



**TO: O.E.M. Dealers, Retailers and Independent Distributors**

**SUBJECT: New Phase 3 Engine Standards Affecting Retailers and Importers of Lawn and Garden Equipment.**

**DATE: November 2, 2009**

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We would like to share with you the latest Environmental Protection Agency (EPA) Phase 3 Emissions Standards Compliance and Regulations. These regulations directly affect non-road spark-ignition engines that operate at or below 19 kW. The regulations also define responsibilities for **manufacturers, retailers, dealers and distributors** and allow the government to assess civil penalties against these groups of up to **\$37,500 per engine** or piece of equipment that fails to meet the new standards. As you know, this will affect the majority of products you sell and possibly the parts you may use for service.

This service letter is meant to assure you that Briggs & Stratton Corporation is fully aware of the changes taking place and that we have a program in place to ensure that our product offering will meet the new EPA Phase 3 standards when they become effective. We also want to assure you that the engines in our current product offering have been tested and meet EPA Phase 2 standards.

By using original Briggs & Stratton replacement parts you can ensure that the Briggs & Stratton engine they are installed on complies with applicable EPA emission regulations.

Everyone has a responsibility regarding our environment. The EPA has summarized the responsibilities and liabilities that apply to Dealers at [www.epa.gov/otaq/consumer/f98025a.pdf](http://www.epa.gov/otaq/consumer/f98025a.pdf)

**“What are the responsibilities for Dealers performing maintenance?”**

What are my liabilities as a dealer? Tampering with a certified small engine is against the law. Having knowledge of the rules regarding tampering is important. You may be tampering (and consequently subject to civil penalties) if you knowingly disable an emission control system component or element of design of a certified engine. This could include adjusting the engine's fuel or exhaust system or changing the engine's performance so it no longer meets the manufacturer's specifications. It could also include the improper venting of crankcase emissions. **“You may also be tampering by installing a part that is not the same in design and function as the part originally installed, or adding a new part not originally certified with the engine.”**

Please take this opportunity to read and understand the guidelines, penalties, and timelines. If you have any questions about the Phase 3 standards, contact the EPA at [www.epa.gov/otaq/equip-ld.htm](http://www.epa.gov/otaq/equip-ld.htm)

If you have any questions about Briggs & Stratton's compliance to EPA standards, contact your Briggs & Stratton representative.

Thank you for your continued support,

Mike Barnett  
Service Marketing Manager  
Briggs and Stratton Corporation

**BRIGGS AND STRATTON CORPORATION**  
Distribution Sales & Customer Support