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| <b>Date:</b>    | 29 September 2016   | <b>Time:</b>        | 09:00 hrs      |
| <b>Subject:</b> | <b>Decision No 6</b>  | <b>Document No:</b> | <b>2.9</b>     |
| <b>From:</b>    | The Stewards  |                     |                |
| <b>To:</b>      | The competitor with car no <b>23</b> <b>Name: Luca Rossetti</b><br>Crew: <b>Luca Rossetti / Eleonora Mori</b> |                     |                |
|                 | Number of pages 3   |                     | Attachments: 0 |

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The steward received a report by the FIA Technical Delegate of the analysis of a fuel sample taken from your car during BARUM CZECH RALLY Zlin. The analysis shows that the fuel sample does not meet the requirements of Appendix J Article 252.9 (RON 103.2 instead of 102.0, oxygen content 4.3% instead of 3.7% and aromatics content 37.7% instead of 35.0%).

The competitor and the stewards agreed to written procedures in this matter. The stewards received a letter of defence in due time.

Mr. Rossetti and Toyota Motorsport GmbH (GER) explained that for the pre-event test and the Barum Czech Rally the team used the Aral Ultimate 102, available in most of the Aral petrol stations in Germany.

In the pre-event test the team covered more than double the kilometers that it originally has estimated. During the rally Barum the car had a slightly higher fuel consumption than expected. On Saturday evening the team realized that it could not drive the entire rally with the Aral fuel which was brought to the Barum Czech Rally. Knowing this, the team searched for some suitable fuel from a petrol station, but realized that in and around Zlin they could only find fuel with max 98 RON. The car could not run with this fuel, without risking an engine failure, as the team did not have an engine map prepared for a fuel with a lower amount of RON than 102.

The team then started to ask some other teams in the service park, if they could have some available fuel to sell. We found a team which had some Panta fuel available, as their car retired on Friday. The car no 23 was filled with this Panta fuel for the 3 re-fuelling zone on Sunday. The samples of fuel which were taken at final scrutineering were then a mixture of this Panta fuel and the Aral Ultimate 102.

After receiving the communication of the non conformity of the fuel sample, and after confirming that also the analysis done on the teams' fuel sample showed very similar results, it turned the attention to the Panta fuel which was given during the rally, as the only possible explanation for the non conformity. The fuel received by the team in the service park was the Panta "SuperMax". After asking directly Panta for the fuel specification of their fuel SuperMax and the team found out that this fuel is **not FIA homologated** and has a higher number of RON (108,8) than allowed by the Appendix J art. 252.9. The FIA homologated Panta fuel in their range of products is called "MAXWRC".

The letter of defences also reads:

*"After our investigations, it is now clear the reason for the non conformity of our fuel at the end of the rally. We mixed a 102 with a 108 RON fuel and we ended up with a mixture of 103.2 RON.*

*This is a clear mistake from our side and the team Toyota Motorsport GmbH takes the full responsibility of what happened and the non conformity of our fuel at the end of the event. Unfortunately none of the people on our team present at the Barum rally paid enough attention to*

*the name of the Panta fuel we bought and thought that we would receive a nonhomologated fuel from a team that was taking part in the same event.*

*The Barum rally was a one off event for Toyota Motorsport GmbH and the first in the ERC and this was part of the development program we are doing on this new R3 car: the main target of this event for us was to assess the performance and potential of our car in the highly competitive ERC, so it was definitely not our intention to alter the performance of our car by using a fuel not conforming with the regulations.*

Reminder on the facts:

1. Even Toyota Motorsport GmbH takes the full responsibility on the infringement, the competitor/entrant is Mister Luca Rossetti and as such responsible for all acts or omissions of the team personnel (ISC Article 9.15.1).
2. The fuel analysis of an independent laboratory shows that the fuel sample taken from car no 23 does not meet the requirements of Appendix J Article 252.9.
3. In the letter of defence makes very clear that the team got the panta fuel in a negligent act, without checking the compliance of the fuel with Appendix J Article 252.9.

On this grounds, the stewards

**DECIDED**

- to **exclude** car no 23 from the official final classification of the Barum Czech Rally Zlin 2016.
- to **remove all ERC3 Championship points** of the driver and the co-driver received in the Barum Czech Rally Zlin 2016
- to **direct the organizer** of the Barum Czech Rally Zlin 2016 change the official final classification by removing car no 23 from the classification and move up all competitors by one place in the classification. Also the allocation of ERC3 Championship points must be revised accordingly.
- to levy a **fine of 1.000 EUR** to the competitor.
- to **award the costs of 500 €** (transport and analysis) of the fuel test to the competitor.

The fine and the costs ( 1.500 €) have to be paid within 96 hours to the Organizer of Barum Czech Rally Zlin

**The competitor is reminded of his right to appeal.**

He must, however, under pain of forfeiture of his right to appeal, notify the stewards in writing (per email) of their intention to appeal **within 24 hour** of the publication of the decision.

The right to bring an appeal to an ASN **expires 96 hours** from the moment the stewards are notified of the intention to appeal on condition that the intention of appealing has been notified in writing to the stewards within 24 hour of the publication of the decision.

The appeal must be signed. The time limit will not be considered as observed if the notice of appeal is mailed within 96 hours, but does not arrive within this time limit. The appeal may be lodged within this period by fax or by any other electronic means of communication with confirmation of receipt, confirmation by a letter of the same date (mail stamp) is required.

An appeal deposit, the amount of which is specified in the supplementary regulations, becomes due from the moment the appellant notifies the stewards of the intention of appealing and remains payable even if the appellant does not follow up the declared intention to appeal.

This deposit must be paid within 96 hours counting from the moment the stewards are notified of the intention to appeal. Failing this, the appellant's Licence will automatically be suspended until payment has been made.

**The reasons for the appeal must be stated later on.** The time limit therefore is one week, beginning from the day when the appeal has been lodged. This time limit may be prolonged upon application. Even if the appellant does not follow up the declared intention to appeal (notice of appeal), the appeal deposit nevertheless remains payable in consequence of the notification.



**Uwe M. SCHMIDT**  
FIA Chairman of the Stewards



**Antonio ANDRADE**  
FIA Steward



**Tomáš KUNC**  
ASN Steward

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**Received by:**

Name:

Entrant:

**Luca Rossetti**

Car No: **23**

Crew:

**Luca Rossetti / Eleonora Mori**

Date:

Time:

Signature:

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