

COMMISSION IMPLEMENTING DECISION

of 30 October 2013

confirming the average specific emissions of CO₂ and specific emissions targets for manufacturers of passenger cars for the calendar year 2012 pursuant to Regulation (EC) No 443/2009 of the European Parliament and of the Council

(Text with EEA relevance)

(2013/632/EU)

THE EUROPEAN COMMISSION,

information in accordance with Article 3(1) of Commission Regulation (EU) No 1014/2010 ⁽²⁾.

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

- (4) All Member States submitted the data for 2012 to the Commission by the deadline of 28 February 2013 in accordance with Article 8(2) of Regulation (EC) No 443/2009. 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 was not adjusted.

Having regard to Regulation (EC) No 443/2009 of the European Parliament and of the Council of 23 April 2009 setting emission performance standards for new passenger cars as part of the Community's integrated approach to reduce CO₂ emissions from light-duty vehicles ⁽¹⁾, and in particular the second subparagraph of Article 8(5) and Article 10(1) thereof,

Whereas:

- (1) The Commission is required, pursuant to Article 8(5) of Regulation (EC) No 443/2009, to confirm each year the average specific emissions of CO₂ and the specific emissions target for each manufacturer of passenger cars in the Union as well as for each pool of manufacturers formed in accordance with Article 7(1) of that Regulation. On the basis of that confirmation, the Commission is to determine whether manufacturers and pools have complied with the requirements of Article 4 of that Regulation.

- (5) On 30 April 2013, the Commission published the provisional data and notified 85 manufacturers of the provisional calculations of their average specific emissions of CO₂ in 2012 and their specific emissions targets in accordance with Article 8(4) of Regulation (EC) No 443/2009. Manufacturers were asked to verify the data and to notify the Commission of any errors within three months of receipt of the notification in accordance with the first subparagraph of Article 8(5) of that Regulation and Article 9(3) of Regulation (EU) No 1014/2010. Eight manufacturers accepted the preliminary data without corrections whilst 40 manufacturers submitted notifications of errors within the given deadline.

- (2) Pursuant to Article 4 of Regulation (EC) No 443/2009, the targets are binding on manufacturers and pools with effect from 2012. The average specific emissions of manufacturers for 2012 are calculated in accordance with the second paragraph of that Article and take into account 65 % of the manufacturer's new cars registered in that year.

- (6) For the remaining 37 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 without adjustments.

- (3) The detailed data to be used for the calculation of the average specific emissions and the specific emissions targets is set out in point 1 of Part A and in Part C of Annex II to Regulation (EC) No 443/2009 and is based on Member States' registrations of new passenger cars during the preceding calendar year. The data is taken from the certificates of conformity issued by the manufacturers or from documents providing equivalent

- (7) The Commission has verified the corrections notified by the manufacturers and the respective justifications as expressed through the error codes specified in Article 9(3) of Regulation (EU) No 1014/2010 and the dataset has been adjusted as appropriate.

⁽¹⁾ OJ L 140, 5.6.2009, p. 1.

⁽²⁾ Commission Regulation (EU) No 1014/2010 of 10 November 2010 on monitoring and reporting of data on the registration of new passenger cars pursuant to Regulation (EC) No 443/2009 of the European Parliament and of the Council (OJ L 293, 11.11.2010, p. 15).

- (8) In the case of records that have been identified by manufacturers with the error code B as set out in Article 9(3) of Regulation (EU) No 1014/2010, it is necessary to take into account the fact that manufacturers cannot verify or correct those records appropriately due to missing or incorrect identification parameters. Accordingly, an error margin should be applied to the CO₂ emission and mass values in those records.
- (9) The error margin should be calculated as the difference between the distances to the specific emissions target expressed as the average emissions subtracted from the specific emissions targets 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 distance to the target of the manufacturer.
- (10) In accordance with Article 10(2) of Regulation (EC) No 443/2009, a manufacturer should be considered as compliant with its specific emission 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 should be imposed in accordance with Article 9 of Regulation (EC) No 443/2009, unless the manufacturer concerned benefits from an exemption from that target or is a member of a pool in accordance with Article 7 of that Regulation and the pool complies with its specific emissions target.
- (11) The average specific emissions of CO₂ from new passenger cars registered in 2012, the specific emissions targets and the difference between those two values should be confirmed accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following values specified in the Annex are confirmed for each manufacturer of passenger cars and for each pool of manufacturers in respect of the 2012 calendar year:

- (a) the specific emissions target;
- (b) the average specific emissions of CO₂, where appropriate adjusted by the relevant error margin;
- (c) the difference between the values referred to in points (a) and (b);
- (d) the average specific emissions of CO₂ for all new passenger cars in the Union;
- (e) the average mass for all new passenger cars in the Union.

