Commission Implementing Decision (EU) 2019/582 of 3 April 2019 confirming or amending the provisional calculation of the average specific emissions of CO2 and specific emissions targets for manufacturers of new light commercial vehicles for the calendar year 2017 and for the Volkswagen pool including its members for the calendar years 2014, 2015 and 2016 pursuant to Regulation (EU) No 510/2011 of the European Parliament and of the Council (notified under document C(2019) 2342) (Only the Czech, Dutch, English, Estonian, French, German, Hungarian, Italian, and Swedish texts are authentic) (Text with EEA relevance)

COMMISSION IMPLEMENTING DECISION (EU) 2019/582

of 3 April 2019

confirming or amending the provisional calculation of the average specific emissions of CO_2 and specific emissions targets for manufacturers of new light commercial vehicles for the calendar year 2017 and for the Volkswagen pool including its members for the calendar years 2014, 2015 and 2016 pursuant to Regulation (EU) No 510/2011 of the European Parliament and of the Council

(notified under document C(2019) 2342)

(Only the Czech, Dutch, English, Estonian, French, German, Hungarian, Italian, and Swedish texts are authentic)

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 510/2011 of the European Parliament and of the Council of 11 May 2011 setting emission performance standards for new light commercial vehicles as part of the Union's integrated approach to reduce CO_2 emissions from light-duty vehicles[(1)], and in particular Article 8(6) thereof,

Whereas:

(1) In accordance with Regulation (EU) No 510/2011, the Commission is required to calculate each year the average specific emissions of CO_2 and the specific emissions target for each manufacturer of light commercial vehicles in the Union. On the basis of that calculation, the Commission is to determine whether manufacturers and pools of manufacturers have complied with their specific emissions targets.

(2) The detailed data to be used for the calculation of the average specific emissions and the specific emissions targets are based on Member States' registrations of new light commercial vehicles during the preceding calendar year. Where light commercial vehicles are type-approved in a multi-stage process, the manufacturer of the base vehicle take responsibility for the CO_2 emissions of the completed vehicle.

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2019/582. (See end of Document for details)*

(3) All Member States submitted the 2017 data the Commission in accordance with Article 8(2) of Regulation (EU) No 510/2011. Where, as a result of the verification of the data by the Commission, it was evident that certain data were missing or manifestly incorrect, the Commission contacted the Member States concerned and, subject to the agreement of those Member States, adjusted or completed the data accordingly. Where no agreement could be reached with a Member State, the provisional data of that Member State were not adjusted.

(4) On 17 May 2018, the Commission published the provisional data and notified 65 manufacturers of the provisional calculations of their average specific emissions of CO_2 and their specific emissions targets in 2017. Manufacturers were asked to verify the data and to notify the Commission of any errors within three months of receipt of the notification. 23 manufacturers submitted notifications of errors.

(5) For the remaining 42 manufacturers that did not notify any errors in the datasets or respond otherwise, the provisional data and provisional calculations of the average specific emissions and the specific emissions targets should be confirmed.

(6) The Commission has verified the errors notified by the manufacturers and the respective reasons for their correction and the dataset has been confirmed or amended.

(7) In the case of records without matching vehicle identification numbers and with missing or incorrect identification parameters, such as type, variant, version code or type-approval number, the fact that manufacturers cannot verify or correct those records should be taken into account. As a consequence, it is appropriate to apply an error margin to the CO_2 emissions and mass values in those records.

(8) The error margin should be calculated as the difference between the distances to the specific emissions target expressed as the specific emissions targets subtracted from the average specific emissions calculated including and excluding those registrations that cannot be verified by the manufacturers. Regardless of whether that difference is positive or negative, the error margin should always improve the manufacturer's position with regard to its specific emissions target.

(9) In accordance with Article 10(2) of Regulation (EU) No 510/2011, a manufacturer should be considered as compliant with its specific emissions target referred to in Article 4 of that Regulation where the average emissions indicated in this Decision are lower than the specific emissions target, expressed as a negative distance to target. Where the average emissions exceed the specific emissions target, an excess emission premium is to be imposed, unless the manufacturer concerned benefits from an exemption from that target or is a member of a pool and the pool complies with its specific emissions target.

