



EUROMOT · Lyoner Strasse 18 · ZIP 60528 · Frankfurt/M. · Germany

The European Association of Internal  
Combustion Engine Manufacturers

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General Secretariat

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## **Request for clarification of the emission requirements for the placing on the market in Turkey of non-road & agricultural tractor engines in 2011**

Dear Mr Bakir

In order to protect human health and the atmosphere and to ensure the proper function of the market for non-road engines, non-road machinery and agricultural tractors, Euromot would like to seek clarification of the emission requirements that will apply in Turkey in 2011.

### **130 – 560 kW CI engines, other than constant speed**

Based upon the original publication in the official gazette of 97/68/AT on 20<sup>th</sup> June 2007 (26558), prior to amendment in 2009, it was clear that for this engine power range Turkey would require placing on the market of stage IIIB engines (category L) in 2011, except in the case of engines manufactured no later than 31<sup>st</sup> December 2010, or engines manufactured under the OEM flexibility scheme, in which case stage IIIA engines could be used. All of the above was in alignment with the corresponding EU requirements.

Today, based upon the amendment to 97/68/AT that was published in the official gazette on 31 December 2009 (27449), it appears that Turkey still requires the placing on the market of stage IIIB engines (category L) in 2011. This conclusion is reached because although stage IIIB (category L) and stage IIIA (category H) have the same placing on the market date (1<sup>st</sup> January 2011), section 4a of article 11 includes the statement 'The permission granted for one stage of emission limit values shall be terminated with effect from the mandatory implementation of the next stage of limit values'. That is to say, permission to place on the market stage IIIA engines is

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#### **ENGINES IN SOCIETY**

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terminated from 1<sup>st</sup> January 2011 by the mandatory requirement to place on the market stage IIIB engines from 1<sup>st</sup> January 2011 (effectively deleting stage IIIA).

**Please could you confirm whether the above interpretation is correct, or whether the intent was to permit the placing on the market of stage IIIA engines until the mandatory placing on the market of stage IV engines (category Q) from 1<sup>st</sup> January 2014 (effectively deleting stage IIIB)?**

**Please could you also confirm the corresponding situation for agricultural tractors, the requirements for which were published as 2000/25/AT in the official gazette on 20<sup>th</sup> July 2007 (26588), and also amended on 31<sup>st</sup> December 2009 (27449)?**

### **56 – 130 kW CI engines, other than constant speed**

Based upon the original publication of 97/68/AT in the official gazette, prior to amendment in 2009, it was clear that for this engine power range Turkey would continue to require the placing on the market of stage IIIA engines (categories I & J) in 2011 and would not require placing on the market of stage IIIB engines (categories M & N) until 2012, in alignment with EU requirements.

Today, based upon the amendment to 97/68/AT that was published on 31 December 2009 (27449), it appears that Turkey now requires the placing on the market of stage IIIB engines (categories M & N) in 2011. This conclusion is reached because although stage IIIB (category M & N) and stage IIIA (categories I & J) have the same placing on the market date (1<sup>st</sup> January 2011), 'The permission granted for one stage of emission limit values shall be terminated with effect from the mandatory implementation of the next stage of limit values'. So, permission to place on the market stage IIIA engines is apparently terminated from 1<sup>st</sup> January 2011 by the mandatory requirement to place on the market stage IIIB engines from 1<sup>st</sup> January 2011 (effectively deleting stage IIIA).

For the 56 – 130 kW power category, if the above interpretation is correct then this poses a particular difficulty for manufacturers as this means the introduction of stage IIIB for Turkey will be one year ahead of the introduction of stage IIIB for the EU.

**Please could you confirm whether the above interpretation is correct, or whether the intent was to permit the placing on the market of stage IIIA engines until the mandatory placing on the market of stage IV engines (category R) from 1<sup>st</sup> October 2014 (effectively deleting stage IIIB)?**

**Please could you also confirm the corresponding situation for agricultural tractors for this range of power?**

### **37 – 75 kW CI engines, constant speed**

Based upon the original publication of 97/68/AT in the official gazette, prior to amendment in 2009, it was clear that for this engine power range Turkey would continue to require the placing on the market of stage II engines (category G) in 2011 and would not require placing on the market of stage IIIA engines (category J) until 2012, in alignment with EU requirements.

Today, based upon the amendment to 97/68/AT that was published on 31 December 2009 (27449), it appears that Turkey now requires the placing on the market of stage IIIA engines (category J) in 2011.

This poses a particular difficulty for manufacturers as this means the introduction of stage IIIA for Turkey will be one year ahead of the introduction of stage IIIA for the EU.

Please could you confirm whether the above misalignment was intentional, or whether the 31 December 2009 amendment is, in fact, incorrect, and that the placing on the market of 37 – 75 kW stage II constant speed CI engines will continue to be permitted until the end of 2011, in alignment with the corresponding EU requirements?