Article 2

This Decision shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

Done at Brussels, 30 October 2013.

For the Commission
The President
José Manuel BARROSO

ANNEX

Table 1

Values relating to the performance of manufacturers confirmed in accordance with Article 10 of Regulation (EC) No 443/2009

A	B	C	D	E	F	G	H	I
Manufacturer Name	Pools and Derogations	Number of registrations	Average CO ₂ (65 %) corrected	Specific emissions target	Distance to target	Distance to target adjusted	Average mass	Average CO ₂ (100 %)
ALPINA BURKARD BOVENSIEPEN GMBH E CO., KG		459	156,768	152,125	4,643	4,643	1 856,13	183,037
ARTEGA AUTOMOBIL GMBH E CO., KG		4	223,000	126,024	96,976	96,976	1 285,00	223,000
ASTON MARTIN LAGONDA LTD	D	1 549	296,355	320,000	- 23,645	- 23,645	1 774,48	321,944
AUDI AG	P12	657 068	122,411	139,473	- 17,062	- 17,110	1 579,29	137,786
AUDI HUNGARIA MOTOR KFT	P12	11 241	137,324	133,613	3,711	3,573	1 451,07	149,057
AUTOMOBILES CITROEN		654 993	108,718	129,703	- 20,985	- 20,985	1 365,51	122,566
AUTOMOBILES PEUGEOT		773 864	107,648	130,413	- 22,765	- 22,765	1 381,03	121,489
AVTOVAZ JSC	P8	2 298	207,903	125,748	82,155	82,155	1 278,96	213,899
BENTLEY MOTORS LTD	P12	1 992	310,230	181,440	128,790	128,790	2 497,60	338,040
BAYERISCHE MOTOREN WERKE AG	P1	762 027	123,643	138,696	- 15,053	- 15,111	1 562,28	137,515
BMW M GMBH	P1	6 375	231,079	151,103	79,976	78,034	1 833,77	247,941
BUGATTI AUTOMOBILES S.A.S	P12	2	539,000	156,689	382,311	382,311	1 956,00	539,000
CATERHAM CARS LIMITED	D	139	174,178	210,000	- 35,822	- 35,822	704,32	188,921
CECOMP S.P.A.		1 001	0,000	123,282	- 123,282	- 123,282	1 225,00	0,000
CHEVROLET ITALIA SPA	P5	4 948	110,000	114,681	- 4,681	- 4,681	1 036,80	110,284
CHRYSLER GROUP LLC	P3	57 034	177,442	159,650	17,792	17,295	2 020,79	192,882
CNG-TECHNIK GMBH	P4	75	113,938	118,091	- 4,153	- 4,153	1 111,40	113,960

A	B	C	D	E	F	G	H	I
Manufacturer Name	Pools and Derogations	Number of registrations	Average CO ₂ (65 %) corrected	Specific emissions target	Distance to target	Distance to target adjusted	Average mass	Average CO ₂ (100 %)
AUTOMOBILE DACIA SA	P8	232 256	125,132	126,664	- 1,532	- 1,534	1 299,01	136,899
DAIHATSU MOTOR CO LTD	P11	3 397	131,952	120,887	11,065	11,065	1 172,58	148,590
DAIMLER AG	P2	631 475	123,873	139,576	- 15,703	- 15,716	1 581,53	142,842
DONGFENG MOTOR CORPORATION		2	184,000	118,758	65,242	65,242	1 126,00	187,000
DR MOTOR COMPANY SRL		645	126,489	122,520	3,969	3,969	1 208,33	141,574
FERRARI S.P.A	D	2 330	298,539	303,000	- 4,461	- 4,461	1 733,67	316,739
FIAT GROUP AUTOMOBILES S.P.A	P3	686 449	109,841	118,886	- 9,045	- 9,171	1 128,80	117,233
FISKER AUTOMOTIVE INC		166	53,000	181,778	- 128,778	- 128,778	2 505,00	53,000
FORD-WERKE GMBH	P4	917 725	116,480	127,832	- 11,352	- 11,359	1 324,57	128,685
FUJI HEAVY INDUSTRIES LTD	ND	29 381	150,266	164,616	- 14,350	- 14,350	1 561,77	160,599
GENERAL MOTORS COMPANY	P5	2 673	130,061	154,444	- 24,383	- 24,383	1 906,87	253,869
GM ITALIA SRL	P5	2	119,000	123,968	- 4,968	- 4,968	1 240,00	119,000
GM KOREA COMPANY	P5	161 153	124,248	131,444	- 7,196	- 7,196	1 403,59	141,050
GREAT WALL MOTOR COMPANY LIMITED	D	309	168,000	195,000	- 27,000	- 27,000	1 184,23	169,049
HONDA AUTOMOBILE CHINA CO., LTD	P6	17 668	123,408	119,912	3,496	3,496	1 151,26	124,855
HONDA MOTOR CO., LTD	P6	71 717	121,571	130,995	- 9,424	- 9,424	1 393,77	138,965
HONDA TURKIYE AS	P6	2 207	154,787	128,725	26,062	26,062	1 344,10	157,874
HONDA OF THE UK MANUFACTURING LTD	P6	40 779	139,093	136,324	2,769	2,769	1 510,38	156,169
HYUNDAI MOTOR COMPANY		416 987	118,808	128,266	- 9,458	- 9,458	1 334,05	132,203
IVECO S.P.A	P3	6	143,333	224,310	- 80,977	- 80,977	3 435,67	146,667
JAGUAR	ND; P10	22 621	150,844	178,025	- 27,181	- 27,409	1 910,74	168,970