(10) On 3 November 2015 the Volkswagen Group made a statement to the effect that irregularities had been found when determining type approval CO_2 levels of some of their vehicles. Following a thorough investigation, sufficient clarifications have been obtained for confirming or amending the provisional data for the Volkswagen pool and its members Audi AG, Dr Ing. h.c.F. Porsche AG, Quattro GmbH, Seat S.A., Skoda Auto A.S., and Volkswagen AG for the calendar years 2014, 2015, 2016 and 2017.

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2019/582. (See end of Document for details)*

(11) The values relating to the performance of a manufacturer as confirmed or amended by this Decision could be revised in the event that the relevant national authorities confirm the existence of irregularities in the CO_2 emission values provided for the purpose of determining the manufacturer's compliance with the specific emissions target,

HAS ADOPTED THIS DECISION:

Article 1

1 The values relating to the performance of manufacturers, as confirmed or amended for each manufacturer of light commercial vehicles and for each pool of manufacturers of light commercial vehicles in respect of the 2017 calendar year are specified in Annex I.

2 The values relating to the performance of the Volkswagen pool and its members Audi AG, Dr Ing. h.c.F. Porsche AG, Quattro GmbH, Seat S.A., Skoda Auto A.S., and Volkswagen AG, as confirmed or amended in respect of the calendar years 2014, 2015 and 2016 are specified in Annex II to this Decision.

Article 2

This Decision is addressed to the following individual manufacturers and pools formed in accordance with Article 7 of Regulation (EU) No 510/2011:

(1) ALFA Romeo S.P.A.

C.so Settembrini, 40

Gate 8 — Building 6 — 1st floor — B15N Colonna N47

10135 Torino

Italy

(2) Alke Srl

via Vigonovese 123

35127 Padova

Italy

(3) Audi AG

Letter box 011/1882

38436 Wolfsburg

Germany

(4) Automobiles Citroen

7, rue Henri Sainte-Claire Deville

92500 Rueil-Malmaison

France

(5) Automobiles Peugeot

7, rue Henri Sainte-Claire Deville

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2019/582. (See end of Document for details)*

92500 Rueil-Malmaison

France

(6) AVTOVAZ JSC

Represented in the Union by:

CS ATUOLADA

211 Konevova

130 00 Prague 3

Czech Republic

(7) BLUECAR SAS

31-32 quai de Dion Bouton

92800 Puteaux

France

(8) Bayerische Motoren Werke AG

Petuelring 130

80788 München

Germany

(9) BMW M GmbH

Petuelring 130

80788 München

Germany

(10) FCA US LLC

Represented in the Union by:

Fiat Chrysler Automobiles

Gate 8 — Building 6 – 1st floor – B15N Colonna N47

C.so Settembrini, 40

10135 Torino

Italy

(11) Automobile Dacia SA

Guyancourt

1 avenue du Golf

78288 Guyancourt Cedex

France

(12) Daimler AG

F403 EA/R

70546 Stuttgart

Germany

(13) DFSK MOTOR CO., LTD.

Represented in the Union by:

Giotti Victoria Srl

Sr.l. Pissana Road 11/a 50021

Barberino Val D'Elsa (Florence)

Italy

(14) Esagono Energia S.r.l.

Via Puecher 9

20060 Pozzuolo Martesana (MI)

Italy

(15) FCA Italy S.p.A.

Gate 8 — Building 6 – 1st floor – B15N Colonna N47

C.so Settembrini, 40

10135 Torino

Italy

(16) Ford Motor Company of Australia Ltd

Represented in the Union by:

Ford Werke GmbH

Niehl Plant, building Imbert 479

Henry-Ford-Straße 1

50735 Köln

Germany

(17) Ford Motor Company

Niehl Plant, building Imbert 479

Henry-Ford-Straße 1

50735 Köln