

## PRESS RELEASE

### **German Environmental Aid takes stock of "Dieselgate" after six months – Many car manufacturers use defeat devices – KBA proceedings against Daimler, Opel and VW**

Measured nitric oxide levels of a Smart cdi diesel almost four times higher than a 28-ton Mercedes-Benz Truck – Administrative Court of Schleswig sends the DUH the 581-page blacked-out VW Dieselgate file of the KBA – Federal Government puts economic interests of carmakers above the health of its citizens: no constraints in Germany for reducing on-road nitrogen oxide emissions – DUH requests support for the intensification of its own NO<sub>x</sub> and CO<sub>2</sub> measurements

Berlin, 21 March 2016: On 17 September 2015, the German Environmental Aid (DUH) launched its "Diesel exhaust fumes kill" campaign. One day later, news of the VW exhaust scandal broke. Six months later, the statements made by the DUH at the time have been corroborated. As part of the official investigations, the Federal Motor Transport Authority (KBA) has manifestly measured strikingly high nitrogen oxide (NO<sub>x</sub>) values in many German and foreign vehicles. After the DUH has, since October 2015, found indications of defeat devices in all its own investigations and published these findings, in the meantime, several more car manufacturers beyond the VW group have admitted to using defeat devices, which reduce emission control at a slightly higher or lower temperature than the temperature found in the laboratory. The manufacturers justify this by arguing that reducing the effectiveness of emission control is necessary in order to protect the "engine against damage". In the view of the DUH, this reasoning is a purely defensive statement. Under the current EU type-approval procedure, vehicles must demonstrate a functioning emission control "in normal use", i.e. also under all normally occurring temperatures and not only between 20–30 degrees Celsius. According to information of the DUH, official consultation processes are currently underway at the KBA or the Federal Ministry of Transport to prepare an official hearing procedure against Daimler AG, Adam Opel AG and the Volkswagen Group.

For the past six months, Federal Transport Minister Alexander Dobrindt has refused to give Parliament and the public information on the present values measured on the road since November and on the abnormalities found in the 56 diesel vehicles investigated. Since 1 October 2015, the DUH has been trying to obtain information about manufacturer-specified technical requirements or present readings in various administrative procedures. In the case of the VW recall conditions, the DUH brought an action for failure to act against the Federal Republic of Germany in January 2016. The KBA thereupon determined in February that the DUH does have a legal right to information. However, Volkswagen AG did not agree to the disclosure and so last Friday, on 18 March 2016, the DUH got the completely blacked out 581-page VW file from the Administrative Court of Schleswig that it had appealed to "for a week's perusal" (to the file: <http://l.duh.de/flgo2>).

*"In the United States, the environmental authorities are demanding that diesel cars on the road comply with the limit values or have to be repurchased. As early as February, France published the*

*increased nitrogen oxide and CO2 levels measured. And Environment Minister Ségolène Royal is calling for catalysts that work even at low temperatures. At the epicentre of the diesel exhaust scandal, Transport Minister Dobrindt acts as a puppet of the auto bosses, refuses any transparency and, despite 10,000 annual deaths, renounces any guidelines to reduce real exhaust emissions," says Jürgen Resch, National Director of the DUH.*

Today (21 March 2016), the DUH is presenting new in-house exhaust measurements on a Smart diesel that shows alarming NOx emissions (to the test report: <http://l.duh.de/p210316a>). The investigations were carried out at the exhaust gas test lab of the Bern University of Applied Sciences in Switzerland in February and March 2016. In these tests, the Smart significantly exceeded the Euro 5 emission limits for NOx emissions in all tests driven on the dynamometer with a warm engine. Compared to a 28-ton truck, likewise made by Daimler (Actros 1842 Euro 6), which, according to the Federal Motor Vehicle Office, had a value of 158 mg NOx/km as measured on the road, the Smart exceeds this value in the CADC driving cycle (the CADC cycle is used to determine the car emission factors used) by almost four times (589 mg/km). During or after the tests, the vehicle reported no OBD errors via the warning lamp (MIL), despite the greatly increased emissions.

Traffic expert Axel Friedrich explains: *"The exceedances of the NOx emissions detected in the world's smallest diesel car are not only absolutely unacceptable because of their amount, but they also display a pattern that is technically not plausible. The fact that this vehicle does not once comply with the NOx limits for a functioning emission control operating at optimum temperature is technically not plausible. If manufacturers declare that they are not using any cycle identifier, this should be backed by independent road measurements."*

Since the beginning of the exhaust scandal in mid-September, the Federal Ministry of Transport (BMVI) has declined all requests for interviews with the DUH. Only by recourse to legal action has the DUH succeeded in getting any feedback through disclosure procedures and applications to force the withdrawal of type approvals. Thus the BMVI told the DUH on 17 March 2016 about the still ongoing and still not completed investigations of the Opel Zafira diesel by the KBA. After the revelations of the DUH in October 2015, this vehicle was also conspicuous in follow-up tests carried out by the WDR (German TV company), the BBC and Belgian television. In the inquiry of the French government carried out in February 2016, the real NOx and CO2 deviations were respectively the highest of all 22 vehicles tested.

*"Six months after the announcement of the exhaust gas scandal at Volkswagen, we have sent extensive evidence of possible defeat devices in the Opel Zafira, Renault Espace, Fiat 500X, Mercedes-Benz C 200 CDI and C 220 CDI and now the Smart diesel to the Federal Ministry of Transport and other foreign authorities and have asked the authority to carry out official re-measurements," says Jürgen Resch. "After we examined a Mercedes model in more detail for the first time and published the results in December, we are still experiencing today violent threats from German carmakers, but especially from Daimler. It is increasingly turning out that Daimler cars on the road display similarly high – in some cases even higher – nitrogen oxide emissions than the fraudulent VW diesel."*

As of April 2016, the DUH is to expand its emission measurements and, besides other laboratory measurements, will start measuring real nitrogen oxide and CO2 emissions on the road using PEM systems. Moreover, the DUH will intensify its efforts to explain the way defeat devices work. In order to finance this work, it is asking for donations because government agencies do not support these measurements and, in individual cases, have even hindered them to date.

**Information and background:**

For the test report and press photos of the smart fortwo cdi coupe tested as well as a graph regarding the Actros-Smart comparison, see <http://l.duh.de/p210316a>. The blacked-out KBA file regarding the VW recall can be found here: <http://l.duh.de/flgo2>.

**Contact:**

Jürgen Resch, DUH National Director  
030-2400 8670 | 0171-364 9170 | resch@duh.de

Dr Axel Friedrich | International Traffic Director  
0152-2948 3857 | axel.friedrich.berlin@gmail.com

**DUH Press Office:**

Daniel Hufeisen | Ann-Kathrin Marggraf | Laura Holzäpfel  
030-2400 86720 | presse@duh.de | www.duh.de  
www.twitter.com/umwelthilfe | www.facebook.com/umwelthilfe