

New EU rules on labelling of tyres

OVERVIEW

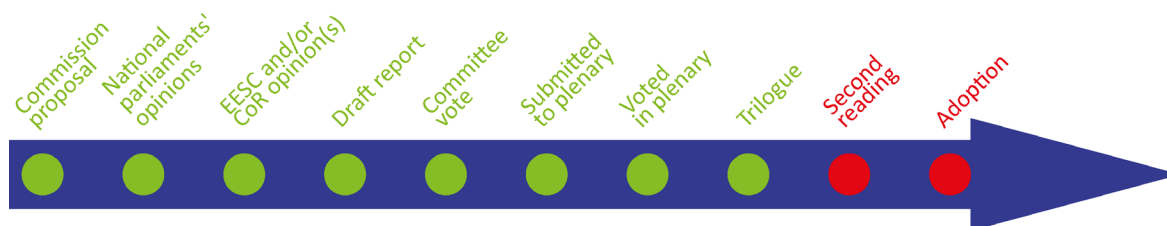
On 17 May 2018, the European Commission adopted a proposal for a new regulation on the labelling of tyres for the purposes of fuel efficiency, safety, and noise reduction. This would replace the 2009 Tyre Labelling Regulation (TLR), while maintaining and reinforcing most of its key provisions.

The proposed regulation would increase consumer awareness of the tyre label, and improve market surveillance and enforcement of TLR provisions across the EU Member States. Suppliers would be obliged to display the tyre label in all forms of purchase, including where the tyre is not physically shown in the store and where it is sold online or on a long-distance basis. Whereas the tyre label is currently applicable to passenger and light-duty vehicles, in future it would also apply to heavy-duty vehicles. The new label would include visual information on tyre performance in snow or ice conditions, and could be adjusted by means of delegated acts to include information on mileage, abrasion or re-studded tyres. Tyre labels would be included in the product registration database being set up as part of the revised EU framework for energy efficiency labelling.

On 13 November 2019, successful trilogue negotiations resulted in a provisional agreement on the content of the new regulation. Council and then Parliament need now to formally adopt the new TLR, which would allow its provisions to become applicable from 1 May 2021.

Proposal for a regulation of the European Parliament and of the Council on the labelling of tyres with respect to fuel efficiency and other essential parameters and repealing Regulation (EC) No 1222/2009

<i>Committee responsible:</i>	Industry, Research and Energy (ITRE)	COM(2018) 296 17.5.2018
<i>Rapporteur:</i>	Henna Virkkunen (EPP, Finland)	2018/0148 (COD)
<i>Shadow rapporteurs:</i>	Miapetra Kumpula-Natri (S&D, Finland) Dominique Riquet (Renew Europe, France) Jutta Paulus (Greens/EFA, Germany) Grzegorz Tobiszowski (ECR, Poland) Marisa Matias (GUE/NGL, Portugal)	Ordinary legislative procedure (COD) (Parliament and Council on equal footing – formerly 'co-decision')
<i>Next steps expected:</i>	Adoption by Council followed by second reading in Parliament	



Introduction

On 17 May 2018, the European Commission adopted a proposal for a [new regulation on tyre labelling](#) with respect to fuel efficiency and other essential parameters (including safety and noise reduction), part of a set of legislative proposals and non-legislative actions that constitute the [third 'Europe on the move' package](#).

Lowering the demand for energy by 'putting energy efficiency first' is one of the five main objectives of the [energy union strategy](#) adopted by the Commission in February 2015. On 30 November 2016, the Commission proposed a binding 30 % improvement in EU energy efficiency, part of a [revised Energy Efficiency Directive](#) (EED) that is under negotiation between the Council and the Parliament. With a target of 32.5 % agreed by Parliament and Council for the revised EED (but not yet formally adopted), this will be difficult to achieve without a strong contribution from the transport sector, which accounts for almost one third of EU energy consumption. Since 2005, energy consumption in transport has declined far less than in other key sectors (industrial, residential). Passenger transport is expected to increase by over 40 % by 2050, with an even greater increase (60 %) in freight transport. This makes it all the more urgent to improve fuel efficiency in the EU transport sector.