A	B	C	D	E	F	G	H	I
Manufacturer Name	Pools and Derogations	Number of registrations	Average CO ₂ (65 %) corrected	Specific emissions target	Distance to target	Distance to target adjusted	Average mass	Average CO ₂ (100 %)
JIANGLING MOTOR HOLDING CO., LTD		39	144,480	130,348	14,132	14,132	1 379,62	147,897
KIA MOTORS CORPORATION		329 474	114,489	127,175	- 12,686	- 12,686	1 310,18	129,464
KTM-SPORTMOTORCYCLE AG	D	18	180,000	200,000	- 20,000	- 20,000	875,00	183,000
AUTOMOBILI LAMBORGHINI S.P.A	P12	413	343,683	144,315	199,368	199,021	1 685,23	364,295
LAND ROVER	ND; P10	98 731	167,445	178,025	- 10,580	- 10,583	2 123,81	190,922
LOTUS CARS LIMITED	D	335	163,447	280,000	- 116,553	- 116,553	1 181,82	185,857
MAGYAR SUZUKI CORPORATION LTD	P9	84 045	118,669	120,317	- 1,648	- 1,654	1 160,12	128,118
MAHINDRA & MAHINDRA LTD	D	64	179,000	205,000	- 26,000	- 26,000	1 915,08	182,234
MARUTI SUZUKI INDIA LTD	P9	21 574	101,217	109,891	- 8,674	- 8,674	931,97	102,884
MASERATI S.P.A	P3	883	343,492	158,286	185,206	184,578	1 990,95	351,072
MAZDA MOTOR CORPORATION		113 565	128,793	129,494	- 0,701	- 0,701	1 360,93	141,779
MCLAREN AUTOMOTIVE LIMITED	D	335	279,000	285,000	- 6,000	- 6,000	1 511,50	279,475
MERCEDES-AMG GMBH	P2	2 939	177,053	151,465	25,588	25,305	1 841,70	222,641
MG MOTOR UK LIMITED	D	755	176,147	184,000	- 7,853	- 7,853	1 585,69	178,914
MIA ELECTRIC S.A.S		494	0,000	107,916	- 107,916	- 107,916	888,76	0,000
MICRO-VETT S.P.A		5	0,000	130,091	- 130,091	- 130,091	1 374,00	0,000
mitsubishi motors corporation MMC	P7	48 688	126,281	140,924	- 14,643	- 15,397	1 611,04	151,332
MITSUBISHI MOTORS EUROPE BV MME	P7	18 604	117,601	118,511	- 0,910	- 0,981	1 120,59	126,014
MITSUBISHI MOTORS THAILAND CO LTD MMTH	P7	15	97,778	123,575	- 25,797	- 26,331	1 231,40	125,667
MORGAN MOTOR CO LTD	D	398	156,050	180,000	- 23,950	- 23,950	1 120,11	184,078
NISSAN INTERNATIONAL SA		423 818	122,253	131,177	- 8,924	- 8,924	1 397,75	137,341

