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NOTE

From:	Permanent Representatives Committee (Part 1)
To:	Council
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Subject:	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 - General approach

1. The Commission adopted the above mentioned proposal on 17 May 2018 within the broader package of measures on Low Carbon Mobility. While repealing Regulation (EC) No 1222/2009 on the labelling of tyres with respect to fuel efficiency and other essential parameters¹, the objectives of this proposal are to clarify and extend the scope of the current regulatory framework.
2. After the Commission presented its proposal to the Energy Working Party in June 2018, the examination of the text continued.

¹ OJ L 342, 22.12.2009.

3. The Presidency presented a first draft General Approach to the delegations at the Energy Working Party meeting on 29 January 2019. Two revised versions of this document were discussed at the Energy Working Party meetings on 5 and 12 February 2019. On the basis of the discussions held, the Presidency made further adjustments resulting in the text (Annex to note 6327/19) endorsed by COREPER in its meeting on 20 February 2019.
4. On that occasion, one delegation requested to introduce minor technical changes in Articles 4(3) and 6(2) with the aim to clarify these two provisions. Since no objections were further raised by the other delegations, the Presidency included these changes in the text in Annex to the present note.
5. Compared to the Commission proposal, the main changes concern the following recitals and provisions:
 - a) recitals 13 and 13a: the modifications therein are meant to ensure consistency all over the text -and especially with Article 14a- as regards the concepts of mileage and abrasion;
 - b) recital 22a and Article 7a: the modifications therein are meant to ensure consistency with Article 14 of the e-Commerce Directive;
 - c) recitals 23a and 32: recital 23a has been introduced to replace recital 32, with the aim to underline that the Member States have the discretion to decide whether they want to make use of the option in Article 10(2a) or not;
 - d) recitals 26a, 26b and Annex VIIa: these recitals and Annex have been introduced to clarify what information should be entered into the database and address possible issues of confidentiality;

- e) Articles 2 and 11a: these provisions are meant to allow the Commission to adopt a suitable testing method to measure the performance of the re-treaded tyres through implementing acts and thus to extend the scope of the Regulation to such tyres once this testing method has been developed;
- f) Article 3(22): the modifications therein are meant to simplify the definition;
- g) Articles 4(3) and 6(2): the modifications therein are meant to clarify that the suppliers and the distributors may make the label available in online advertisements for a specific type of tyre by displaying it in a nested display;
- h) Articles 4(5) and 10(2a): the set of modifications therein is intended to clarify the obligations for suppliers and to introduce a possibility (not an obligation) for national authorities to make additional verifications between the label and the information provided by the suppliers, where they have a sufficient reason to believe that a supplier has not ensured the accuracy of the label;
- i) Article 12(c): the modification therein is intended to clarify that all Annexes except Annex I, parts A, B and C can be amended through delegated acts, but Article 14a applies in case of possible introduction of parameters or information requirements for mileage and abrasion, once suitable testing methods become available;
- l) Article 14a: this provision includes a review clause allowing the Commission to assess a possible introduction of parameters or information requirements for mileage and abrasion in this Regulation;
- m) Annex I, parts A, B and C: the modifications therein are intended to maintain the text of the current Tyres Labelling Regulation.

CONCLUSION

6. In the light of the above, the Council is invited to reach agreement on the draft General Approach as set out in Annex.

p.m.: 1) changes to the Commission proposal are **bold underlined** and deletions are [];

2) the following typos in the Commission proposal have been corrected:

- Annex VI, section 5: "*a_m*" reads now "***σ_m***";

- Annex VI, section 6: "i" reads now "**I**".

2018/0148 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on the labelling of tyres with respect to fuel efficiency and other [] parameters, amending Regulation (EU) 2017/1369 and repealing Regulation (EC) No 1222/2009

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 and Article 194(2) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee⁽²⁾,

Having regard to the opinion of the Committee of the Regions³,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) The Union is committed to building an Energy Union with a forward-looking climate policy. Fuel efficiency is a crucial element of the Union's 2030 Climate and Energy Policy Framework and is key to moderating energy demand.

² OJ C [...], [...], p. [...].

³ OJ C [...], [...], p. [...].

- (2) The Commission has reviewed⁴ the effectiveness of Regulation (EC) No 1222/2009 of the European Parliament and of the Council⁵ and **has** identified the need to update its provisions to improve its effectiveness.
- (3) It is appropriate to replace Regulation (EC) No 1222/2009 by a new **regulation** which incorporates **the** amendments made in 2011 and modifies and enhances some of **the** provisions **of Regulation (EC) No 1222/2009** to clarify and update the content **of those provisions**, taking into account the technological progress for tyres over recent years.
- (4) The transport sector accounts for a third of **the** Union's energy consumption. Road transport was responsible for about 22 % of the Union's total greenhouse gas emissions in 2015. Tyres, mainly because of their rolling resistance, account for 5 % to 10 % of **the** fuel consumption **of vehicles**. A reduction **in** the rolling resistance of tyres would therefore contribute significantly to the fuel efficiency of road transport and thus to the reduction of **greenhouse gas** emissions.
- (5) Tyres are characterised by a number of interrelated parameters **in**. Improving one parameter, such as rolling resistance, may have an adverse impact on others **parameters**, such as wet grip **performance**, while improving wet grip **performance** may have an adverse impact on external rolling noise. Tyre manufacturers should be encouraged to optimise all parameters beyond the standards already achieved.
- (6) Fuel-efficient tyres can be cost-effective, since fuel savings more than compensate for the increased purchase price of the tyres resulting from the **higher production costs of those tyres**.