Energy consumption in transport has a direct impact on greenhouse gas (GHG) emissions, which are especially high in the transport sector due to its reliance on fossil fuels. The EU is seeking to reduce GHG emissions by over 40 % by 2030 (compared to 1990 levels), which will require significant improvements in decarbonising our means of transport, as well as much greater fuel efficiency of vehicles. Road transport was responsible for about 22 % of the EU's total GHG emissions in 2015, with a steady increase since 1990 when the share was 13 %. Tyres account for 20-30 % of a vehicle's fuel consumption due largely to their rolling resistance. So more fuel efficient tyres can ultimately have a significant impact on final energy consumption in the EU.

Existing situation

The 2009 Tyre Labelling Regulation (TLR) harmonises the information on key tyre parameters provided to end-users across the EU, allowing them to make informed purchasing choices as to the safety and fuel efficiency of tyres they buy. The TLR is complemented by the 2009 [General Safety Regulation](#) (GSR) for motor vehicles, which includes harmonised technical requirements that tyres must satisfy before they can be placed on the EU market. The GSR puts in place minimum requirements for rolling resistance, wet grip performance, and external rolling noise of tyres. These became mostly applicable from November 2012, although more stringent requirements for rolling resistance are being introduced in 2018 and 2020. The three parameters assessed by the GSR are the same as those listed on the tyre label under the TLR. Meanwhile, the [EU framework for energy efficiency labelling](#) was revised by the EU in 2017 to include not only a full rescaling of all product groups (on a new A-G scale) over a precise timeframe, but also the creation of a mandatory and comprehensive product registration database, freely accessible to both producers and consumers.

The TLR and the GSR are in a way parallel to the EU's energy labelling and ecodesign requirements, which are not directly applicable to the transport sector. The TLR covers three different types of tyre: C1 (passenger cars), C2 (light commercial vehicles) and C3 (heavy commercial vehicles). The three main performance parameters are included on the label for C1 and C2 tyres: fuel efficiency, wet grip, and external rolling noise. For C3 tyres, there is no label but information on the three performance parameters must be provided in technical promotional material. These parameters are assessed by means of a 'self declaration' process by manufacturers, that is, without any form of third-party certification. The TLR provides for a review of its functioning three years after its main provisions enter into effect (i.e. after November 2015), with a view to identifying any shortcomings that may require legislative revisions.

Parliament's starting position

On 22 April 2009, the European Parliament adopted a [first-reading text](#) on the regulation on labelling of tyres with respect to fuel efficiency and other essential parameters, setting out its priorities on the Commission proposal. Whereas some of these positions were incorporated in the final legal text (approved in second reading on 25 November 2009), others were excluded because of the need to reach a compromise with the Council and the Commission.

Parliament's first-reading text had proposed a fuel savings calculator for C1 and C2 types (as already existed for C3 tyres), to serve as a meaningful comparative tool on the potential savings of fuel, money and CO₂. Parliament had proposed taking into close consideration the specific parameters for snow and Nordic winter tyres, and place them on an equal footing with other tyres. Parliament had supported the development of a tyre-labelling website with standardised information on tyres including their fuel efficiency, wet grip and noise emissions. Parliament had supported harmonised tests that would provide end-users with a reliable and fully representative ranking. It had called for Member States to ensure stronger market surveillance through a system of routine and non-routine inspections. Parliament had successfully insisted that the new regulation should be reviewed within three years of entering into force. This would give an opportunity to consider, amongst other things, whether the tyre label was effective in terms of raising consumer awareness and whether other parameters should be introduced on the label.

Preparation of the proposal

In 2016, the Commission carried out an external [review study](#) on the TLR, whose findings heavily informed the Commission's 2017 report on assessing the need to review the TLR. The [Commission report](#) concluded that certain aspects of the TLR could be strengthened or made more effective, with potential for further fuel savings, increased road safety, and reduced noise emissions. The review study had found that the TLR delivered fuel savings of about 1 % in annual fuel consumption, together with increased safety performance and a slight decrease in external rolling noise. However, the review study found there was relatively low awareness among end-users concerning the existence of the tyre label, as well as inadequate enforcement of rules by Member States' market surveillance authorities (MSAs), leading to a high level of non-compliance. The labels included some outdated performance classes (e.g. no products in the lowest classes due to the application of GSR rules), as well as some inaccurate and incomplete information on the label (e.g. information on the performance of tyres in snow and ice conditions). Retreaded and studded tyres are not covered by the existing label, nor is abrasion and mileage.

