

Q&A – to accompany ETRMA publication of its second round PAH testing results - update November 3, 2011

1. In the second round testing, which tyres were found to be non-compliant?

ETRMA dossier number	Brand Name	Made in	Country of purchase	Year/week of manufacture	Plant Code <sup>1</sup>	E-Number	Tyre Size	Non compliant parts of tyre
<b>Passenger Car Tyres</b>								
111	Linglong	China	Italy	2010/34	0U	E4 0230192, 010608 S	165/70 R14 81T	SIDEWALL
136	Linglong	China	Germany	2011/15	0U	E4 0238424, e4 0248768-S; M+S	195/60R15 88H	TREAD
160	Fullway	China	Italy	2010/47	83	E4 0241090 - 010591S	205/65R15 94V	TREAD
204	Fullrun	China	Germany	2010/40	83	E4 0241078, e4 010955-S	175/65R14 86T	TREAD, SIDEWALL
<b>Truck</b>								
140	Torque	China	UK	2011/16	83	E4 0022866, e4 011649-S	295/80R22.5	TREAD, SIDEWALL
178	Chengshan	China	Germany	2011/4	4Y	E4: 0017544, 011575-S	385/65 R 22.5	SIDEWALL
179	Boto	China	Germany	2011/20	80	E4: 0016617, 011266-S	385/65 R 22.5	SIDEWALL
182	Austone	China	Germany	2010/51	4Y	E4: 0017544, 011575-S	385/65 R 22.5	TREAD, SIDEWALL
<b>Motorcycle</b>								
113	Golden Tyre	THAILAND	Germany	2010/31	1S	n.a.	3,75-19	SIDEWALL, BEAD FILLER

2. Where were the tyres that were tested in the second round manufactured?

In total, 94 tyres from 9 different countries were purchased at EU retail outlets and tested. Most of these tyres tested in the 2<sup>nd</sup> round were from Asia (China, Taiwan, India, Thailand, Sri Lanka, Korea, Japan, etc.), but we also tested tyres produced in Turkey, Russia and Portugal. One objective in this second round was to extend the testing scope beyond both the brands and countries tested in the first round, in order to have a better overall picture of compliance.

3. What are results from the two campaigns?

	1 <sup>st</sup> Round September 2010 February 2011	2 <sup>nd</sup> Round April 2011 September 2011	Total September 2010 September 2011
<b>Tyres</b>	110	94	204
<b>Brands tested</b>	45	51	75
<b>Number of Tests</b>	185	154	339
<b>Manufacturing Countries</b>	16	11	20 (EU -10)
<b>Production Plants</b>	83 plants located on 20 countries		

	1 <sup>st</sup> Round			2 <sup>nd</sup> Round		
	Total	Non-compliant	Share of Non-compliant	Total	Non-compliant	Share of Non-compliant
<b>Tested tyres</b>	110	12	10.9%	94	9	10%
<b>SEGMENT</b>	Passenger Car	72 (65%)	10	53 (56%)	4	
	Light Truck	28 (25%)	1	1 (1%)	0	
	Motorcycle	5 (5%)	0	2 (2%)	1	
	Truck	4 (4%)	1	11 (12%)	4	
	Earth Mover	1 (1%)	0	0 (0%)	0	
	Agricultural	0 (0%)	0	15 (16%)	0	
	Industrial	0 (0%)	0	12 (13%)	0	

4. What are the main conclusions from the second round testing?

- New segments (truck and AGRO/INDU)

- New countries of production(4)
- new brands (31)
- More recent production tyres (late 2010 + 2011)
- Some brands (Linglong, Fullrun) found non-compliant in the 2 rounds
- 11 Truck Tyres tested – 4 found non compliant
- Plants « 0U » and « 83 »
  - 83= Shandong Hengfeng Rubber and Plastic Co. and is located in Guangrao Country, Shandong, China (all tyres tested non-compliant)
  - 0U = SHANDONG LINGLONG TYRE CO., LTD , (brands INFINITY and LINGLONG), operates with multiple oils (tyres tested compliant and non-compliant)

5. Except 1 tyre from Thailand, all the non compliant tyres are once again from China. What does it mean?

ETRMA is concerned that non-compliant tyres are being sold to consumers in Europe. It is of little importance if these tyres come from one country or from several. What is important is that the Member State authorities effectively survey the market and impose sanctions against any product that doesn't comply with the EU regulations, in order to ensure a level playing field for all tyre makers wherever they are located.