⁵ Regulation (EC) No 1222/2009 of the European Parliament and of the Council of 25 November 2009 on the labelling of tyres with respect to fuel efficiency and other essential parameters (OJ L 342 of 22.12.2009, p. 46).

- (7) Regulation (EC) No 661/2009 of the European Parliament and of the Council⁶ lays down minimum requirements for the rolling resistance of tyres. Technological developments make it possible to **reduce the** energy losses **that are** due to tyre rolling resistance significantly beyond those minimum requirements. To reduce the environmental impact of road transport, it is therefore appropriate to update the provisions **on** tyre labelling to encourage end users to purchase more fuel-efficient tyres by providing **them with** updated harmonised information on that parameter.
- (8) Traffic noise is a significant nuisance and has a harmful effect on health. Regulation (EC) No 661/2009 lays down minimum requirements for the external rolling noise of tyres. Technological developments make it possible to reduce external rolling noise significantly beyond those minimum requirements. To reduce traffic noise, it is therefore appropriate to update the provisions **on** tyre labelling to encourage end users to purchase tyres with lower external rolling noise by providing **them with** harmonised information on that parameter.
- (9) The provision of harmonised information on external rolling noise also facilitates the implementation of measures to limit traffic noise and contributes to increased awareness of the effect of tyres on traffic noise within the framework of Directive 2002/49/EC of the European Parliament and of the Council⁷.
- (10) Regulation (EC) No 661/2009 **also** lays down minimum requirements for the wet grip performance of tyres. Technological developments make it possible to improve wet grip **performance** significantly beyond those requirements, and thus to reduce wet braking distances. To improve road safety, it is therefore appropriate to update the provisions **on** tyre labelling to encourage end users to purchase tyres with **higher** wet grip performance by providing **them with** harmonised information on that parameter.

⁶ Regulation (EC) No 661/2009 of the European Parliament and of the Council of 13 July 2009 concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor (OJ L 200, 31.7.2009, p. 1).

⁷ Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise (OJ L 189, 18.7.2002, p. 12).

- (11) In order to ensure alignment with the international framework, Regulation (EC) No 661/2009 refers to UNECE Regulation 117⁸, which [] **sets out** the relevant measurement methods for rolling resistance, **external rolling** noise, and wet and snow grip performance of tyres.
- (12) In order to provide end[] users with information on the performance of tyres **that are** specifically designed for **use in severe** snow and ice conditions, it is appropriate to require the inclusion **of such information** on the label [].
- (13) The abrasion of tyres during use is a significant source of microplastics, which are harmful to the environment, and the Commission's Communication "A European Strategy for Plastics in a Circular Economy"⁹ therefore mentions the need to address unintentional release of microplastics from tyres, *inter alia* through information measures such as labelling and minimum requirements for tyres. **Linked to tyre abrasion is the concept of mileage, i.e. the number of kilometres a tyre will last before it needs to be replaced because of tread wear. In addition to abrasion and tread wear, the lifetime of a tyre depends on a range of factors, such as the wear resistance of the tyre, including the compound, tread pattern and structure, road conditions, maintenance, tyre pressure and driving behaviour.**
- (13a) However, a suitable testing method to measure tyre abrasion **and mileage** is not currently available. Therefore, the Commission should **promote** [] the development of such a method **and assess the possibility to include such parameters in the scope of the present Regulation which will** take[] into full consideration all state-of-the-art internationally developed or proposed standards or regulations[] **as well as the work carried out by the industry** [].

⁸ OJ L 307, 23.11.2011, p. 3

⁹ COM(2018) 28 final

- (14) Re-treaded tyres [] **constitute** a substantial part of the market for heavy-duty vehicle tyres. Re-treading tyres extends their life and contributes to circular economy objectives, such as waste reduction. Applying labelling requirements to such tyres would bring substantial energy savings. However, as **a** suitable testing method to measure the performance of re-treaded tyres is not currently available, this Regulation should **give the Commission implementing powers in order to adopt uniform rules necessary to apply such requirements to re-treaded tyres** [].
- (15) The energy label [] **provided for under** Regulation (EU) 2017/1369 of the European Parliament and of the Council¹⁰, which ranks the energy consumption of products on a scale from 'A' to 'G', is recognised by over 85 % of Union consumers and has proven to be effective in promoting more efficient products. The tyre label should continue to use the same design to the extent possible, while recognising the specificities of [] tyre parameters.
- (16) The provision of comparable information on tyre parameters in the form of a standard **tyre** label is likely to influence purchasing decisions by end[] users in favour of safer, quieter and more fuel-efficient tyres. This, in turn, is likely to encourage tyre manufacturers to optimise [] **tyre** parameters, which would pave the way for **a** more sustainable consumption and production **of tyres**.
- (17) The need for greater information on tyre fuel efficiency and other parameters is relevant for all end[] users, including purchasers of replacement tyres, purchasers of tyres fitted on new vehicles, and fleet managers and transport undertakings, who cannot easily compare the parameters of different tyre brands in the absence of a labelling and harmonised testing regime. It is therefore appropriate to require [] **that all** tyres delivered with vehicles [] **are labelled**.