A consumer survey conducted as part of the review study showed that less than half of car owners were aware that the tyre label existed, while up to 90 % of shops inspected by MSAs did not have their tyres on display. An open public consultation subsequently revealed that only 20 % of respondents had seen the label before purchasing tyres. Under the existing TLR, it is not a requirement for retailers to show the label in online shops or other distance-selling environments. Furthermore, tyres are not visible in many physical shops and, in such cases, there is currently no obligation for the label to be shown. For tyres sold with a new vehicle, the TLR only includes a requirement to provide information where end-users are offered a choice between different tyres, which does not occur in many instances.

The [impact assessment](#) (IA) accompanying the Commission's new legislative proposal sets out the various reform options in considerable detail, justifying which potential changes are recommended and which potential changes should be discarded. The IA recommends a specific combination of non-regulatory measures and targeted legislative measures. These would result in €7 billion of energy savings (net benefit to consumers of €2.8 billion once additional purchase costs are deducted), a 10 million tonne (Mt) reduction in CO₂ emissions, and an increased turnover of €9 billion in the manufacturing, wholesale and retail sectors. Administrative and compliance costs would be very limited and more than offset by the financial benefits. There would be no additional

costs for small and medium-sized enterprises (SMEs), since these are not responsible for manufacturing tyres in the global market.

The IA considers some reform options as potentially useful but technically unfeasible, so these were discarded at an early stage. This applies in particular to the inclusion of studded and retreaded tyres in the regulation, the inclusion of mileage and abrasion as performance parameters, and requirements for mandatory and independent third party testing. Yet the IA does not rule out incorporating some of these requirements in future if circumstances change, for example if testing becomes more standardised. The IA is informed by the 2016 external study as well as the results of an open public consultation (10 October 2017 – 8 January 2018) discussed below under the section Stakeholders' views. The IA received a favourable [opinion](#) from the Regulatory Scrutiny Board on 23 March 2018.

The changes the proposal would bring

The new Tyre Labelling Regulation (TLR) would have a dual legal basis: Article 114 (Internal Market) and Article 194 (Energy) of the Treaty on the Functioning of the European Union (TFEU). Its impact would be monitored and evaluated in a study to be carried out by 1 June 2026. The key [proposed changes](#) to the TLR are listed below.

The new tyre label would need to be shown in all situations where tyres are sold, including where they are not physically seen by consumers. The label would need to be shown in all forms of online or long-distance sales, and include a QR code for easy scan. The label would also need to be shown to end-users in case of purchase through a leasing contract or as part of a fleet deal.

Information on snow and ice performance would be included on the label with appropriate pictures.

In future, the label could be altered by means of a delegated act, in order to include information on mileage, abrasion, or re-treaded tyres (the latter once a suitable testing method is developed).

The label would be shown in visual advertisements and relevant technical promotional materials.

The new label would also apply to C3 tyres (heavy-duty vehicles), which are not covered by labelling requirements at present. C3 tyres consume more fuel and cover more kilometres per year than C1 and C2 tyres, so have greater potential in terms of reducing fuel consumption and emissions.

Label declaration would form part of the general type approval process for motor vehicles under the GSR.

Tyre labels would be included in the product registration database being set up as part of the new EU framework on energy labelling, in order to improve market surveillance and enforcement. New tyres would be entered into the product database from 1 January 2020 (older tyres by 30 June 2020).

The scales for the three parameters (rolling resistance, wet grip, external rolling noise) would be readjusted by means of delegated acts, in order to account for technical improvements that have led to the redundancy of some product classes (because these cannot be sold on the market under the GSR), the existence of empty classes, or the concentration of products in the higher classes (e.g. wet grip parameters for C1 tyres). However, unlike with new energy labels for household appliances, the Commission does not consider it necessary to undertake a full rescaling of all tyre labels.

The new regulation would enter into force on the 20th day following its publication in the Official Journal. Its provisions would become applicable from 1 June 2020.

