

Ms. Elzbieta Bieńkowska
Commissioner
Internal Market, Industry,
Entrepreneurship and SMEs
European Commission
Rue de la Loi 200

B – 1049 Brussels

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22 September 2015

RE: VW emissions test scandal demands thorough EU response

Dear Commissioner Bieńkowska,

Following the alleged VW emissions testing scandal in the US and the exhaustive list of reports over recent years showing EU weaknesses in this respect, on behalf of BEUC, The European Consumer Organisation, I am writing to call on you to put in place a robust market surveillance programme which restores trust amongst consumers in emissions and fuel consumption testing in the EU. We ask the Commission: **What plans does it have to improve the oversight of EU vehicle test procedures and will it launch an investigation into the possible use of installed software designed to manipulate type approval tests in the EU?**

You might recall that last year we wrote to you highlighting the incredible results obtained by our Italian member Altroconsumo who conducted laboratory based tests on a Volkswagen Golf. The results showed a **50% difference in the fuel consumption/CO2 emissions figures officially declared by Volkswagen** – This could mean for the consumer paying up to €502 more per year on fuel than expected from the company's advertisements. At the time hardly anyone could believe the difference was possible. Now, the situation is quite the opposite.

Over the weekend you will no doubt have read the news concerning **the alleged use of installed software in Volkswagen vehicles designed to trick laboratory emissions tests in the US**. This alarming discovery poses serious questions about vehicle testing in Europe (both for air pollution and for fuel consumption/CO2 emissions) and along with the vast body of evidence over recent years highlighting the problems with fuel consumption/emissions testing in the EU, it is clear that an overhaul to the current EU testing regime is badly needed.

For us, the potential adoption of a new testing protocol (the WLTP) by the end of this year and for introduction at the very latest of September 2017, is the bare

minimum requirement¹ needed to tackle the growing distrust in vehicle emissions test rules.

As highlighted to you previously, the current market surveillance system in Europe is also failing. **There are no requirements for EU or Member State bodies to conduct independent conformity tests on vehicles, nor any requirement to perform on road emissions tests outside of the laboratory** to verify results. This has allowed for a system to develop whereby car makers and testing companies have little incentive to apply the spirit of the law (or worse), knowing all too well they will not be further investigated by authorities once type approval has been granted.

It also seems incredible that despite every major transport mode (shipping/aviation/rail) having a dedicated agency to overlook the implementation of EU regulation, that road transport and vehicle testing escapes this additional possible oversight measure.

Tackling this issue in an effective and robust manner will be a litmus test for the new Commission and will show whether or not the 'better regulation' agenda really means for improved legislation, or if it is simply a masquerade for letting industry off the hook.

We would be more than happy to meet with you and share our concrete suggestions with you and your services.

Yours sincerely,

Monique Goyens
Director General

Note: This letter has also been sent to Commissioners Violeta Bulc and Miguel Arias Cañete.

¹ To read our full list of recommendations, see our full position paper on fuel consumption testing here: http://www.beuc.eu/publications/beuc-x-2015-016_the_great_fuel_consumption_scam.pdf