¹⁰ Regulation (EU) 2017/1369 of the European Parliament and of the Council of 4 July 2017 setting a framework for energy labelling and repealing Directive 2010/30/EU (OJ L 198, 28.7.2017, p. 1).

- (18) Currently, labels are [] required for tyres for cars (C1 tyres) and vans (C2 tyres) but not for heavy-duty vehicles (C3 tyres). C3 tyres consume more fuel and cover more kilometres per year than C1 and C2 tyres, and therefore the potential to reduce fuel consumption and **greenhouse gas** emissions from [] **heavy-duty** vehicles is significant. **Therefore, C3 tyres should be included in the scope of this Regulation.**
- (19) Including C3 tyres fully in the scope of this Regulation is also in line with [] Regulation **2018/956 of the European Parliament and of the Council**¹¹, [] **with regard to** the monitoring and reporting of CO₂ emissions from, and fuel consumption of new heavy-duty vehicles, [] and **with Regulation .../... of the European Parliament and of the Council**¹², [] **with regard to** CO₂ **emission performance** standards for **new** heavy-duty vehicles¹³.
- (20) Many end[] users make tyre purchasing decisions without seeing the actual tyre and therefore do not see the label affixed to it. In [] such situations, [] end[] users should be shown the label before finalising the purchasing decision. The display of a label on tyres at the point of sale, as well as in technical promotional material, should ensure that distributors as well as potential end[] users receive harmonised information on the relevant tyre parameters at the time and place of the purchasing decision.
- (21) Some end[] users **make tyre purchasing decisions** [] before arriving at the point of sale, or purchase [] **tyres** by mail order or on the []Internet. To ensure that those end[] users can also make an informed choice on the basis of harmonised information on, *inter alia*, tyre fuel efficiency, wet grip performance[] **and** external rolling noise [], **tyre** labels should be displayed in all technical promotional material **and visual advertisements**, including where such material is made available on the []Internet. **Where visual advertisements pertain to a tyre family, and not to a specific tyre type only, the full label does not necessarily have to be shown.**

¹¹ **Regulation 2018/956 of the European Parliament and of the Council of 28 June 2018 on the monitoring and reporting of CO₂ emissions from and fuel consumption of new heavy-duty vehicles (OJ L 173, 9.7.2018, p. 1).**

¹² **Regulation .../... of the European Parliament and of the Council of ... setting CO₂ emission performance standards for new heavy-duty vehicles and amending Regulation (EC) No 595/2009 (OJ L ...).**

¹³ Reference to be added once the proposal is adopted

(22) Potential end[] users should be provided with information explaining each component of the **tyre** label and its relevance. [] **That** information should be provided in **all** technical promotional material, for instance on suppliers' websites, **but not in visual advertisements**.

(22a) Recognising the growth of sales of tyres through Internet sales platforms, rather than directly from suppliers, it should be clarified that hosting service providers should be responsible for enabling the display of the label provided by the supplier in proximity to the price. They should inform the distributor of that obligation, but should not be responsible for the accuracy or content of the label and the product information sheet provided. However, in application of Article 14(1)(b) of Directive 2000/31/EC on electronic commerce, such internet hosting platforms should act expeditiously to remove or to disable access to information about the tyre in question if they are aware of the non-compliance (e.g. missing, incomplete or incorrect label or product information sheet) for example if informed by the market surveillance authority. A supplier selling directly to end users via its own website is covered by distributors' distance selling obligations.

(23) Fuel efficiency, wet grip **performance**, external **rolling** noise and other parameters [] should be measured **in** accordance[] [] **with** reliable, accurate and reproducible methods that take into account the generally recognised state-of-the-art measurements and calculation methods. As far as possible, such methods should reflect average consumer behaviour and be robust in order to deter **both** intentional and unintentional circumvention. Tyre labels should reflect the comparative performance of **the** tyres in actual use, within the constraints [] **arising from** the need [] **for** reliable, accurate and reproducible laboratory testing, **in order** to enable end[] users to compare different tyres and [] to limit testing costs for manufacturers.

- (23a) Where they have a sufficient reason to believe that a supplier has not ensured the accuracy of the label and in order to give additional confidence to consumers, national authorities as defined in Article 3(37) of Regulation (EU) 2018/858 should check whether the classes for rolling resistance, wet grip performance and external rolling noise displayed on the label, as well as icons for other parameters, correspond to the documentation provided by the supplier based on test results and calculations. Such checks may take place during the type approval process and do not necessarily require physical testing of the tyre.**
- (24) Compliance [] by suppliers, **wholesalers, dealers** and **other** distributors **with the provisions on tyre labelling** is essential in order to ensure a level playing field in the Union. Member States should therefore monitor such compliance through market surveillance and regular ex-post controls, in [] **accordance** with Regulation (EC) No 765/2008 of the European Parliament and of the Council¹⁴.
- (25) In order to facilitate the monitoring of compliance, **to** provide a useful tool to end[] users and **to** allow alternative ways for [] **distributors** to receive product information sheets, tyres should be included in the product database established under Regulation (EU) 2017/1369. **That** Regulation [] should therefore be amended accordingly.
- (26) Without prejudice to [] **the** market surveillance obligations **of Member States** [] **or** to [] **the** obligation[] **of suppliers** to check product conformity, suppliers should make the [] **requisite** product compliance information **electronically** available [] in the product database.