Advisory committees

On 17 October 2018, the European Economic and Social Committee (EESC) adopted an [Opinion](#) (TEN/674-EESC-2018) on tyre labelling (rapporteur András Edelényi, Employers - Group I / Hungary). The EESC opinion is generally supportive of the objectives and content of the Commission proposal.

But it does propose the more gradual introduction of the logos on performance in snow and ice conditions, suggests that the existing parameter classes are adequate for at least one re-examination cycle (so no immediate rescaling is necessary), and believes the deadline for implementation should be extended by one year to allow for more detailed preparation.

The Committee of the Regions (CoR) did not adopt an opinion on tyre labelling.

National parliaments

National parliaments were [consulted](#) on this legislative proposal, which had a subsidiarity deadline of 31 July 2018. No reasoned opinions were submitted and no concerns were raised.

Stakeholders' views¹

The European Commission organised an open public consultation for stakeholders on the tyre labelling regulation. This was open from 10 October 2017 until 8 January 2018, receiving 70 responses. The [findings](#) of this public consultation are summarised in the impact assessment.

The public consultation reveals significant areas of agreement on the TLR among industry associations, non-governmental organisations (NGOs), and consumer associations. These different bodies broadly agree that label information should always be provided before purchase; Member States should run more awareness campaigns; and online labelling would improve the visibility of the label. They also agree that information on snow and ice performance of a tyre should be included on the label. However, there were also some areas of disagreement. Whereas most consumer associations and NGOs supported third-party verification of label testing and stronger market surveillance, there was no such agreement on these issues among industry associations.

ANEC (European consumer voice in standardisation) and **BEUC** (European consumer association) call for better visibility of the tyre label, including through awareness-raising campaigns. ANEC-BEUC insist in their joint submission that 'market surveillance is not adequately carried out and therefore enforcement of the legislation must be improved. Sanctions must be applied in cases of non-compliance'. ANEC and BEUC support the inclusion of information on tyres in the new product database being set up under the revised EU framework for energy labelling. They also support more rigorous testing of tyres, in order to better reflect real life performance.

Transport & Environment (a European-level NGO on energy and environmental issues) argues in favour of more rigorous and objective testing of tyres, noting that 'it is possible to test tyres' durability in real world conditions and the costs will come down as the tests are more widely used'.

European Tyre and Rubber Manufacturers Association (ETRMA) argues that it is too early to revise labelling scale requirements in terms of wet grip, fuel efficiency, and noise. ETRMA supports clearer pre-purchase information, stronger market surveillance, and greater awareness-raising about the energy label. However, ETRMA argues that industry does not support third-party testing of tyre performance, given the absence of a harmonised and standardised test method, and does not therefore see the value in replacing the existing system of self-certification.

Legislative process

The file was allocated to the ITRE committee, which nominated Michał Boni (EPP, Poland) as its rapporteur. The final [report](#) was adopted by the ITRE committee on 19 February 2019 (38 votes in favour, 16 against, 1 abstention) and adopted as a first-reading position by the Parliament on 26 March 2019. The ENVI committee adopted an opinion on 22 November 2018. After the 2019 elections to the European Parliament, Henna Virkkunen (EPP, Finland) took over as rapporteur, and took responsibility for leading the interinstitutional trilogue negotiations.

Parliament supported the main objectives of the Commission's proposal, while suggesting further improvements. Tyre labels would always need to be provided free of charge. Technical

documentation should be made available to any accredited third party (not just Member State authorities). To comply with the new TLR, national market surveillance authorities would need to establish a system of routine and ad hoc inspections of points of sale. F class tyres would no longer be placed on the market, while the F class itself would be displayed in grey on the energy label.

The Parliament position was strongly in favour of expanding the scope of the TLR. The Commission would be required to develop suitable testing methods for comparing snow and ice grips, and to adopt delegated acts that introduce snow and ice grip scales on all tyre labels. The Commission would likewise be required to adopt delegated acts covering retreaded tyres, within two years of the new TLR entering into force, provided that suitable testing methods are available. The Commission would need to evaluate the new TLR by 1 June 2022, accompanied by an impact assessment and a consumer survey. The evaluation report would assess the possibility to introduce new tyre classes, a new label format or new tyre parameters, in particular for mileage and abrasion (provided suitable testing methods are available). If considered appropriate, the report would be accompanied by a legislative proposal to amend the TLR.

