

**Amended Proposal for a Regulation on Labelling of tyres with respect to fuel efficiency and other essential parameters**

**– COM (2009) 348 (former 2008/779)**

**ETRMA Fully Endorses the Objectives of the Tyre Labelling Proposal**

The proposal of the European Commission introduces mandatory tyre labelling based on integrated performances and aims at influencing consumers to buy especially more energy efficient and safer tyres through the provision of harmonised and easy to understand information. The tyre is the only contact area with the road surface, it therefore plays a key role for the braking performance and its rolling resistance directly impacts vehicle fuel consumption and emissions at large. The availability of reliable and comparable information on tyre performance will make it easier for the end-user to consider these elements before he takes a purchase decision.

**This new initiative offers the potential of enabling consumers to purchase tyres which surpass the limits set in the vehicle safety regulation (COM(2008)316) and, aims at accelerating market transformation towards even more fuel efficient and safer tyres.**

**However, the following important aspects must be addressed and resolved during the co-decision process, in order to render the proposal purposeful, enforceable and effective in the market:**

**1. Content of the Labelling information**

**RR and WG Grading (Annex I)**

The information given to the consumer should be reliable and complete, based on a robust classification procedure using harmonised test methods to be referred to (e.g. ISO 28580 for rolling resistance, and fine tuned Wet Grip test method for C1 as recommended by the industry).

ETRMA fully supports the grading values in the Commission proposal, both for rolling resistance and wet grip, as the bandwidths take into account the necessary variability in the testing precision.

ETRMA welcomes the European Parliament and the Commission endorsement to include both wet grip and rolling resistance gradings as basis for national incentives (article 10).

**RR coefficient and wet grip index (Articles 453; 454; 651 and Annex III):**

The new provision introduced by the Commission is unacceptable to industry, as it will bring no added benefit for the consumer; there are two major reasons to that: (1) Commission proposal rightly foresees a grading scheme with bandwidths. The variability of measurement makes it impossible to indicate one precise coefficient; (2) for promotional literature, demanding only for the RR coefficient goes against the integrated approach, by which also the safety information has to be given.

Therefore, ETRMA demands that all references to a “rolling resistance coefficient/wet grip index” are eliminated from the text to the benefit of grading information.

**Fuel saving calculator**

The industry is supportive of a common fuel saving calculator provided that harmonized and integrated parameters could be developed within a project run in full cooperation with the industry.

**Label Design**

To be convenient to the consumer and to enable cross-border trade (23 language translations, several languages in one country –like Belgium...), **the label must be designed with pictograms only, to be easily understood.** The

retailers must explain the label before the purchasing decision. ETRMA members are supportive to any improvement of the understandability efforts –in particular on wet grip pictogram that could be initiated by the European Commission.

Concerning the “Low Noise Mark”, as proposed by the European Parliament, it will not add any significant benefit to the consumer (as indicated by the Commission own impact assessment SEC (2008)2860) as consumers are not likely to consider “external” rolling noise in their purchasing decision because they are more interested in interior noise (not directly correlated with exterior noise) and the overall effectiveness may therefore be marginal.

## 2. Implementation

### **Reference to “date of production” (Article 4)**

ETRMA supports the Commission proposal that the regulation applies from 1 November 2012, and fully supports the proposal of the EP that this legislation applies with a reference to a production date e.g. to all **tyres produced after July 2012**.

The reference to “date of production” will be the key tool for Authorities to enforce the Regulation, rather than trying to verify the “date of delivery of tyres to distributors or end-users”.

The reference to “date of production” is an essential tool for Industry to identify which tyres shall meet the labeling obligations, to help significantly the logistics and supply chain management and prevent unnecessary administrative burden. The industry estimates that there are around 80 million tyres in the European supply chain at any time. Retrofitting of labels to tyres already in the supply chain will be logistically impossible. This approach is in line with earlier adopted EU legislation where the date of production is used as a reference (global vehicle safety regulation proposal 2008/316, the EC directive 2005/69). The date of production is already today stamped on the sidewall of the tyre (see Annex).

### **Strong and dissuasive control system by Member States (Articles 8 and 12)**

ETRMA welcomes the change of the legal instrument to a **Regulation**. The industry needs legal predictability and wants to ensure that consumers across the EU are treated equally.

However, ETRMA insists on the need for Member States to set up robust verification mechanisms to protect both industry and consumers from the less scrupulous producers and importers. Equally important are truly dissuasive penalties that must be set and rigorously applied when products are found not complying with the requirements. ETRMA therefore welcomes that stricter mechanisms and provisions are built in the proposal before it is adopted by the European Institutions.

## 3. Effective communication of the labelling information

### **Mandatory use of “stickers on each tyre” will not reach the desired target (Article 4)**

ETRMA members commit to provide the labelling information for all tyres delivered to distributors/end users. However, the Commission proposal foresees the mandatory use of “stickers on each tyre” as the main tool of informing the end user of the tyre's characteristics (the proposal foresees that in case the consumer cannot see the label, the distributor is obliged to duly inform of the labelling information –art 5§2) . ETRMA stresses that the tool chosen to present the label should be proportionate to the objective to be reached i.e. informing the consumer in the best and most efficient way. We are convinced that a sticker on each tyre which most consumers will most likely never see is not a proportionate measure. Usually, customers will not physically see the tyre before it is taken out of the warehouse and mounted on their car, with the stickers removed and disposed. The customer's choice of a tyre is very often made through tests results published in the press, information collected through the web, brochures and recommendation from the dealer.

Additionally, the adhesion of the proposed sticker cannot be guaranteed as the product contrary to most other consumer goods is delivered without packaging.