¹⁴ Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L218, 13.8.2008, p. 30).

(26a) Without prejudice to the Member States' market surveillance obligations and to suppliers' obligations to check product conformity, suppliers should make the required product compliance information available electronically in the product database. The information relevant for consumers and distributors should be made publicly available in the public part of the product database. That information should be made available as open data so as to give mobile application developers and other comparison tools the opportunity to use it. Easy direct access to the public part of the product database should be facilitated by user-oriented tools, such as a dynamic quick response code (QR code), included on the printed label.

(26b) The compliance part of the product database should be subject to strict data protection rules. The required specific parts of the technical documentation in the compliance part should be made available both to market surveillance authorities and to the Commission. Where some technical information is so sensitive that it would be inappropriate to include it in the category of technical documentation as detailed in delegated acts adopted pursuant to this Regulation, market surveillance authorities should retain the power to access that information when necessary in accordance with the duty of cooperation on suppliers or by way of additional parts of the technical documentation uploaded to the product database by suppliers on a voluntary basis.

(27) In order for end users to have confidence in the tyre label, other labels that mimic it should not be allowed. **[] In addition,** labels, marks, symbols or inscriptions that are likely to mislead or confuse end users with respect to the parameters covered by the tyre label should not be allowed for the same reason.

(28) The penalties applicable to infringements of this Regulation and **the implementing and** delegated acts adopted pursuant thereto should be effective, proportionate and dissuasive.

- (29) In order to promote energy efficiency, climate change mitigation and environmental protection, Member States should be able to create incentives for the use of energy-efficient **and safe tyres** []. Member States are free to decide on the nature of such incentives. Such incentives should comply with Union State aid rules and should not constitute unjustifiable market barriers. This Regulation does not prejudice the outcome of any future state aid procedures that may be undertaken in accordance with Articles 107 and 108 of the Treaty on the Functioning of the European Union (TFEU) in respect of such incentives.
- (30) In order to amend the content and format of the **tyre** label [] and to adapt the Annexes to technical progress, the power to adopt acts in accordance with Article 290 [] **TFEU** should be delegated to the Commission. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016¹⁵. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council should receive all documents at the same time as Member States' experts, and their experts should systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

¹⁵ OJ L 123, 12.5.2016, p. 1.

(30a) In order to ensure uniform conditions for the application of this Regulation, in particular with regard to the development of a uniform methodology necessary to apply the requirements to re treated tyres, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council*.

*** Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13)."**

(31) Tyres which were already placed on the market before the date of application of the requirements contained in this Regulation should not need to be re-labelled.

]]

(33) The Commission should carry out an evaluation of this Regulation. **]] In accordance with** paragraph 22 of the Interinstitutional Agreement **]] of 13 April 2016** on Better Law-Making **]]**, that evaluation should be based on **]] efficiency, effectiveness, relevance, coherence and** **]] value added and should provide the basis for impact assessments of]]** **options for further action.**

- (34) Since the objectives of this Regulation, namely to increase the safety and economic and environmental efficiency of road transport by providing information to end users to allow them to choose more fuel-efficient, safer and less noisy tyres, cannot be sufficiently achieved by the Member States because [] **this** requires harmonised information for end users, but can rather, by reason of **the need for** a harmonised regulatory framework and a level playing field for manufacturers [], be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. A Regulation remains the appropriate legal instrument as it imposes clear and detailed rules which preclude divergent transposition by Member States and thus ensures a higher degree of harmonisation across the Union. A harmonised regulatory framework at Union rather than at Member State level reduces costs for suppliers, ensures a level playing field and ensures the free movement of goods across the internal market. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve [] **that** objective[].
- (35) Regulation (EC) No 1222/2009 should therefore be repealed.[]

HAVE ADOPTED THIS REGULATION:

Article 1

Aim and subject matter

1. The aim of this Regulation is to increase [] safety, [] **the** protection **of health**, and the economic and environmental efficiency of road transport, by promoting fuel-efficient and safe tyres with low noise levels.
2. This Regulation establishes a framework for the provision of harmonised information on tyre parameters through labelling **to** allow[] end[] users to make an informed choice when purchasing tyres.

