



OEM BULLETIN

LIEBHERR

The Union of the European Lubricant Industry (UEIL) is the umbrella association of the European Lubricants Industry, representing their members and, in particular, the interests of SMEs and independent lubricant companies. To date, the UEIL represents more than 450 lubricant companies, who manufacture and distribute lubricant products under their own various trademarks throughout the European Union. With members in more than 22 European Countries and a unique collective experience of lubricants and the lubricants market, UEIL is the sole representative body for independent manufacturers of lubricants in Europe and has been recognised as such by the European Commission. It is UEIL's policy to favour free and fair competition within the scope of prevailing EU and national laws.

In July 2016, UEIL issued an OEM Bulletin related to a case against Liebherr in regard to the development of EMT LH-00-Minimum-HYE, minimum requirements for hydraulic fluids in earth moving equipment.

Issuance of the OEM Bulletin was based on the understanding that Liebherr would continue dialogue with UEIL during the drafting of the minimum requirements. In addition, UEIL understood that Liebherr would amend the wording on warranty limitations and exclusions in their owner's manuals to clarify the scenarios in which such limitations and exclusions apply.

However, subsequent UEIL correspondence with Liebherr as to the OEM's intentions in regard to communicating on this matter dated 25 July 2016 did not receive a response. Subsequent UEIL correspondence was answered on 6 March 2017 informing UEIL that internal compliance requirements had yet to be completed on the finalised draft of EMT LH-00-Minimum-HYE.

The full binding German version of the documentation was provided to UEIL on 2 May 2018, to which UEIL submitted comments highlighting inconsistencies between the English and German language versions on 2 October 2017. Liebherr committed to reconciling these inconsistencies and provided UEIL with amended versions in May 2018, to which UEIL have in turn suggested additional improvements.

UEIL are again satisfied that Liebherr is committed to addressing our remaining concerns in a positive and constructive dialogue.

Brussels, January 2019