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To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
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Subject:	COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT pursuant to Article 294(6) of the Treaty on the Functioning of the European Union concerning the position of the Council on the adoption of 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

Delegations will find attached document COM(2020) 83 final.

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Brussels, 4.3.2020
COM(2020) 83 final

2018/0148 (COD)

**COMMUNICATION FROM THE COMMISSION
TO THE EUROPEAN PARLIAMENT**

pursuant to Article 294(6) of the Treaty on the Functioning of the European Union

concerning the

**position of the Council on the adoption of 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**

(Text with EEA relevance)

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1. BACKGROUND

Date of transmission of the proposal to the European Parliament and to the Council (COM(2018) 296 final – 2018/0148 (COD))	17 May 2018
Date of the opinion of the European Economic and Social Committee	17 October 2018
Date of the position of the European Parliament, first reading	26 March 2019
Date of transmission of the amended proposal	n.a.
Date of adoption of the position of the Council	25 February 2020

2. OBJECTIVE OF THE PROPOSAL FROM THE COMMISSION

On 17 May 2018, the Commission adopted a 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.

The rolling resistance of tyres accounts for 20-30% of a vehicle's fuel consumption. Decreasing rolling resistance is therefore important for increasing fuel efficiency and decreasing greenhouse gas emissions.

The aim of the revision of the tyre labelling Regulation is to strengthen the information requirements on fuel efficiency, noise and safety aspects of tyres, and apply them to all tyres - whether for cars, vans or heavy-duty vehicles. New rules on tyre labelling will enable end users to make the best choice from a fuel efficiency and safety perspective and to gain financially.

The proposal also provides for the future inclusion of abrasion and mileage information on the label (once a reliable testing method is available), which would contribute to the reduction of micro-plastics from tyres in line with the Commission's Plastics Strategy. It will also allow consumers to choose long lasting tyres.

The proposed Regulation amends the existing Regulation by:

- Improving tyre label visibility (label to be shown in all selling and advertising situations such as on the internet, distance selling, etc.) and raising awareness.

- Improving enforcement and market surveillance (inclusion of tyre label in the product database established under Regulation 2017/1369).
- Updating the label to optimise the information given to end users.
- Including on the label information on the snow and ice performance of tyres.
- Aligning the tyre label visually with the EU energy label.
- Allowing for the future inclusion on the label of information on abrasion (micro plastics), mileage and re-treaded tyres.
- Requiring manufacturers to provide to the national authorities the values that they use to declare the classes on the label, to improve reliability of the label information.

3. COMMENTS ON THE POSITION OF THE COUNCIL

The position of the Council reflects the political agreement reached between the European Parliament and the Council at the informal trilogue on 13 November 2019.

The Commission welcomes the agreement of the Council to use delegated acts to include **re-treaded tyres** in the scope of the Regulation, once a suitable test method is available, rather than implementing acts.

The Commission also welcomes that the Council agreed to include information on **mileage and abrasion** in the Regulation through delegated acts, once a suitable test method is available, rather than through ordinary legislative procedure. The Commission is committed to collaborating closely with industry, regulatory or standardisation organisations and other stakeholders in the development of suitable test and measurement methods. It regrets that the Council felt it necessary to make the empowerment conditional upon a thorough impact assessment and proper consultation, which are in any event necessary steps under the Commission's Better Regulation process.

On rescaling of the performance classes of the label, the Commission regrets that the Council decided not to rescale the current class limits, as the Commission considers it a missed opportunity to stimulate innovation and give more accurate information to consumers. The Commission also regrets that the Council did not empower the Commission to update and rescale the classes through delegated acts.

While the Commission welcomes that the Council agreed to 'clean up' the classes for wet grip and rolling resistance, i.e. by deleting the classes left empty through the application of the General Safety Regulation (EU) 2019/2144, it considers it would have been more logical to also 'clean up' the noise classes in the same way.

The Commission welcomes the proposal to evaluate the Regulation by 1 June 2025, and considers acceptable the Council's approach that the Regulation should start to apply on 1 May 2021.

The Commission agrees with the Council's position that the full label has to be shown in visual advertisements, and that it would be possible to show the label through a nested display for online advertisements and sales, although it is regrettable that the Council did not want to specify how economic operators should do this.

Regarding the right for market surveillance authorities to recover costs from the supplier, the Commission welcomes the proposal to align the text with that of Regulation 2019/1020 on market surveillance and compliance of products, which will ensure legislative coherence.

Finally, the Commission welcomes the proposal to align the design of the tyre label with the recently published energy labels¹, which have high levels of recognition among consumers. The Council's position to add pictograms to the label to indicate whether a tyre is a 'severe snow' tyre, an 'ice' tyre, or both, which was part of the Commission's proposal, is also welcomed.

4. CONCLUSION

The Commission supports the results of the inter-institutional negotiations although it regrets certain aspects of the Council's political agreement at first reading (i.e. the conditions attached to the empowerment for including abrasion and mileage, and the lack of empowerment to rescale the label classes).

¹ OJ L 315, 5.12.2019