A	B	C	D	E	F	G	H	I
Manufacturer Name	Pools and Derogations	Number of registrations	Average CO ₂ (65 %) corrected	Specific emissions target	Distance to target	Distance to target adjusted	Average mass	Average CO ₂ (100 %)
OMCI SRL		21	148,000	116,656	31,344	31,344	1 080,00	156,667
ADAM OPEL AG	P5	814 229	119,708	133,821	- 14,113	- 14,114	1 455,62	133,002
PERODUA MANUFACTURING SDN BHD		372	136,934	113,647	23,287	23,287	1 014,16	140,785
DR ING HCF PORSCHE AG	P12	42 299	187,954	152,535	35,419	35,419	1 865,10	205,379
PERUSAHAAN OTOMOBIL NASIONAL SDN BHD	D	206	146,511	185,000	- 38,489	- 38,489	1 311,58	154,942
QUATTRO GMBH	P12	3 904	219,136	147,404	71,732	70,977	1 752,84	243,966
RADICAL MOTORSPORT LTD		6	229,000	106,145	122,855	122,855	850,00	229,000
RENAULT S.A.S	P8	800 674	105,396	126,744	- 21,348	- 21,353	1 300,76	120,796
ROLLS-ROYCE MOTOR CARS LTD	P1	417	317,376	181,976	135,400	135,377	2 509,34	329,930
SAAB AUTOMOBILE AB		1 297	151,696	144,382	7,314	7,314	1 686,71	170,266
SEAT SA	P12	252 173	114,757	127,124	- 12,367	- 12,521	1 309,07	127,191
SECMA S.A.S		40	131,000	97,370	33,630	33,630	658,00	131,000
SHIJIAZHUANG SHUANGHUAN AUTOMOBILE COMPANY		10	269,667	154,130	115,537	115,537	1 900,00	269,800
SKODA AUTO AS	P12	460 603	120,028	126,655	- 6,627	- 7,026	1 298,81	132,247
SPYKER AUTOMOBIELEN BV	D	2	340,000	340,000	0,000	0,000	1 730,00	340,000
SSANGYONG MOTOR COMPANY	D	4 967	167,641	180,000	- 12,359	- 12,359	1 812,62	186,532
SUZUKI MOTOR CORPORATION	P9	46 255	131,108	124,115	6,993	6,891	1 243,22	148,213
TATA MOTORS LIMITED	ND; P10	592	134,367	178,025	- 43,658	- 43,658	1 336,03	141,978
TESLA MOTORS LTD		159	0,000	128,309	- 128,309	- 128,309	1 335,00	0,000
THINK		52	0,000	118,360	- 118,360	- 118,360	1 117,29	0,000

A	B	C	D	E	F	G	H	I
Manufacturer Name	Pools and Derogations	Number of registrations	Average CO ₂ (65 %) corrected	Specific emissions target	Distance to target	Distance to target adjusted	Average mass	Average CO ₂ (100 %)
TOYOTA MOTOR EUROPE NV SA	P11	515 028	103,613	127,912	- 24,299	- 24,371	1 326,30	121,862
VEHICULES ELECTRIQUES PININFARINA-BOLLORE S.A.S.		542	0,000	123,282	- 123,282	- 123,282	1 225,00	0,000
VOLKSWAGEN AG	P12	1 535 755	119,343	131,203	- 11,860	- 11,952	1 398,32	132,965
VOLVO CAR CORPORATION		204 539	121,944	144,736	- 22,792	- 22,792	1 694,44	142,116
WIESMANN GMBH	D	53	284,294	274,000	10,294	10,294	1 490,38	289,566
ZHEJIANG ZOTYE AUTOMOBILE MANUFACTURING CO., LTD		2	0,000	128,172	- 128,172	- 128,172	1 332,00	75,000

Table 2

Values relating to the performance of pools confirmed in accordance with Article 10 of Regulation (EC) No 443/2009