Article 2

Scope

1. This Regulation **shall** apply[] to C1, C2 and C3 tyres.
2. This Regulation shall also apply to re-treaded tyres once **the Commission has adopted uniform rules on** a suitable testing method to measure the performance of such tyres. [] **Those implementing acts shall be adopted in accordance with the examination procedure referred to** Article 1[]**1a(2)**.
3. This Regulation **shall** [] not apply to:
 - (a) off-road professional tyres;
 - (b) tyres designed to be fitted only to vehicles **built or** registered for the first time before 1 October 1990;
 - (c) T-type temporary-use spare tyres;
 - (d) tyres whose speed rating is less than 80 km/h;

- (e) tyres whose nominal rim diameter does not exceed 254 mm or is 635 mm or more;
- (f) tyres fitted with additional devices to improve traction properties, such as studded tyres;
- (g) tyres designed only to be fitted on vehicles intended exclusively for racing;
- (h) **second-hand tyres, unless they are imported from a third country.**

Article 3

Definitions

For the purposes of this Regulation, the following definitions shall apply:

- (1) ‘C1, C2 and C3 tyres’ means the tyre classes defined in Article 8 of Regulation (EC) No 661/2009;
- (2) ‘re-treaded tyre’ means a used tyre reconditioned by replacing the worn tread with new material;
- (3) ‘T-type temporary-use spare tyre’ means a temporary-use spare tyre designed for use at inflation pressures higher than those established for standard and reinforced tyres;
- (4) **‘off-road professional tyres’ means a special use tyre primarily used in severe off-road conditions;**
- (5) ‘label’ means a [] graphic diagram, either in printed or electronic form, including [] in the form of a sticker, which includes symbols in order to [] inform[] end[] users about the performance of a tyre or batch of tyres, in relation to the parameters set out in Annex I;
- (6) ‘point of sale’ means a location where tyres are displayed or stored and **are** offered for sale [], including car show rooms [] **where** tyres **that are not fitted on vehicles are** offered for sale to end[] users [];

- (7) ‘technical promotional material’ means **printed or electronic** documentation [] **that is** produced by [] **a** supplier to supplement advertising material with at least the technical information [] **set out in** Annex V;
- (8) ‘product information sheet’ means a standard document **that** contains[] the information as set out in Annex IV, **that is** [] in **either** printed or electronic form;
- (9) ‘technical documentation’ means documentation [] **that enables** market surveillance authorities to assess the accuracy of the label and the product [] information sheet of a [] **tyre**, including the information [] set out in **point 2 of** Annex [] **VIIa**;
- (10) ‘product database’ means the database established under Regulation (EU) 1369/2017 [] which consists of a consumer-oriented public part, where information concerning individual [] parameters **of tyres** is accessible by electronic means, an online portal for accessibility and a compliance part, with clearly specified accessibility and security requirements;
- (11) ‘distance selling’ means the offer for sale, hire or hire purchase by mail order, catalogue, []Internet, telemarketing or by any other [] method by which the potential end[] users cannot be expected to see the [] **tyre** displayed;
- (12) ‘manufacturer’ means any natural or legal person who manufactures a product, or has a product designed or manufactured, and **who** places that product on the market under his name or trademark;
- (13) ‘importer’ means any natural or legal person established in the Union who places a product from a third country on the Union market;
- (14) ‘authorised representative’ means any natural or legal person established in the Union who has received a written mandate from a manufacturer to act on his behalf in relation to specified tasks;

- (15) ‘supplier’ means a manufacturer established in the Union, an authorised representative of a manufacturer who is not established in the Union, or an importer, who places a product on the Union market;
- (16) ‘distributor’ means any natural or legal person in the supply chain, other than the supplier, who makes a product available on the market;
- (17) ‘making available on the market’ means the supply of a product for distribution or use on the Union market in the course of a commercial activity, whether in return for payment or free of charge;
- (18) ‘placing on the market’ means the first making available of a product on the Union market;
- (19) ‘end- users’ means a consumer, [] fleet manager or a road transport undertaking, that buys or is expected to buy a tyre;
- (20) ‘parameter’ means a tyre parameter as set out in Annex I **that has a significant impact on the environment, road safety or health during use**, such as rolling resistance, wet grip **performance**, external rolling noise, snow **grip performance and ice grip performance**;
- (21) ‘tyre type’ means a version of a tyre [] **for which the technical characteristics on the label, the product information sheet and the model identifier are the same for all units of that version** [];
- (22) **‘verification tolerance’ means the maximum admissible deviation, as a result of interlaboratory variation, of the measurement and calculation results of the verification tests performed by, or on behalf of, market surveillance authorities, compared to the values of the declared or published parameters** [].

Article 4

Responsibilities of tyre suppliers

1. Suppliers shall ensure that C1, C2 and C3 tyres that are placed on the market are accompanied:
 - (a) for each individual tyre, [] **by** a label complying with Annex II in the form of a sticker, indicating the information and class for each of the parameters set out in Annex I, and [] **by** a product information sheet as set out in Annex IV; **or**
 - (b) for each batch of one or more identical tyres, [] **by** a label complying with Annex II in printed form[], indicating the information and class for each of the parameters set out in Annex I, and [] **by** a product information sheet as set out in Annex IV.
2. In relation to tyres sold **or offered for sale by distance selling** [], suppliers shall ensure that the label is displayed in proximity to the price and that the product information sheet can be accessed.
3. Suppliers shall ensure that any visual advertisement for a specific **tyre** type [] shows the label. **Suppliers may make the label available in online advertisements for a specific type of tyre by displaying it in a nested display.**
4. Suppliers shall ensure that any technical promotional material concerning a specific **tyre** type [] meets the requirements of Annex V.
5. Suppliers shall ensure that the values **and technical documentation according to this Regulation [] used to determine** the related classes and any additional performance information **that** they declare on the label for the [] parameters set out in Annex I **to this Regulation [] correspond to those included in the** the type-approval [] **documents.**
6. Suppliers shall ensure the accuracy of the labels and product information sheets that they provide.

