

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(87) 33 final

Brussels, 5 March 1987

COMMISSION PROPOSAL  
to amend  
DIRECTIVE 85/210/EEC  
on the approximation of the laws of the Member  
States concerning the lead content of petrol

---

(presented by the Commission)

COM(87) 33 final

C. C. Corp 3/1

Explanatory memorandum

This proposal for a directive, amending directive 85/210/EEC, concerns the complete withdrawal of leaded regular petrol from national markets in those Member States which would wish to accelerate the introduction of unleaded petrol in order to further protect their populations from the emissions of lead.

Directive 85/210/EEC calls for the rapid introduction of unleaded petrol, its ultimate aim being the elimination of lead in petrol. This new proposal is another logical step in the general efforts of the Commission to bring down environmental pollution by lead: Directives setting quality standards for lead in air and drinking water have been adopted and work is in hand concerning a proposal to limit the lead content of paint.

With regard to the lead content of petrol a first Directive (78/611/EEC) was introduced in 1978.

The removal of lead from petrol has two effects; one being the reduction of lead emissions and the other the possibility of using lead-sensitive pollution control techniques.

This amendment to Directive 85/210/EEC aims to ensure that greater environmental benefit is gained from the accelerated introduction of unleaded petrol.

At present many Member States have a two grade system comprising leaded premium and leaded regular.

By 1 October 1989 at the latest all Member States must ensure the availability and balanced distribution of unleaded petrol with octane numbers of at least 85,0 (MON), 95,0 (RON). (Directive 85/210/EEC, Art. 5(1)).

Besides this, Directive 85/210/EEC also allows for the marketing of another unleaded grade with lower octane numbers.

For a large number of petrol stations it will be physically and financially difficult to stock four types and a choice will therefore have to be made. Logically the choice ought to be for leaded and unleaded 'premium' with unleaded regular as the third type.

This choice has to take into account the following facts :

- A leaded type of petrol must continue to be available so that cars which require a leaded petrol can continue to function.

There are also cars on the market which require petrol with a higher octane number than unleaded premium.

Leaded premium therefore has to be retained.

- Unleaded premium is required by the directive.

- Leaded regular particularly when an unleaded regular comes on to the market is not technically necessary.

Some older types of cars which were designed to run on regular petrol require a small amount of lead in that petrol because of its effect as a lubricant on the valveseats. Without this lead the engine would still continue to function but the lack of lubrication could lead to serious damage.

The percentage of engines which require a leaded petrol will decrease over time as a result of normal scrapping of older vehicles and the introduction of newly designed engines able to run on unleaded petrol.

At the moment out of 97 million petrol-engined cars on the road in the Common Market, 20 million are designed to run on regular petrol. Of these the majority are able to run on unleaded fuel. Virtually all new cars currently on the market and designed to run on regular petrol can use unleaded fuel.

For the remaining cars which cannot switch to unleaded petrol when leaded regular petrol disappears from the market there will be two possibilities.

Either they switch to leaded premium or they switch to a combination of leaded and unleaded in the sense that they take on leaded premium only every 3 or 4 tank fulls. Switching to either leaded premium or a combination of such premium and unleaded petrol will not have any effect on the level of noxious emissions in the exhaust gases.

The total lead burden in the air is closely linked to the lead in petrol and it is clear from the foregoing that any move to reduce or remove this source of lead will be of direct benefit to the environment. The table on page 5 gives an indication of the amounts of regular and premium petrols used.

For Member States who have already taken steps to reduce lead pollution by going from 0,4 g Pb/l to 0,15 g Pb/l but where lead pollution is still considered to be a serious problem in respect of the environment and public health it has to be recognised that these Member States should have the possibility of prohibiting the sale of regular leaded petrol on their national market.

Admittedly some motorists will be faced with a slight increase in costs, which, however, is justifiable as a direct consequence of the move towards a significant reduction in the pollution of the atmosphere (ERGA II, part 2, section 3).

In a situation where the government authorities have not introduced (fiscal) incentives, petrol prices are likely to rise in accordance with the small percentage increase in the costs of refining. This cost increase is due to the fact that the energy usage per tonne of gasoline is higher for unleaded petrol than for the equivalent leaded grade. In working group ERGA II the implications for the oil industry were extensively investigated prior to the adoption of Directive 85/210 (ERGA II - Air Pollution, part 2, section 2).

It is recognised, that particularly for the small petrol station, with possibly a slower turn-over, an immediate ban on the sale of regular leaded petrol could have serious commercial consequences.

To avoid such problems a period of six months notice has therefore been introduced so that neither producer, retailer or consumer is faced with sudden changes with respect to the marketing of leaded regular petrol.

In view of the foregoing it has been decided to make the introduction of Directive 85/210/EEC more flexible, in the immediate future Member States who want to further protect their populations from the emissions of lead will be given the possibility of prohibiting leaded regular petrol from their national market.

For industry there are two advantages to this approach. Firstly where the directive is brought into force before October 1989 small retailers will not need to install extra tanks for unleaded petrol. This means they can avoid costs of 25 000 to 40 000 ECU for a new tank and pump. Secondly, as the prohibition of leaded regular petrol puts the small and larger stations on a more equal footing there is a further competitive advantage for the smaller retailers.