A	B	C	D	E	F	G	H	I
Pool Name	Pool	Number of registrations	Average CO ₂ (65 %) corrected	Specific emissions target	Distance to target	Distance to target adjusted	Average mass	Average CO ₂ (100 %)
BMW GROUP	P1	768 819	123,824	138,822	- 14,998	- 15,052	1 565,05	138,535
DAIMLER AG	P2	634 414	123,949	139,630	- 15,681	- 15,694	1 582,73	143,212
FIAT GROUP AUTOMOBILES SPA	P3	744 372	110,597	122,056	- 11,459	- 11,468	1 198,18	123,307
FORD-WERKE GMBH	P4	917 800	116,479	127,832	- 11,353	- 11,361	1 324,55	128,684
GENERAL MOTORS	P5	983 005	119,853	133,391	- 13,538	- 13,539	1 446,21	134,536
HONDA MOTOR EUROPE LTD	P6	132 371	125,014	131,120	- 6,106	- 6,106	1 396,5	142,697
MITSUBISHI MOTORS	P7	67 307	122,126	134,725	- 12,599	- 13,121	1 475,39	144,328
POOL RENAULT	P8	1 035 228	109,427	126,724	- 17,297	- 17,301	1 300,32	124,615
SUZUKI	P9	151 874	115,511	119,993	- 4,482	- 4,498	1 153,02	130,654
TATA MOTORS LTD, JAGUAR CARS LTD, LAND ROVER	P10	121 944	162,825	178,025	- 15,200	- 15,307	2 080,46	186,612
TOYOTA-DAIHATSU GROUP	P11	518 425	103,694	127,865	- 24,171	- 24,239	1 325,29	122,037
VW GROUP PC	P12	2 965 450	120,108	132,353	- 12,245	- 12,508	1 423,48	134,841

Explanatory notes to Tables 1 and 2*Column A:*

Table 1: 'Manufacturer name' means the name of the manufacturer as notified to the Commission by the manufacturer concerned or, where no such notification has taken place, the name registered by the registration authority of the Member State.

Table 2: 'Pool name' means the name of the pool declared by the pool manager.

Column B:

'D' means that a derogation relating to a small volume manufacturer has been granted in accordance with Article 11(3) of Regulation (EC) No 443/2009 with effect from 2012;

'ND' means that a derogation relating to a niche manufacturer has been granted in accordance with Article 11(4) of Regulation (EC) No 443/2009 with effect from 2012;

'P' means that the manufacturer is a member of a pool (listed in Table 2) formed in accordance with Article 7 of Regulation (EC) No 443/2009 and the pooling agreement is valid for calendar year 2012.

Column C:

'Number of registrations' means the total number of new cars registered by Member States in a calendar year, not counting those registrations that relate to records where the values for mass and/or CO₂ are missing and those records which the manufacturer does not recognise (identified in the error notification with error code C as set out in Article 9(3) of Regulation (EU) No 1014/2010). The number of registrations reported by Member States may otherwise not be changed.

Column D:

'Average CO₂ (65 %) corrected' means the average specific emissions of CO₂ that have been calculated on the basis of the 65 % lowest emitting vehicles in the manufacturer's fleet in accordance with the first indent of the second subparagraph of Article 4 of Regulation (EC) No 443/2009 and point 4 of Commission Communication COM(2010) 657 final. Where appropriate, the average specific emissions have been adjusted to take into account the corrections notified to the Commission by the manufacturer concerned. The records used for the calculation include those that contain a valid value for mass and CO₂ emissions.

Column E:

'Specific emissions target' means the emissions target calculated on the basis of the average mass of all vehicles attributed to a manufacturer applying the formula set out in Annex I to Regulation (EC) No 443/2009.

Column F:

'Distance to target' means the difference between the average specific emissions specified in column D and the specific emissions target in column E. Where the value in column F is positive the average specific emissions exceed the specific emissions target.

Column G:

'Distance to target adjusted' means that where the values in this column are different from those in column F, the values in that column have been adjusted to take into account an error margin. The error margin only applies if the manufacturer has notified the Commission of records with the error code B as set out in Article 9(3) of Regulation (EU) No 1014/2010. The error margin is calculated in accordance with the following formula:

$$\text{Error} = \text{absolute value of } [(AC1 - TG1) - (AC2 - TG2)]$$

AC1 = the average specific emissions of CO₂ including the unidentifiable vehicles (as set out in column D);

TG1 = the specific emissions target including the unidentifiable vehicles (as set out in column E);

AC2 = the average specific emissions of CO₂ excluding the unidentifiable vehicles;

TG2 = the specific emissions target excluding the unidentifiable vehicles.

Column 1:

'Average CO₂ (100 %)' means the average specific emissions of CO₂ that have been calculated on the basis of 100 % of the vehicles attributed to the manufacturer. Where appropriate, the average specific emissions have been adjusted to take into account the corrections notified to the Commission by the manufacturer concerned. The records used for the calculation includes those that contain a valid value for mass and CO₂ emissions but do not take into account the super-credits referred to in Article 5 of Regulation (EC) No 443/2009.