[]

8. Suppliers shall cooperate with market surveillance authorities and **shall** take immediate action to remedy any case of non-compliance with the requirements set out in this Regulation, which falls under their responsibility, at their own initiative or when required to do so by market surveillance authorities.
9. Suppliers shall not provide or display other labels, marks, symbols or inscriptions that do not comply with the requirements of this Regulation, if doing so would be likely to mislead or confuse end- users with respect to the [] parameters **set out in Annex I**.
10. Suppliers shall not [] **provide** or display labels that mimic the label provided for under this Regulation.

Article 5

Responsibilities of tyre suppliers in relation to the product database

1. [] **From 1 [] June 2021**[], suppliers shall, before placing a tyre on the market, enter [] the information set out in Annex **VIIa [] into the product database**.
2. [] **For** tyres **that** are placed on the market between [please insert the date of entry into force of this Regulation] and 31 []**May [] 2021**[], the supplier shall, by [] **31 [] December 2021**[] **at the latest**, enter [] the information set out in **VIIa [] into the product database**.
3. Until the information referred to in paragraphs 1 and 2 has been entered **into** the product database, the supplier shall make an electronic version of the technical documentation available for inspection within 10 **working** days of a request **received** from market surveillance authorities.

3.a When data other than those specified in Annex VIIa would become necessary for either type approval authorities or market surveillance authorities for carrying out their tasks under this Regulation, they shall be able to obtain them from the supplier within 10 working days of a request.

4. A tyre for which changes are made that are relevant for the label or the product information sheet shall be considered to be a new tyre type. The supplier shall indicate in the database when it no longer places on the market units of a **certain** tyre type.
5. After the final unit of a **tyre** type [] has been placed on the market, the supplier shall keep the information concerning that **tyre** type [] in the compliance part of the product database for a period of five years.

Article 6

Responsibilities of tyre distributors

1. Distributors shall ensure that:
 - (a) **at the point of sale**, tyres [] bear the label in accordance with Annex II in the form of a sticker provided by **the** suppliers in accordance with point (a) of Article 4(1) in a clearly visible position, **and that the product information sheet as set out in Annex IV is available; or**
 - (b) before the sale of a tyre [] **that is part of** a batch of one or more identical tyres, the label referred to in point (b) of Article 4(1) is shown to the end- user and is clearly displayed in the immediate proximity of the tyre at the point of sale, **and that the product information sheet as set out in Annex IV is available.**
2. Distributors shall ensure that any visual advertisement for a specific **tyre** type [] shows the label. **Distributors may make the label available in online advertisements for a specific type of tyre by displaying it in a nested display.**
3. Distributors shall ensure that any technical promotional material concerning a specific **tyre** type [] meets the requirements of Annex V.
4. Distributors shall ensure that where tyres offered for sale are not visible to the end[] user **at the time of sale**, they provide **the** end[] users with a copy of the label before the sale.

5. Distributors shall ensure that any paper-based distance selling [] shows the label and that [] end[] users can access the product information sheet through a free access website, or **can** request a printed copy of [] **the product information** sheet.
6. Distributors **that use**[] telemarketing-based distance selling shall specifically inform end[] users of the classes of the [] parameters on the label, and **inform them** that they can access the [] label and the product information sheet through a free access website, or by requesting a printed copy.
7. In relation to tyres sold directly on the []Internet, distributors shall ensure that the label is displayed in proximity to the price and that the product information sheet can be accessed. **The size of the label shall be such that it is clearly visible and legible and shall be proportionate to the size specified in point 2.1. of Annex II.**

Article 7

Responsibilities of vehicle suppliers and vehicle distributors

Where end[] users intend to acquire a new vehicle, **before the sale** vehicle suppliers and vehicle distributors shall [] provide [] such end[] users with the label for the tyres offered **or fitted** with the vehicle, [] any relevant technical promotional material, **and that the product information sheet as set out in Annex IV is available.**

Article 7a

Obligations of internet hosting platforms

Where a hosting service provider as referred to in Article 14 of Directive 2000/31/EC allows the selling of tyres through its internet site, the service provider shall enable the showing of the label and the product information sheet provided by the supplier on the display mechanism and shall inform the distributor of the obligation to display them.

Article 8

Testing and measurement-methods

The information to be provided under Articles 4, 6 and 7 on the parameters indicated on the label shall be obtained **according to** [] the testing [] methods referred to in Annex I and the laboratory alignment procedure referred to in Annex VI.

Article 9

Verification procedure

Member States shall assess the conformity of the declared classes for each of the [] parameters [] **set out** in Annex I in accordance with the **verification** procedure set out in Annex VII.

Article 10

Obligations of Member States

1. Member States shall not impede the placing on the market or putting into service, within their territories, of tyres which comply with this Regulation.
2. Member States shall not provide incentives with regard to tyres below class B with respect to either fuel efficiency or wet grip **performance** within the meaning of Annex I, Parts A and B respectively. Taxation and fiscal measures do not constitute incentives for the purposes of this Regulation.

