GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

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14 July 1992

Special Distribution

Committee on Technical Barriers to Trade

NOTIFICATION

The following notification is being circulated in accordance with Article 10.4.

1. Party to Agreement notifying: UNITED KINGDOM

2. Agency responsible: The Health and Safety Executive

3. Notified under Article 2.5.2 [X], 2.6.1 [], 7.3.2 [], 7.4.1 [], other:

4. Products covered (HS or CCCN where applicable, otherwise national tariff heading):

   Portable metal petrol containers up to 23 litres capacity.

   Portable plastic containers up to 20 litres capacity

5. Title: Petroleum Spirit (Motor Vehicles, etc.) (Modifications) Regulations 199-

   Note: The proposals remain subject to clearance by the United Kingdom's Health and Safety Commission

6. Description of content: Under United Kingdom law petroleum spirit is subject to a licensing régime, but for many years the keeping of small quantities of petrol for use as fuel in internal combustion engines has been conditionally exempt. Since 1982, plastic containers of up to 5 litres complying with a United Kingdom specification (equivalent to German Standard DIN16904) have been permitted.

   The new regulations continue exemption arrangements; rationalize and update storage provisions; allow larger plastic portable containers and set new interim standards for plastic containers. Petrol storage not complying with these specific exemptions may still be allowable under licence.

   The new standard for portable plastic containers is closely based on proposed CEN 227 and would be replaced by the CEN standard when agreed. National standards meeting similar safety criteria will be accepted as equivalent. (Compliance with the proposed standard would in United Kingdom law be taken to demonstrate compliance with the relevant legislation. A valid defence is where an alternative standard provides equivalent or superior levels of health and safety.)

7. Objective and rationale: The maximum size of plastic containers currently permitted under exemption is considered unnecessarily restrictive. There is a need to rationalise existing legislation which applies separate requirements to plastic and metal containers. The proposed standard is an interim solution to meet pressing national needs until a CEN standard is agreed. The intention to remove manufacturing constraints without reducing the level of safety would also eliminate barriers to trade.

8. Relevant documents: United Kingdom Health and Safety Commission's draft Consultative Document including commentary on the proposals and drafts of: (i) United Kingdom regulations; and (ii) A Code of Practice, incorporating an interim standard for plastic containers of up to 20 litres capacity.
9. Proposed date of adoption and entry into force: Early to mid-1993
10. Final date for comments:
11. Texts available from: National enquiry point [X] or address of other body: