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A7-0091/ 001-024

AMENDMENTS 001-024

by the Committee on the Environment, Public Health and Food Safety

Report

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A7-0091/2011

Provisions for tractors placed on the market under the flexibility scheme

Proposal for a directive (COM(2010)0607 – C7-0342/2010 – 2010/0301(COD))

Amendment 1

Proposal for a directive – amending act

Recital 1

Text proposed by the Commission

(1) Directive 2000/25/EC of the European Parliament and of the Council of 22 May 2000 on action to be taken against the emission of gaseous and particulate pollutants by engines intended to power agricultural or forestry tractors and amending Council Directive 74/150/EEC⁹ regulates exhaust emissions from engines installed in agricultural and forestry tractors. The current stage of emission limits applicable for type approval of the majority of compression ignition engines is referred to as Stage III A. The directive provides that those limits will be replaced by the more stringent Stage III B limits, entering into force progressively as of 1st January 2011 with regard to the placing on the market and from 1st January 2010 as regards the type approval for those engines. Stage IV, providing for limit values more stringent than stage III B, will enter into force progressively as of 1st January 2013

Amendment

(1) Directive 2000/25/EC of the European Parliament and of the Council of 22 May 2000 on action to be taken against the emission of gaseous and particulate pollutants by engines intended to power agricultural or forestry tractors and amending Council Directive 74/150/EEC⁹ regulates exhaust emissions from engines installed in agricultural and forestry tractors ***with a view to further safeguarding human health and the environment***. The current stage of emission limits applicable for type approval of the majority of compression ignition engines is referred to as Stage III A. The directive provides that those limits will be replaced by the more stringent Stage III B limits, entering into force progressively as of 1st January 2011 with regard to the placing on the market and from 1st January 2010 as regards the type approval for those engines. Stage IV,

as regards the type approval for those engines and as of 1st January 2014 with regard to the placing on the market.

providing for limit values more stringent than stage III B, will enter into force progressively as of 1st January 2013 as regards the type approval for those engines and as of 1st January 2014 with regard to the placing on the market.

Justification

One of the objectives of Directive 2000/25/EC is to maximise the benefits for the European environment and public health.

Amendment 2

Proposal for a directive – amending act Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) The Commission is expected to come forward with a comprehensive revision of Directive 2000/25/EC within 12 months. It is preferable for the Commission to present the comprehensive revision at its earliest convenience.

Justification

The Commission came forward with the present proposal on the partial revision of Directive 2000/25/EC in a relatively late stage, as the measures the Commission intends to amend are partially in force as per 1 January 2011. A full revision of Directive 2000/25/EC would allow of dealing with the current regulation in a more comprehensive manner.

Amendment 3

Proposal for a directive – amending act Recital 2

Text proposed by the Commission

Amendment

(2) The transition to Stage III B involves a step change in technology requiring significant implementation costs for re-designing the engines and for developing advanced technical solutions. ***This transition stipulated by the legislator in 2005 coincides with the economic recession in the sector concerned which makes it difficult for the industry to bear the implementation costs necessary in***

(2) The transition to Stage III B involves a step change in technology requiring significant implementation costs for re-designing the engines and for developing advanced technical solutions. ***The global financial and economic crisis cannot serve as a reason to water down environmental standards. Investments in environmentally friendly technologies are important for the promotion of future***

order to adapt to the new legal requirements.

growth, jobs and health security.

Justification

In the current debate the Commission has suggested that the global financial and economic crisis has had a deeply negative impact on the related industry. Despite the difficulties the industry is facing currently it has to be re-emphasised that the crisis can not serve as a reason to water down environmental standards. On the contrary, investments in green technologies are a motor for future growth and jobs in Europe and an important factor for health security.

Amendment 4

Proposal for a directive – amending act Recital 3

Text proposed by the Commission

(3) Directive 2000/25/EC provides for a flexibility scheme to allow tractor manufacturers to purchase, ***in the period between two emission stages***, a limited quantity of engines that do not comply with the current emission limit values, but are approved to the nearest previous stage of emission limits.

Amendment

(3) Directive 2000/25/EC provides for a flexibility scheme to allow tractor manufacturers to purchase, ***during a given stage***, a limited quantity of engines that do not comply with the current emission limit values, but are approved to the nearest previous stage of emission limits.

Amendment 5

Proposal for a directive – amending act Recital 5

Text proposed by the Commission

(5) During ***the transition from Stage III A to Stage III B***, the percentage of the number of ***engines placed on the market*** under the flexibility scheme ***should be increased from 20% to 50%*** of the ***tractor manufacturer's annual sales*** of tractors with engines in that category. The optional alternative that a ***maximum*** number of engines may be placed on the market under the flexibility scheme should be adapted accordingly.

Amendment

(5) During Stage III B, the percentage of the number of ***tractors that enter into service*** under the flexibility scheme ***shall be 35%*** of the annual ***quantity*** of tractors ***entered into service by the tractor manufacturer*** with engines in that category. The optional alternative that a ***fixed*** number of engines may be placed on the market under the flexibility scheme should be adapted accordingly.

Amendment 6

Proposal for a directive – amending act Recital 5 a (new)

Text proposed by the Commission

Amendment

(5a) Enterprises operating with machines that fall within the scope of this Directive should benefit from European financial support programmes or respective support programmes provided by Member States. Requiring the beneficiaries of these programmes to apply the best available technologies of their branches should be considered. Only enterprises that make use of the technologies with the best emission standards should be supported.

Amendment 7

Proposal for a directive – amending act Recital 7

Text proposed by the Commission

(7) The measures provided in this Directive reflect a temporary difficulty faced by the industry; as such, these measures shall be restricted ***to the transition from Stage III A to Stage III B and expire on 31 December 2013,***

Amendment

(7) The measures provided in this Directive reflect a temporary difficulty faced by the industry; as such, these measures shall be restricted to Stage III B,

Amendment 8

Proposal for a directive – amending act Recital 7 a (new)

Text proposed by the Commission

(7a) It is understood that the current emission limits should be tightened with respect to ultrafine black carbon particles by implementing the particle number criterion in future legislation addressing the next emission targets.

Amendment

(7a) It is understood that the current emission limits should be tightened with respect to ultrafine black carbon particles by implementing the particle number criterion in future legislation addressing the next emission targets.

Amendment 9

Proposal for a directive – amending act Article 1 – point -1 (new)

Directive 2000/25/EC

Article 1 - new indents

(-1) In Article 1, the following indents are added:

- "**flexibility scheme**" means the exemption procedure by means of which a Member State permits the placing on the market of a limited quantity of engines in accordance with the requirements set by Article 3a;

- "**engine category**" means the classification of engines which combines the power band with the stage of exhaust emission limits.

Amendment 10

Proposal for a directive – amending act

Article 1 – point 1

Directive 2000/25/EC

Article 3a – paragraph 1

Text proposed by the Commission

Amendment

1. **In Article 3a, the following subparagraph is added:** ‘The flexibility scheme, set out in sections 1.2., 1.2.1. and 1.2.2. of Annex IV shall apply only for **the transition from Stage III A to Stage III B** and shall **expire on 31 December 2013.**’

1. Article 3a **shall be replaced by the following:** "By way of derogation from Article 3(1) and (2), Member States shall provide that, at the request of the tractor manufacturer, and **on condition that the approval authority has granted the relevant permit, a limited number of tractors may enter into service in accordance with the procedures laid down in Annex IV. The flexibility scheme shall begin when a given stage becomes compulsory and shall have the same duration as the stage itself. Under a flexibility scheme, engines shall be approved in accordance with the requirements of the stage immediately preceding the applicable one.** The flexibility scheme, set out in sections 1.2., 1.2.1. and 1.2.2. of Annex IV shall apply only for Stage III B and shall **have a duration of 3 years.**"

Amendment 11

Proposal for a directive – amending act

Article 1 – point 2

Directive 2000/25/EC

Annex IV - section 1

Text proposed by the Commission

2. **Section 1 of** Annex IV is replaced by the text in Annex I to this Directive.

