

**DEPARTMENT OF FOOD AND AGRICULTURE**

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DMS NOTICE  
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August 16, 2004

Discard: 08/05

TO WEIGHTS AND MEASURES OFFICIALS

**SUBJECT: Important Information Regarding Recent Engine Fuel Regulations**

The attached informational sheet will be useful to weights and measures officials in implementing the recently adopted regulations for E85 Ethanol Fuel, M85 Methanol Fuel, and Biodiesel Blended Fuel.

Questions can be directed to David Lazier, Chief, Weighmaster Enforcement/Petroleum Products Branch at 916 229-3044 or at [dlazier@cdfa.ca.gov](mailto:dlazier@cdfa.ca.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Cleary".

Mike Cleary  
Director

Attachments

cc: Ed Williams, Director, County Liaison Office, California Department of Food and Agriculture

## **Important Engine Fuel Labeling, Advertising, and Specification Information**

The amended engine fuel regulations, found in the California Code of Regulations, Title 4, adopted by the California Division of Measurement Standards become effective August 19, 2004. The attached information will be helpful in complying with those regulations. The engine fuels addressed in the amended regulations are E85 Ethanol Fuel, M85 Methanol Fuel, and Biodiesel Fuel Blends. A copy of that regulatory language is attached.

### **E85 Ethanol Fuel**

Pump labeling – the Business and Professions Code, Division 5, Chapter 14, Section 13480 requires the dispenser and storage tank to be labeled, on both sides of the dispenser, in letters ½ inch in height, with the brand name, the grade (E85) and the product name (Ethanol Fuel). Additionally, the Federal Trade Commission, in 16 CFR Part 306, Section 306.12(b)(2) and (c)(2) requires a label (similar in size to the octane label) consisting of black type on an orange background stating: “E-85 MINIMUM 85% ETHANOL”. (Copy of 16 CFR attached)

Advertising signs – the Business and Professions Code, Division 5, Chapter 14, Section 13532 requires the advertising signs to contain the total price per gallon of the fuel in a minimum of 6 inch numerals, the brand name in letters and/or numerals 1/3 the height of the price numerals, the grade (E85) in letters and numerals 1/6 the height of the price numerals, the product name (Ethanol Fuel) in letters 1/3 the height of the price numerals.

Specifications – the California Code of Regulations, Title 4, Chapter 6, Section 4145 requires E85 Ethanol Fuel to meet the ASTM D 5798 standard specification.

### **M85 Methanol Fuel**

Pump labeling – the Business and Professions Code, Division 5, Chapter 14, Section 13480 requires the dispenser and storage tank to be labeled, on both sides of the dispenser, in letters ½ inch in height, with the brand name, the grade (M85) and the product name (Methanol Fuel). Additionally, the Federal Trade Commission, in 16 CFR Part 306, Section 306.12(b)(2) and (c)(2) requires a label (similar in size to the octane label) consisting of black type on an orange background stating: “M-85 MINIMUM 85% METHANOL”. (Copy of 16 CFR attached)

Advertising signs – the Business and Professions Code, Division 5, Chapter 14, Section 13532 requires the advertising signs to contain the total price per gallon of the fuel in a minimum of 6 inch numerals, the brand name in letters and/or numerals 1/3 the height of the price numerals, the grade (M85) in letters and numerals 1/6 the height of the price numerals, the product name (Methanol Fuel) in letters 1/3 the height of the price numerals.

Specifications – the California Code of Regulations, Title 4, Chapter 6, Section 4146 requires M85 Methanol Fuel to meet the ASTM D 5797 standard specification.

## **Biodiesel Fuel Blends**

Pump labeling – the Business and Professions Code, Division 5, Chapter 14, Section 13480 and the California Code of Regulations, Title 4, Section 4148 requires the dispenser and storage tank to be labeled, on both sides of the dispenser, in letters ½ inch in height, with the brand name, the grade (BXX - where XX represents the percentage of biodiesel in the blend) and the product name (Biodiesel Fuel). Additionally, if the biodiesel fuel blend is greater than B5, the following label must appear on both sides of the dispenser, in letters ½ inch in height: “THIS FUEL CONTAINS BIODIESEL. CHECK THE OWNER’S MANUAL OR WITH YOUR ENGINE MANUFACTURER BEFORE USING.”

Advertising signs – the Business and Professions Code, Division 5, Chapter 14, Section 13532 and the California Code of Regulations, Title 4, Section 4148 requires the advertising signs to contain the total price per gallon of the fuel in a minimum of 6 inch numerals, the brand name in letters and/or numerals 1/3 the height of the price numerals, the grade (BXX) in letters and numerals 1/6 the height of the price numerals, the product name (Biodiesel Fuel) in letters 1/3 the height of the price numerals.

Specifications – the California Code of Regulations, Title 4, Chapter 6, Section 4147 requires the finished Biodiesel Blend Fuel to meet the ASTM D 975 standard specification.

## **Biodiesel Fuel (B100)**

Biodiesel fuel may not be sold to the public as a neat or 100% fuel. There are only two methods by which it may be legally sold:

- 1) 100% Biodiesel (B100) may be sold as a blending stock to a customer, but not directly into the vehicle’s fuel tank, provided it meets the minimum standards found in ASTM D 6751; or,
- 2) 100% Biodiesel (B100) may be sold as a neat fuel provided the seller has applied for and been granted a variance under the developmental engine fuel provisions of the Business and Professions Code, Division 5, Chapter 14, Section 13405 and California Code of Regulations, Title 4, Division 9, Chapter 6, Section 4144.

Specifications – the California Code of Regulations, Title 4, Chapter 6, Section 4147 requires Biodiesel Blending stock to meet the ASTM D 6751 standard specification.