



June 21, 2018

DMS NOTICE
P – 18 – 02
RETAIN

TO: WEIGHTS AND MEASURES OFFICIALS

SUBJECT: Biomass-Based Diesel and Biodiesel Blends – Dispenser Labeling Requirements

This DMS Notice is in regards to the proper labeling of motor vehicle fuel dispensers of biodiesel, biodiesel blends, biomass-based diesel (also referred to as renewable diesel), and biomass-based diesel blends (Reference BPC §§ 13480, 13484, and 13532; and CCR, Title 4, Division 9, Chapter 7, §§ 4202 and 4203).

Motor fuel dispenser labeling of these products. The Federal Trade Commission (FTC) 16 Code of Federal Regulations (16 CFR) Part 306, dispenser labeling requirements for biodiesel, biomass-based diesel, and the various blends can be confusing.

In accordance with the FTC labeling requirements, dispensers of these products are identified with labels as follows:

- 100 volume percent biodiesel must be labeled “B-100 Biodiesel” **and** “contains 100% Biodiesel
- Biodiesel blends between 5 and 20 volume percent must be labeled “B-20 Biodiesel Blend” **or** “Biodiesel Blend” **and** either way the label must state, “contains biomass-based diesel or biodiesel in quantities between 5 and 20%”
- 100 volume percent biomass-based diesel must be labeled “100% Biomass-Based Diesel” **and** “contains 100% biomass-based diesel”
- Biomass-based diesel blends between 5 and 20 volume percent must be labeled “20% Biomass-Based Diesel Blend” **or** “Biomass-Based Diesel Blend” **and** either way the label must state, “contains biomass-based diesel or biodiesel in quantities between 5 and 20%”

If both biodiesel and biomass-based diesel are in a blend at volumes greater than 5% each, then the appropriate labels must be displayed for **both** products on the dispensers. In addition to FTC’s labeling requirements, California requires dispensers of biodiesel of blends greater than 5 volume percent be labeled as follows (Reference CCR Title 4, Div. 9, Ch 7, § 4202):

“THIS FUEL CONTAINS BIODIESEL. CHECK THE OWNER’S MANUAL OR WITH YOUR ENGINE MANUFACTURER BEFORE USING.”



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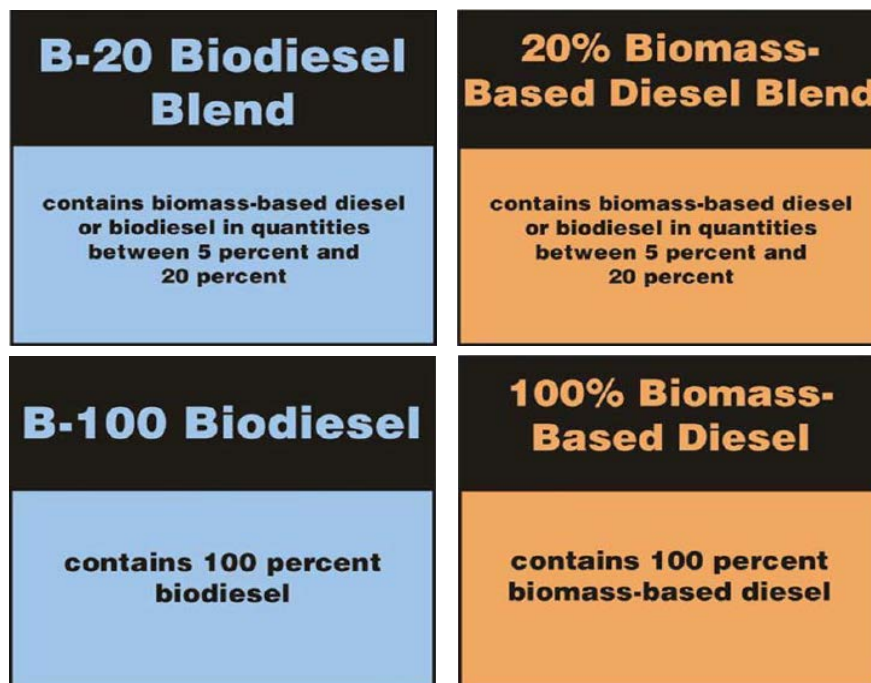
It is very important that weights and measures officials keep the labeling requirements of biodiesel blends and biomass-based diesel blends clearly distinguished when inspecting the dispenser labeling. It can be further confusing because the required FTC dispenser labels for these products use the same additional wording for both B20 biodiesel blends and 20% biomass-based diesel blends; “contains biomass-based diesel or biodiesel in quantities between 5 and 20%.”

The fuel quality specifications may be helpful to understanding these labeling requirements. Conventional unblended diesel fuel and biodiesel blends through 5 volume percent biodiesel (B5) are required to comply with ASTM International (hereafter referred to as ASTM) D975 and no additional labeling is required.

Although 100 volume percent biomass-based diesel does not have a stand-alone ASTM fuel specification, it cannot be distinguished from conventional diesel fuel based upon the existing ASTM D975. It and the infinite range of diesel fuel and biomass-based diesel blends are therefore held to the conventional diesel fuel specifications (ASTM D975).

Unblended 100 volume percent biodiesel (B100) is required to comply with ASTM D6751. Biodiesel blends from 6-20 volume percent biodiesel (B6-B20) are required to comply with ASTM D7467. There is not an ASTM fuel specification for biodiesel blends greater than 20 volume percent biodiesel (B20-B100).

Below are examples of fuel dispenser labels for biodiesel, biodiesel blend, biomass-based diesel, and biomass-based diesel blends:



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Below is a chart to assist identifying the proper labeling for biodiesel and biomass-based diesel products and blends:

Fuel type	Blends of 5 percent or less	Blends of more than 5 but not more than 20 percent			Blends of more than 20 percent			Pure (100%) Biodiesel or Biomass-Based diesel		
		Header	Text	Color	Header	Text	Color	Header	Text	Color
Biodiesel	No label required	Either "B-XX Biodiesel Blend" or "Biodiesel Blend"	contains biomass-based diesel or biodiesel in quantities between 5 percent and 20 percent	Blue	B-XX Biodiesel Blend	contains more than 20 percent biomass-based diesel or biodiesel	Blue	B-100 Biodiesel	contains 100 percent biodiesel	Blue
Biomass-Based Diesel	No label required	Either "XX% Biomass-Based Diesel Blend" or "Biomass-Based Diesel Blend"	contains biomass-based diesel or biodiesel in quantities between 5 percent and 20 percent	Orange	XX% Biomass-Based Diesel Blend	contains more than 20 percent biomass-based diesel or biodiesel	Orange	100% Biomass-Based Diesel	contains 100 percent biomass-based diesel	Orange

Depending on the percentage of the blend of biodiesel or biomass diesel.

For more information on the Federal Trade Commission’s regulation, 16 CFR Part 306 “Automotive Fuel Ratings, Certification and Posting,” please see link to the PDF document below:

https://www.ftc.gov/system/files/documents/federal_register_notices/2016/01/160114fuelrating_rule.pdf

If you have questions please contact John Larkin, Supervising Special Investigator, at (916) 229-3000 or via email at John.Larkin@cdfa.ca.gov.

Sincerely,



Kristin Macey
Director

cc: Hyrum Eastman, County/State Liaison, CDFA