Amendment

2. Annex IV is replaced by the text in Annex I to this Directive.

Amendment 12

Proposal for a directive – amending act

Annex I

Directive 2000/25/EC

Annex IV - section 1 - point 1.1

Text proposed by the Commission

Section 1 of Annex IV is replaced by the following:

1.1. **With the exception of the transition period between Stage III A and Stage III B, a** tractor manufacturer who wishes to make use of the flexibility scheme shall request permission from **his** approval authority to **place or to source from his engine suppliers, in the period between two emissions stages, the quantities of engines** described in sections 1.1.1. and 1.1.2. **that do not comply with the current emission limit values, but are approved to the nearest previous stage of emission limits.**

Amendment

Annex IV is replaced by the following:

1.1. A tractor manufacturer who wishes to make use of the flexibility scheme shall request permission from **the** approval authority to **enter the tractors into service according to the relevant provisions set out in this Annex. With the exception of Stage III B, the quantities of tractors shall not exceed those** described in sections 1.1.1. and 1.1.2. **The engines shall meet the requirements referred to in Article 3a.**

Amendment 13

Proposal for a directive – amending act

Annex I

Directive 2000/25/EC

Annex IV - section 1 - point 1.1.1.

Text proposed by the Commission

1.1.1. The number of engines **placed on the market** under a flexibility scheme shall, in each engine category, not exceed 20 % of the **tractor manufacturer's annual sales** of tractors with engines in that engine

Amendment

1.1.1. The number of engines **and tractors entering into service** under a flexibility scheme shall, in each engine category, not exceed 20 % of the annual **quantities** of tractors **entered into service by the tractor**

category (calculated as the average of the last 5 years sales on the Union market). Where a tractor manufacturer has *marketed* tractors in the Union for a period of less than five years the average will be calculated based on the actual period for which the tractor manufacturer has *marketed* tractors in the Union.

manufacturer with engines in that engine category (calculated as the average of the last 5 years sales on the Union market). Where a tractor manufacturer has *entered* tractors *into service* in the Union for a period of less than five years the average will be calculated based on the actual period for which the tractor manufacturer has *entered* tractors *into service* in the Union.

Amendment 14

Proposal for a directive – amending act Annex I

Directive 2000/25/EC

Annex IV - section 1 - point 1.1.2.

Text proposed by the Commission

1.1.2. As an alternative option to section 1.1.1., the *tractor manufacturer may seek permission for his engine suppliers to place on the market a fixed number of engines under the flexibility scheme. The number of engines in each engine category shall not exceed the following values:*

Amendment

1.1.2. As an alternative option to section 1.1.1., the number of *tractors* in each *power band* shall not exceed the following *quantities:*

Amendment 15

Proposal for a directive – amending act Annex I

Directive 2000/25/EC

Annex IV - section 1 - point 1.1.2. - table - titles

Text proposed by the Commission

Engine *Category* (kW)
Number of *Engines*

Amendment

Engine *Power Band* (kW)
Number of *Tractors*

Amendment 16

Proposal for a directive – amending act Annex I

Directive 2000/25/EC

Annex IV - section 1 - point 1.2.

Text proposed by the Commission

1.2. During ***the transition period between Stage III A and Stage III B***, a tractor manufacturer who wishes to make use of the flexibility scheme, shall request permission from ***his*** approval authority to ***place or to source from his engine suppliers, in the period between two emissions stages, the quantities of engines*** described in sections 1.2.1. and 1.2.2. ***that do not comply with the current emission limit values, but are approved to the nearest previous stage of emission limits.***

Amendment 17

**Proposal for a directive – amending act
Annex I**

Directive 2000/25/EC

Annex IV - section 1 - point 1.2.1

Text proposed by the Commission

1.2.1. The number of engines ***placed on the market*** under a flexibility scheme shall, in each engine category, not exceed 50 % of the ***tractor manufacturer's*** annual sales of tractors with engines in that engine category (calculated as the average of the last 5 years sales on the Union market). Where a tractor manufacturer has ***marketed*** tractors in the Union for a period of less than five years the average will be calculated based on the actual period for which the tractor manufacturer has ***marketed*** tractors in the Union.

Amendment 18

**Proposal for a directive – amending act
Annex I**

Directive 2000/25/EC

Annex IV - section 1 - point 1.2.2.