The Council of the EU endorsed a draft [general approach](#) during a Coreper meeting on 20 February 2019 and formally adopted this in a meeting of EU energy ministers on 4 March 2019. The Council position sought to better clarify the respective legal obligations of suppliers, distributors and hosting service providers concerning online sales. Market surveillance authorities would have the right to recover from the supplier the costs of document inspection and physical product testing in cases of non-compliance. Furthermore, second-hand tyres would be explicitly excluded from the scope of the TLR, unless they came from third countries.

The Council sought to facilitate access to the public part of the product registration database (inter alia through the use of QR codes and open data), while strengthening data protection for the private part of the database (relating to compliance). Certain market sensitive information could be withheld from the product database and supplied directly (upon request) to type-approval or market surveillance authorities. The scope of the TLR would only be expanded gradually. The TLR would apply to re-treaded tyres only after the Commission adopts uniform rules on a suitable testing method and approves the necessary implementing acts. Once suitable testing methods become available for assessing mileage and abrasion, the Commission would be required to present a new legislative proposal on how to incorporate these into the TLR. The Commission would be empowered to amend any of the annexes of the TLR by means of delegated acts. The annexes contain all the detailed and technical information relating to the tyre label. An evaluation of the TLR would need to take place by 1 June 2027 and consider both the costs and benefits of mandatory independent third-party verification of the information provided in the label.

Trilogue negotiations concluded on 13 November 2019 with a [provisional agreement](#) in 'early second reading' that now needs to be adopted formally by Council and Parliament. The text was endorsed by the Permanent Representatives Committee in November 2019. The text was endorsed by the ITRE committee on 4 December 2019, paving the way to its formal adoption by the Council at first reading. Following that, the text will return to Parliament for adoption at second reading.

The provisional agreement is consistent with the original Commission proposal, albeit with certain adjustments and clarifications that reflect the demands of both Council and Parliament. These include the requirement for labelling information to be provided free of charge (Parliament demand), second-hand tyres to be excluded from the scope of the TLR unless they came from third countries (Council demand), clearer requirements for distance and online sales (demands of both Parliament and Council), making technical documentation available to any accredited third party (Parliament demand), clarifying the obligations of internet hosting platforms (Council demand), and improving mechanisms for market surveillance (demands of both Parliament and Council).

The Commission would expand the scope of the revised TLR by means of delegated acts, with a specific requirement to adopt a delegated act on retreaded tyres within two years of the new TLR entering into force, provided that a suitable and feasible testing method is available. A delegated

act to expand the scope of the TLR to incorporate mileage and abrasion would be required as soon as suitable testing methods are available, and after a thorough impact assessment and proper consultation of stakeholders is carried out. This may require a new legislative proposal to amend the TLR, as provided for in a new review clause. All these changes reflect key Parliament demands. Snow and ice grip would be included as an icon on those tyre labels that meet the required minimum standards in these fields, but there would be no specific scale for snow and ice performance.

The timeframe for including tyre labelling information in the energy labelling product database had to be significantly altered from the original Commission proposal (1 January 2020). As a result, only tyres produced after 1 May 2021 will be placed immediately in the product database. Those tyres produced between the entry into force of the revised TLR and 30 April 2021 must be inserted in the product database by 30 November 2021. Inclusion in the new product database remains voluntary for those tyres placed on the market before the revised TLR has entered into force.

All new provisions of the TLR would become applicable from 1 May 2021. The Commission is required to evaluate and report on the functioning of the new TLR by 1 June 2025.

EP SUPPORTING ANALYSIS

Wilson A., [Framework for energy efficiency labelling](#), EU Legislation in Progress, EPRS, European Parliament, July 2017 (final version).

Wilson A. and Sajn N., [Revised Energy Efficiency Directive](#), EU Legislation in Progress, European Parliament, January 2019 (final version).

OTHER SOURCES

[Labelling of tyres: fuel efficiency and other essential parameters](#), European Parliament, Legislative Observatory (OEIL).

ENDNOTES

- ¹ This section aims to provide a flavour of the debate and is not intended to be an exhaustive account of all different views on the proposal. Additional information can be found in related publications listed under 'EP supporting analysis'.

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