | |
| m | | | | | | | | | | | | | | |
| <> | | | | | | | | | | | | | | |
| l) | | | | | | | | | | | | | | |
| #1 | | | | | | | | | | | | | | |

Note: Quantity of biofuel expressed by volume (per liter at a temperature of +15 C) or by mass (per tonne of net weight)

U _____

/SEAL PLACE/

Responsible person:

(signature)

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DECREE

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- c) **gasoline** in which the biofuel is mixed in low percentage and which meets the prescribed limit values of the quality characteristics according to requirements of the standard BAS EN 228;
- d) **pure vegetable oil**, if it is in accordance with the requirements from Article 8 of this Decree,
- e) **biogas**, if it is in accordance with the requirements from Article 7 of this Decree,
- f) **fuel that is produced from biofuel**, if the biofuel is in accordance with Article 3, line f) and g) of this Decree.

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Limit values of quality parameters of eurodiesel that contains 5 % (v/v) of biodiesel and testing methods of these parameters have to fulfil requirement of standard BAS EN 590. Test method BAS EN 14078 is applied for determination of the quality of fatty acid methyl esters (FAME) in fuel.

Limit values of quality parameters of biodiesel that comes in the form of pure biofuel or it is mixed in the high percentage into liquid gasoline fuel and testing methods for determination