

## **PORSTI-RONNBERG Satu (ENTR)**

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**From:** ENTR /D/5 AUTOMOTIVE INDUSTRY  
**Sent:** 02 May 2012 09:53  
**To:** 'pg@acea.be'  
**Cc:** ENTR /D/5 AUTOMOTIVE INDUSTRY; STEININGER Nikolaus (ENTR)  
**Subject:** FW: EMISSION CONTROL DEFEAT DEVICES ADVERTISED ON THE WEB

Dear Paul,

Thank you for your letter informing us about the sale on the internet of equipment deactivating the mandatory driver warning and inducement systems addressing reagent tampering of SCR systems. Although I am not in a position to assess whether the sale of such ECU flash equipment is illegal in a strict juridical sense, since it may actually depend on national legislation, it is clearly undermining the objectives of Euro 6 and VI emission legislation. I appreciate that vehicle manufacturers take steps to have their logos removed from the ECUFlash website on a voluntary basis.

In addition we should - e.g. at one of the next MVEG meetings - raise the awareness of Member States that ECU tampering equipment exists and is readily available for sale on the internet. We should also discuss possible ways to avoid or at least limit its sale and use, taking into account that legal and practical means are likely to be different in Member States. It would also be useful if vehicle manufacturers analysed possible loopholes in their ECU design that are exploited by the tampering tools with a view to closing them in due course. Obviously the issue will need permanent supervision, probably resulting in a cat-and-mouse game between manufacturers of vehicles and tampering tools. Our services will have an open ear to demands of vehicle manufacturers if they think amendments to legislation are necessary to facilitate this task, as it has been achieved e.g. by the amendment to point 2.3.1 of Annex I to Regulation 692/2008/EC defining the protection level of emission control computers, which was introduced by Regulation 566/2011/EC.

Best regards,

**Philippe JEAN**

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**Automotive Industry on Europa**

[http://ec.europa.eu/enterprise/sectors/automotive/index\\_en.htm](http://ec.europa.eu/enterprise/sectors/automotive/index_en.htm)  
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**From:** [pg@acea.be](mailto:pg@acea.be) [<mailto:pg@acea.be>]  
**Sent:** Wednesday, April 25, 2012 5:17 PM  
**To:** JEAN Philippe (ENTR); STEININGER Nikolaus (ENTR)  
**Cc:** [dl@acea.be](mailto:dl@acea.be); REPPLINGER-HACH Renate (ENTR)  
**Subject:** EMISSION CONTROL DEFEAT DEVICES ADVERTISED ON THE WEB  
**Importance:** High

Dear Philippe and Klaus,

Once again the company "ECUFlash" are advertising their solution to delete AdBlue warnings as well as reprogramming engine ECUs, see:

<http://www.ecuflash.co.uk/adblue-removal/>

Some 2 years ago when this issue came up, vehicle manufacturers managed to have the association of this website with their company removed, i.e. the company logos were removed from the website. However, the logos are now back on the website and vehicle manufacturers are taking steps to have them removed again.

Earlier today I copied Klaus an example where the US authorities siezed a website domain name from a company selling 'illegal' information that was against the interests of vehicle manufacturers. Can't the EU also act like the US Department of Homeland Security and take similar measures against websites offering goods or services that are against the common interest?

While the definition of 'illegal' may not work in this case (not illegal for ecuflash to sell the devices but maybe illegal for a vehicle owner to be caught using them - if that's at all possible), is it not at least time for the type approval framework directive to start inserting items into Annex XIII and impose the approval conditions of Article 31.

Clearly, the devices on this web-page pose a significant risk to the correct functioning of essential (approved) environmental systems.

Most grateful for your advice how this issue can be followed up at EU level to stop such devices being sold that defeat the objective of EU legislation and the substantial investments by industry into complying with EU legislation.

best regards,

Paul Greening

**Dr Paul Greening**

Director Emissions & Fuels

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