The fact that investments are avoided and competition increased means also that there will probably be a positive effect on employment. Certainly loss of employment will be prevented.

However, such an approach cannot be maintained indefinitely as this could lead to long-term economic disadvantages and disparities in the levels of the protection of the environment.

Therefore the Commission will make further proposals.

EC Petrol Consumption by motor vehicles - 1984

	<u>%</u>	<u>%</u>	<u>Consumption (million</u>	
	<u>Premium</u>	<u>Regular</u>	<u>Total</u>	<u>Regular</u>
Germany <sup>1</sup>	56	44	23.8	10.7
France	86	14	18.5	2.6
Italy	95	5	11.6	0.6
United Kingdom <sup>1</sup>	87	13	20.1	2.6
Belgium <sup>1</sup>	90	10	2.6	0.3
Netherlands <sup>1</sup>	76	24	3.5	0.8
Spain	81	19	5.5	1.0
<u>EC 7</u>	79	21	86.6	
Denmark <sup>1</sup>	63	37		
Greece <sup>2</sup>	71	29		
Luxembourg	93	7		
Ireland	90	10		
Portugal	-	-		

Source : P.R.I.

---

<sup>1</sup> 0.15 g Pb/L

<sup>2</sup> 0.15 g Pb/L for Athens area.

Number of "unleaded" pumps in Member States in October 1986

Belgium	100
Denmark	900
F.R. Germany	10.000
France	89
Greece	50
Ireland	N.A.
Italy	90
Luxembourg	25
Netherlands	8.000
Portugal	N.A.
Spain	70
United Kingdom	146

Source : DG XVII

**COMMISSION PROPOSAL**

to amend

**DIRECTIVE 85/210/EEC**

on the approximation of the laws of the Member  
States concerning the lead content of petrol.



The Council of the European communities having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas Council Directive 85/210/EEC of 20 March 1985 on the approximation of the laws of the Member States concerning the lead content of petrol calls on the Member States to reduce, as soon as they consider it appropriate, to 0,15 g Pb/l the permitted lead compound content, calculated in terms of lead of the leaded petrol put on their markets,

Whereas the aforementioned Directive obliges Member States to take the necessary measures to ensure the availability and balanced distribution within their territories of unleaded petrol from 1 October 1989,

Whereas serious damage to the environment and to public health has been observed and attributed to lead, and considering that leaded petrol is a major source of such pollution, Member States must be allowed to prohibit the marketing of regular leaded petrol.

Whereas the European Community is committed to reducing the use of leaded petrol and whereas this is to be considered as part of a sustained effort to further limit the exposure of the population to lead in the environment,

Whereas leaded premium petrol, which will continue to be available, ensures the satisfactory operation of all vehicles requiring leaded petrol, and that its use as a substitute for leaded regular petrol will not have any effect on the level of noxious emissions in the exhaust gases,

---

Whereas at least six months notice should be given to the public before  
leaded regular petrol is banned from national markets,

Whereas the Commission will present further proposals in this field,

Has adopted this Directive.

Article 1

Article 2 of Directive 85/210/EEC of 20 March 1985 is amended as follows :

2(1) As from the entry into force of this Directive and subject to paragraphs 2 and 4, Member States shall continue to ensure the availability and balanced distribution of leaded petrol within their territories.

2(2) unchanged

2(3) unchanged

2(4) On the justifiable grounds of the need to protect the environment and public health, Member States may prohibit the marketing within their territories of leaded petrol having a motor octane number (MON) lower than 85.0 and a research octane number (RON) lower than 95.0 at the pump. If a Member State introduces such a prohibition it shall give at least six months notice to the public.

Article 2

1. Member States shall inform the Commission in advance of any measures they intend to take pursuant to this Directive.

2. Member States shall communicate to the Commission the texts of the provisions of national law which they adopt in the field governed by this Directive.

Article 3

This Directive is addressed to the Member States.

EVALUATION DE L'IMPACT DE CERTAINES DIRECTIVES SUR LES  
PETITES ET MOYENNES ENTREPRISES

---

1. La présente proposition de directive portant modification de la directive 85/210 relative à l'introduction d'essence sans plomb n'impose aucune obligation administrative à l'industrie.  
Les autorités nationales sont tenues d'accorder un délai de six mois avant de mettre cette directive en oeuvre.
2. Cette directive présente deux avantages pour le secteur industriel.  
Premièrement, dans le cas où la directive est mise en oeuvre, les petits distributeurs n'auront pas besoin d'installer des réservoirs supplémentaires pour l'essence sans plomb. En d'autres termes, ils évitent des frais de l'ordre de 25.000 à 40.000 ECU pour un réservoir et une pompe.  
Deuxièmement, du fait de l'interdiction de vendre de l'essence normale avec plomb, les petites et grandes stations-services se retrouvent davantage sur un pied d'égalité, ce qui présente un avantage, au niveau de la concurrence, pour les petits distributeurs.
3. Cette proposition de directive n'implique aucun coût supplémentaire.
4. Le fait que l'on évite de nouveaux investissements et que l'on accroît la concurrence aura probablement un impact positif sur l'emploi. On évitera en tout cas des pertes d'emplois.
5. Cette proposition n'implique pas de consultation des partenaires sociaux.
6. Une totale interdiction de commercialiser de l'essence normale avec plomb a été envisagée mais rejetée.