6. Should future enforcement activities focus only on products manufactured in and imported from China?

Enforcement activities should cover all tyres being sold on the EU market. However, it is clear that any enforcement strategy, especially where enforcement resources are finite, can benefit from reliable information in the public domain about potentially non-compliant products. ETRMA has thus made sure that its testing campaign is both broad and technically reliable, to be useful to the competent authorities. It is then for the authorities to carry out their enforcement responsibilities.

7. It seems that all tyres tested from plant “83” in both rounds were found not-compliant.

Which actions should be envisaged? Focus on imported tyres produced in this specific plant? Over the two rounds of testing, a total of 5 tyres, under 4 different brand names and in both passenger car and heavy truck categories, were tested from this factory “83”. We understand that this factory, owned by Shandong Hengfeng Rubber and Plastic Co., is located in Guangrao County, Shandong, China. While these results cannot be conclusive regarding all tyres produced at this factory, it would appear from our samples that high PAH extender oil is still being used for production at this factory and thus most if not all of the production at this factory is likely non-compliant with the EU’s PAH rules. As indicated on the tyres themselves, they were produced in 2010 and 2011 and therefore fully subject to the EU regulations if sold within the EU.

8. Did the second round of testing include any ETRMA member tyres? / If compliance was verified in the first round for ETRMA members’ passenger car tyres, why did you assume their tyres in segments new covered by the second round (agricultural and industrial) are in compliance without being tested?

We have a limited amount of resources for this market surveillance project and, more importantly, we have also expressly confirmed that all ETRMA members are producing at all their sites with the safe, low-PAH extender oils required by the REACH Regulation. For this second round of testing, we therefore decided to concentrate our resources on extending the category, brand and country scope of testing to ensure a broad compliance perspective for the benefit of consumers and the national authorities.

9. What criteria were used to choose the tyres for the second round of testing (brand, origin, segment...)? How did the first round results impact the second round testing?

In this second round, we attempted to include tyres from segments that we were not able to test in the first round (agricultural and industrial tyres), and to do more extensive testing in categories that had less testing in the first round, such as on truck and motorcycle tyres.

10. How is it possible that the same factory produces both compliant and non-compliant tyres?/  
Can a plant re-start use of the banned extender oil?

A tyre factory can use both low and high-PAH types of oil. Tyres made with high-PAH oils that are prohibited in Europe might still be sold in other regions where these oils are still allowed. Therefore it is possible for a factory to switch back and forth between prohibited and clean oils.

11. Why didn't the ETRMA test a larger number of tyres in the 2<sup>nd</sup> round?

As explained above, we have limited resources for this surveillance plan. Given that we are sampling, however, the important fact is not the absolute number of tyres tested but rather the percentage of tyres in the sample group which are non-compliant.

12. What was the cost of this testing programme for the ETRMA members (in total for the two testing campaigns)?

The cost of tyre purchases, pre-screening testing costs and third party testing, is close to €260,000.

13. What action needs to be taken to ensure full compliance with REACH and other EU regulations intended to ensure consumer and environment safety - in the view of the ETRMA?

It is clear that compliance with the law must be assured by the national authorities. This can only be accomplished through application of enforcement activities appropriate to meet the actual challenge of illegal or unsafe products on the market and specifically by applying “effective, proportionate and dissuasive” penalties as required by REACH. Only fast and firm deterrent actions can convince unscrupulous producers that the EU will enforce all of its laws, both existing and future.

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For further questions:

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