We believe the best **way of respecting the objective of the legislation is to allow flexibility as to the appropriate means of informing the consumer**<sup>1</sup>. Of course, tyres on display and tyres which are visible by the consumer in dealer show rooms should have an information label, but not necessarily in the form of a sticker. The vote of EP in this regard is very much welcomed by the industry.

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<sup>1</sup> For specific reasons, Michelin will apply stickers on all C1 and C2 tyres.

**Format of the sticker (Annex II):**

The tyre Industry is asking to redefine the size of the sticker in order to take into account the need for clear and visible logistic information (size, speed symbol and load index with a font of at least 10mm high, and a bigger barcode). The current size required by the Commission (i.e. label 75x110mm + brand space 4:5 of the label) is too small for that. There should be more flexibility in the brand space size specification. ETRMA proposal is to allow the sticker total surface to reach a maximum of 250cm<sup>2</sup>.

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Technical Annex to ETRMA position dated June 2 2009:

*I- How can we prove that the “date of production” as laid down on the tyre sidewall is the real date of production of the tyre?*

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### **Legal reasons**

**According to the prescriptions laid down by UNECE and USA FMVSS139 regulations, the date of production (date code – week and year of production) is mandatory.**

Under USA FMVSS regulations, non compliance with “date code” proper marking should be notified to NHTSA within 5 working days. In case of not compliance, a recall procedure is activated.

Under UNECE Regulation, tyres with incorrect production date (incorrect “date code”) are considered as non compliant tyre and the Type Approval Authority (TAA) that released the type approval for such tyres have to be informed including the remediation plan; in case of non compliance, the TAA has the right of withdrawing the approval, notifying this action to all TAA listed in UNECE.

The traceability of product in the market, for ex. for product’s recall and claims, is mainly based on the date of production. In case of recall, assuming that intentionally the same date of production is improperly kept for several weeks, it will imply tremendous increase of the volume of product to be collected from the market.

As it has been the case in the most recent tyre related legislations (restrictions of PAHs in tyres<sup>2</sup>, global safety regulation<sup>3</sup>), the EP also in this case, agrees that the reference for implementation of the tyre labeling rules should be the production date.

### **Production organization and audits**

Production steering is also based on production “date code”: production date indication on the sidewall is undergoing to all requirements and verifying procedures descending from TA framework including conformity of production(COP). External Auditors (including TAA, Vehicle manufacturers and Accreditation bodies) run periodical audits of quality system and its correct management and maintenance, including the production documentation system. Specifically, Type Approval Authority audits the quality system during the periodical Conformity Of Production audits.

Accurate manufacturing dates are a key element of the internal tyre companies systems addressing the quality and the traceability of their products. Indeed tyre manufacturers’ work with weekly/daily plant schedules which set by day, the tyres to be produced. This allows a post verification of the production week marked on the tyre with the recorded production for that specific week.

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<sup>2</sup> European Directive 2005/69/EC

<sup>3</sup> Proposal of Regulation COM(2008)316, recently adopted by EP as 1st Reading Agreement

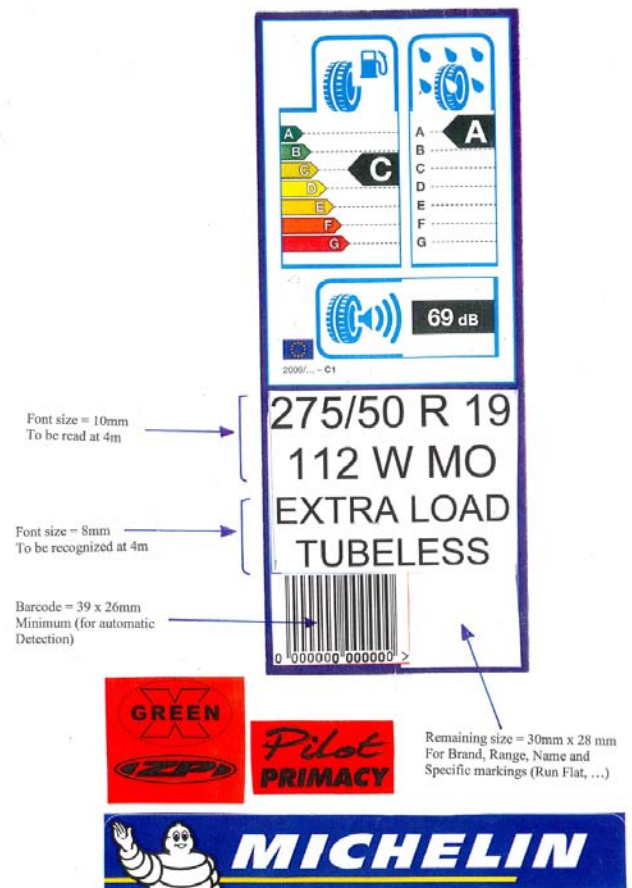
II- *Format of the sticker*  
*What means applying the Commission label provisions?*

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**When applying the Commission dimensions with industry constraints:**

1. Font size for size description (10mm to be read at 4m distance in the storage place or in the truck by the people in charge of logistics)
2. Font size for other characteristics (Extra load, Tubeless... 8mm to be recognized at 4m distance in same conditions by same people)
3. Barcode : 39mm x 26mm (constraints due to the reading machines operating at a certain distance – more than in a supermarket with certain light conditions)
4. Printing constraint of sticker width (must be a multiple of the paper regular sizes, must fit the smaller width tyre of 125mm)
5. Costs (depend if you remain in the standard paper sizes or not, total sticker surface, ...)

Commission Proposal :



**ETRMA proposal is:**

Definition of a maximum surface (250 cm<sup>2</sup>) with a constraint for the size of the inserted label – with fixed size of 75 x 110 mm.

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