### **Mandatory limit on sulphur content of 'Off road Diesel'**

Euromot is aware that Turkey published a 'Technical Regulation Communiqué Regarding the Production, Supply from Domestic and Foreign Resources and Delivery to the Market of Diesel Types (Liquid Fuel Series No:1)' in the official gazette on 30 December 2005 (26039). Furthermore, it is aware of a subsequent amendment to this regulation that came into force on 1<sup>st</sup> April 2009, whereby the maximum sulphur content for 'Diesel' was reduced to 10 mg/kg and the maximum sulphur content of 'Off Road Diesel' was reduced to 1000 mg/kg.

Stage IIIB engines for non-road machines and agricultural tractors generally employ emissions control systems that may be damaged by sulphur, in a similar manner to those technologies used for on-highway applications. In recognition of this fact, EU Member States are required to implement the 2009/30/EC amendment to the fuels directive 98/70/EC so that (with a few exceptions) the maximum sulphur content of Off Road Diesel <sup>(1)</sup> is reduced to 10 mg/kg <sup>(2)</sup> in-line with that of Diesel no later than 31<sup>st</sup> December 2010.

**Please could you advise if, for Turkey, the maximum sulphur content of Off Road Diesel in Turkey will similarly be reduced to the same level as for Diesel prior to commencement of stage IIIB?**

### **Future amendments**

We understand that Turkey may be considering issuing further amendments to the above laws in order to provide clarity on the items above, avoid any misinterpretation of the emission requirements and ensure the proper function of the market for non-road engines, non-road machinery and agricultural tractors. Euromot would welcome such amendments.

Please could you confirm whether any such amendments are foreseen, and, if so, when they might be published?

### **Concluding Comments**

Euromot welcomes the steps that Turkey is making to align its emissions legislation for non-road machines & agricultural tractors with that of the EU. However, in doing so there is a need to ensure there is both sufficient regulatory clarity and sufficient lead-

time, and additionally that Off Road Diesel is being supplied with the appropriate sulphur content. This is necessary so that there is a smooth functioning of the market and manufacturers can plan with certainty in order to deliver in a cost-effective manner the emissions benefits that the legislation will create.

Euromot would welcome your response to the questions contained in this letter, and remain available to answer any corresponding questions that you might have.

Should you prefer Euromot to visit your office to discuss these issues directly, we would welcome the opportunity to meet with you.

We have sent a courtesy copy of this letter to the units of the European Commission responsible for non-road machinery and agricultural tractors (I4 & F1 respectively) for their information.

A summary of the relevant placing on the market dates is attached at Annex 1 for your convenience.

Yours sincerely



Dr Peter Scherm  
General Manager

<sup>(1)</sup> Known in the EU as 'gas oils intended for use by non-road mobile machinery (including inland waterway vessels), agricultural and forestry tractors, and recreational craft'.

<sup>(2)</sup> Maximum 20 mg/kg at point of final distribution.

Cc to: Mr Ibrahim Yuksel  
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European Commission  
Ms Alexandra Jour-Schröder  
Head of Unit I/4  
DG Enterprise and Industry

European Commission  
Mr Philippe Jean  
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## ANNEX 1

### Placing on the market dates

#### 130 – 560 kW CI engines, other than constant speed

Stage	Category	97/68/EC as amended by 2004/26/EC	97/68/AT as published 20 June 2007	97/68/AT as amended 31 December 2009
Stage IIIA	H	31 December 2005	31 December 2009	01 January 2011 <sup>(3)</sup>
Stage IIIB	L	31 December 2010	31 December 2010	01 January 2011

<sup>(3)</sup> The permission granted for one stage of emission limit values shall be terminated with effect from the mandatory implementation of the next stage of limit values

#### 56 – 130 kW CI engines, other than constant speed

Stage	Category	97/68/EC as amended by 2004/26/EC	97/68/AT as published 20 June 2007	97/68/AT as amended 31 December 2009
Stage IIIA	I J	31 December 2006 31 December 2007	31 December 2009	01 January 2011 <sup>(3)</sup>
Stage IIIB	M N	31 December 2011	31 December 2011	01 January 2011

<sup>(3)</sup> The permission granted for one stage of emission limit values shall be terminated with effect from the mandatory implementation of the next stage of limit values

#### 37 – 75 kW CI engines, constant speed

Stage	Category	97/68/EC as amended by 2004/26/EC	97/68/AT as published 20 June 2007	97/68/AT as amended 31 December 2009
Stage II	G	31 December 2006	31 December 2008	31 December 2008
Stage IIIA	J	31 December 2011	31 December 2011	01 January 2011

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<b>HONDA EUROPE</b>	<b>TORO EUROPE</b>
<b>HUSQVARNA</b>	<b>WACKER NEUSON</b>
<b>KOHLER ENGINES</b>	<b>YAMABIKO (ECHO)</b>
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