2a Where a national authority as defined in Article 3(37) of Regulation (EU) 2018/858 has sufficient reason to believe that a supplier has not ensured the accuracy of the label in accordance with Article 4(6), it shall verify that the classes and any additional performance information declared on the label correspond to the values and to the documentation submitted by the supplier, in accordance with Article 4(5).

3. Member States shall lay down the rules on penalties and enforcement mechanisms applicable to infringements of this Regulation and the delegated acts adopted pursuant thereto, and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive.
4. Member States shall, by 1 June 2021¹, notify the Commission of the rules **and the measures** referred to in paragraph 3 that have not previously been notified to the Commission, and shall notify the Commission, without delay, of any subsequent amendment affecting them.

Article 11

Union market surveillance and control of products entering the Union market

1. [Articles 16 to 29 of Regulation (EC) No 765/2008~~/ or the~~ Regulation on compliance and enforcement proposed under COM(2017)795] shall apply to **the [] tyres** covered by this Regulation and by the relevant delegated **and implementing** acts adopted pursuant thereto.
2. The Commission shall encourage and support cooperation and the exchange of information on market surveillance relating to the labelling of [] **tyres** between [] **the** authorities of the Member States that are responsible for market surveillance or **are** in charge of the control of [] **tyres** entering the Union market, and between [] **those authorities** and the Commission, in particular by involving [] the []Administrative Cooperation for Market Surveillance[] Expert group on Tyre Labelling **more closely**.
3. Member States' general market surveillance programmes established pursuant to [Article 13 of Regulation (EC) No 765/2008~~/ or the~~ Regulation on compliance and enforcement proposed under COM(2017)795] shall include actions to ensure the effective enforcement of this Regulation.
- 4. Market surveillance authorities shall have the right to recover from the supplier the costs of document inspection and physical product testing in case of non-compliance with this Regulation or the relevant implementing and delegated acts.**

Article 11a

Committee procedure

- 1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.**
- 2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.**
- 3. Where the committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.**

Article 12

Delegated acts

The Commission is empowered to adopt delegated acts in accordance with Article 13 in order to:

- (a) **amend Annex II with regard** to the content and format of the label;
- (b)
- (c) **amend Annexes I, parts D and E, II, IV, V, VI, VII, VIIa and VIII** **by adapting** to technical progress the values, calculation methods and requirements **set out therein, without prejudice to Article 14a.**

Where appropriate, when preparing delegated acts, the Commission shall test the design and **the** content of labels for specific **tyres** with representative groups of Union customers to ensure **that** the labels **are clearly understandable and shall publish the results.**

Article 13

Exercise of delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Article 12 shall be conferred on the Commission for a period of five years from *[please insert the date of entry into force of this Regulation]*. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.
3. The delegation of power referred to in Article 12 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.
5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
6. A delegated act adopted pursuant to Article 12 shall enter into force only if no objection has been expressed either by the European Parliament or **by** the Council within a period of two months of notification of that act to the European Parliament and **to** the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Article 14

Evaluation and report

By 1 June 2027^[1], the Commission shall carry out an evaluation of this Regulation and present a report to the European Parliament, the Council and the European Economic and Social Committee.

That report shall assess how effectively this Regulation and the **implementing and** delegated acts adopted pursuant thereto have **[1 led end]** users to choose higher-performing tyres, taking into account its impacts on business, fuel consumption, safety, greenhouse gas emissions and market surveillance activities. It shall also assess the costs and benefits of **mandatory** independent **[1 third-** party verification of the information provided in the label, taking also into account the experience with the broader framework provided by Regulation (EC) No 661/2009.

Article 14a

Review clause

As soon as suitable testing methods become available, the Commission shall assess the introduction of parameters or information requirements for mileage and abrasion in this Regulation and, if appropriate, present a legislative proposal to the European Parliament and to the Council.

Article 15

Amendment to Regulation (EU) 2017/1369

In Article 12(2) of Regulation (EU) 2017/1369, point (a) is replaced by the following:

[(a) to support market surveillance authorities in carrying out their tasks under this Regulation and the relevant delegated acts, including enforcement thereof, and under Regulation (EU) .../... **of the European Parliament and of the Council*** [(].

* **Regulation (EU) .../... of the European Parliament and of the Council of ... on the labelling of tyres with respect to fuel efficiency and other parameters, amending Regulation (EU) 2017/1369 and repealing Regulation (EC) No 1222/2009 (OJ L ...).**

Article 16

Repeal of Regulation (EC) No 2009/1222

Regulation (EC) No 2009/1222 is repealed **as of 1 June 2021**.

References to the repealed Regulation shall be construed as references to this Regulation and read in accordance with the correlation table in Annex VIII.

Article 17

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 June 2021].

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the European Parliament

The President

For the Council

The President

ANNEX I

Testing, grading and measurement of tyre parameters

Part A: Fuel efficiency classes and rolling resistance coefficient

The fuel efficiency class shall be determined and illustrated on the label on the basis of the rolling resistance coefficient (*RRC*) according to the ‘A’ to ‘G’ scale specified below and measured in accordance with Annex 6 to UNECE Regulation No 117 and its subsequent amendments and aligned according to the procedure laid down in Annex VI.