Amendment

1.2. During Stage III B, a tractor manufacturer who wishes to make use of the flexibility scheme, shall request permission from ***the*** approval authority to ***enter the tractors into service according to the relevant provisions set out in this Annex. The quantities of tractors shall not exceed the quantities*** described in sections 1.2.1. and 1.2.2. ***The engines shall meet the requirements referred to in Article 3a.***

Amendment

1.2.1. The number of engines ***and tractors entering into service*** under a flexibility scheme shall, in each engine category, not exceed 35 % of the annual ***quantities*** of tractors ***entered into service by the tractor manufacturer*** with engines in that engine category (calculated as the average of the last 5 years sales on the Union market). Where a tractor manufacturer has ***entered*** tractors ***into service*** in the Union for a period of less than five years the average will be calculated based on the actual period for which the tractor manufacturer has ***entered*** tractors ***into service*** in the Union.

Text proposed by the Commission

Amendment

1.2.2. As an alternative option to section 1.2.1, the **tractor manufacturer may seek permission for his engine suppliers to place on the market a fixed number of engines under the flexibility scheme. The number of engines in each engine category shall not exceed the following values:**

1.2.2. As an alternative option to section 1.2.1., the number of **tractors** in each **power band** shall not exceed the following values:

Amendment 19

Proposal for a directive – amending act Annex I

Directive 2000/25/EC

Annex IV - section 1 - point 1.2.2. - table - titles

Text proposed by the Commission

Amendment

Engine **Category** (kW)

Engine **Power Band** (kW)

Number of **Engines**

Number of **Tractors**

Amendment 20

Proposal for a directive – amending act Annex I

Directive 2000/25/EC

Annex IV - section 1 - point 1.3. - introductory part

Text proposed by the Commission

Amendment

1.3. The tractor manufacturer shall include in his application to **an** approval authority the following information:

1.3. The tractor manufacturer shall include in his application to **the** approval authority the following information:

Amendment 21

Proposal for a directive – amending act Annex 1

Directive 2000/25/EC

Annex IV – section 1 – point 1.4.

Text proposed by the Commission

Amendment

1.4. The tractor manufacturer shall provide the approval authority with any information connected with the implementation of the flexibility scheme

1.4. The tractor manufacturer shall provide the approval authority with any **necessary** information connected with the implementation of the flexibility scheme

that the approval authority may request necessary to make a decision.

that the approval authority may request necessary to make a decision.

Amendment 22

Proposal for a directive – amending act Annex 1

Directive 2000/25/EC
Annex IV – section 1 – point 1.5.

Text proposed by the Commission

1.5. The tractor manufacturer shall file a report every six months to the approval authorities of each Member State, where the tractor or engine is put on the market, on the implementation of the flexibility schemes he is using. The report shall include cumulative data on the number of engines and tractors placed on the market under the flexibility scheme, engine and tractor serial numbers, and the Member States where the tractor has been entered into service. This procedure shall be continued as long as a flexibility scheme is still in progress.

Amendment

1.5. The tractor manufacturer shall file a report every six months to the approval authorities of each Member State, where the tractor or engine is put on the market, on the implementation of the flexibility schemes he is using. The report shall include cumulative data on the number of engines and tractors placed on the market under the flexibility scheme, engine and tractor serial numbers, and the Member States where the tractor has been entered into service. This procedure shall be continued as long as a flexibility scheme is still in progress *without any exceptions*.

Amendment 23

Proposal for a directive – amending act Annex I

Directive 2000/25/EC
Annex IV - section 2

Text proposed by the Commission

Amendment

2. ACTIONS BY THE ENGINE MANUFACTURER

2.1. An engine manufacturer may *place on the market* engines under a flexibility scheme *approved in accordance with sections 1 and 3* of this annex.

2.2. The engine manufacturer must *mark* those engines with the following text: ‘Engine placed on the market under the flexibility scheme’ *in accordance with the requirements referred to in Section 5* of

Annex I.

Amendment 24

Proposal for a directive – amending act

Annex I

Directive 2000/25/EC

Annex IV - section 3

Text proposed by the Commission

Amendment

**3. ACTIONS BY THE APPROVAL
AUTHORITY**

3.1. The approval authority shall evaluate the content of the flexibility scheme request and the enclosed documents. As a consequence it will inform the tractor manufacturer of its decision as to whether or not to allow use of the flexibility scheme *as requested*.