If a tyre type is approved for more than one tyre class (e.g. C1 and C2), the grading scale used to determine the fuel efficiency class of this tyre type shall be that which is applicable to the highest tyre class (e.g. C2, not C1).

<u>C1 tyres</u>		<u>C2 tyres</u>		<u>C2 C3 tyres</u>	
<u>RRC in kg/t</u>	<u>Energy efficiency class</u>	<u>RRC in kg/t</u>	<u>Energy efficiency class</u>	<u>RRC in kg/t</u>	<u>Energy efficiency class</u>
<u>$RRC \leq 6,5$</u>	<u>A</u>	<u>$RRC \leq 5,5$</u>	<u>A</u>	<u>$RRC \leq 4,0$</u>	<u>A</u>
<u>$6,6 \leq RRC \leq 7,7$</u>	<u>B</u>	<u>$5,6 \leq RRC \leq 6,7$</u>	<u>B</u>	<u>$4,1 \leq RRC \leq 5,0$</u>	<u>B</u>
<u>$7,8 \leq RRC \leq 9,0$</u>	<u>C</u>	<u>$6,8 \leq RRC \leq 8,0$</u>	<u>C</u>	<u>$5,1 \leq RRC \leq 6,0$</u>	<u>C</u>

<u>Empty</u>	<u>D</u>	<u>Empty</u>	<u>D</u>	<u>6,1 ≤ RRC ≤ 7,0</u>	<u>D</u>
<u>9,1 ≤ RRC ≤ 10,5</u>	<u>E</u>	<u>8,1 ≤ RRC ≤ 9,2</u>	<u>E</u>	<u>7,1 ≤ RRC ≤ 8,0</u>	<u>E</u>
<u>10,6 ≤ RRC ≤ 12,0</u>	<u>F</u>	<u>9,3 ≤ RRC ≤ 10,5</u>	<u>F</u>	<u>RRC ≥ 8,1</u>	<u>F</u>
<u>RRC ≥ 12,1</u>	<u>G</u>	<u>RRC ≥ 10,6</u>	<u>G</u>	<u>Empty</u>	<u>G</u>

Part B: Wet grip classes

1. The wet grip class shall be determined and illustrated on the label on the basis of the wet grip index (G) according to the ‘A’ to ‘G’ scale specified in the table below, calculated in accordance with point 2 and measured in accordance with Annex 5 to UNECE Regulation 117.
2. Calculation of wet grip index (G)

$$G = G(T) - 0,03$$

where:

$G(T)$ = wet grip index of the candidate tyre as measured in one test cycle

<u>C1 Tyres</u>		<u>C2 Tyres</u>		<u>C3 Tyres</u>	
<u>G</u>	<u>Wet grip class</u>	<u>G</u>	<u>Wet grip class</u>	<u>G</u>	<u>Wet grip class</u>
<u>$1,55 \leq G$</u>	<u>A</u>	<u>$1,40 \leq G$</u>	<u>A</u>	<u>$1,25 \leq G$</u>	<u>A</u>
<u>$1,40 \leq G \leq 1,54$</u>	<u>B</u>	<u>$1,25 \leq G \leq 1,39$</u>	<u>B</u>	<u>$1,10 \leq G \leq 1,24$</u>	<u>B</u>
<u>$1,25 \leq G < 1,39$</u>	<u>C</u>	<u>$1,10 \leq G < 1,24$</u>	<u>C</u>	<u>$0,95 \leq G < 1,09$</u>	<u>C</u>
<u>Empty</u>	<u>D</u>	<u>Empty</u>	<u>D</u>	<u>$0,80 \leq G < 0,94$</u>	<u>D</u>
<u>$1,10 \leq G < 1,24$</u>	<u>E</u>	<u>$0,95 \leq G < 1,09$</u>	<u>E</u>	<u>$0,65 \leq G < 0,79$</u>	<u>E</u>
<u>$G < 1,09$</u>	<u>F</u>	<u>$G < 0,94$</u>	<u>F</u>	<u>$G < 0,64$</u>	<u>F</u>
<u>Empty</u>	<u>G</u>	<u>Empty</u>	<u>G</u>	<u>Empty</u>	<u>G</u>

Part C: External rolling noise classes and measured value

The external rolling noise measured value (N) shall be declared in decibels and calculated in accordance with Annex 3 to UNECE Regulation No 117.

The external rolling noise class shall be determined and illustrated on the label on the basis of the limit values (LV) set out in Part C of Annex II of Regulation (EC) No 661/2009 as follows.

||

N in dB

External rolling noise class



$N \leq LV - 3$



$LV - 3 < N \leq LV$

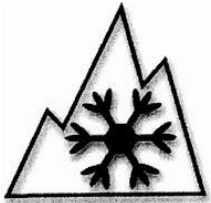


$N > LV$

Part D: Snow grip

The snow performance shall be tested in accordance with Annex 7 to UNECE Regulation No 117.

A tyre which satisfies the minimum snow index values set out in UNECE Regulation No 117 shall be classified as a snow tyre **for use in severe snow conditions** and the following icon shall be included on the label.



Part E: Ice grip:

The ice performance shall be tested in accordance with ISO 19447.

A tyre which satisfies the minimum ice index value set out in ISO 19447 shall be classified as an ice tyre and the following icon shall be included on the label.



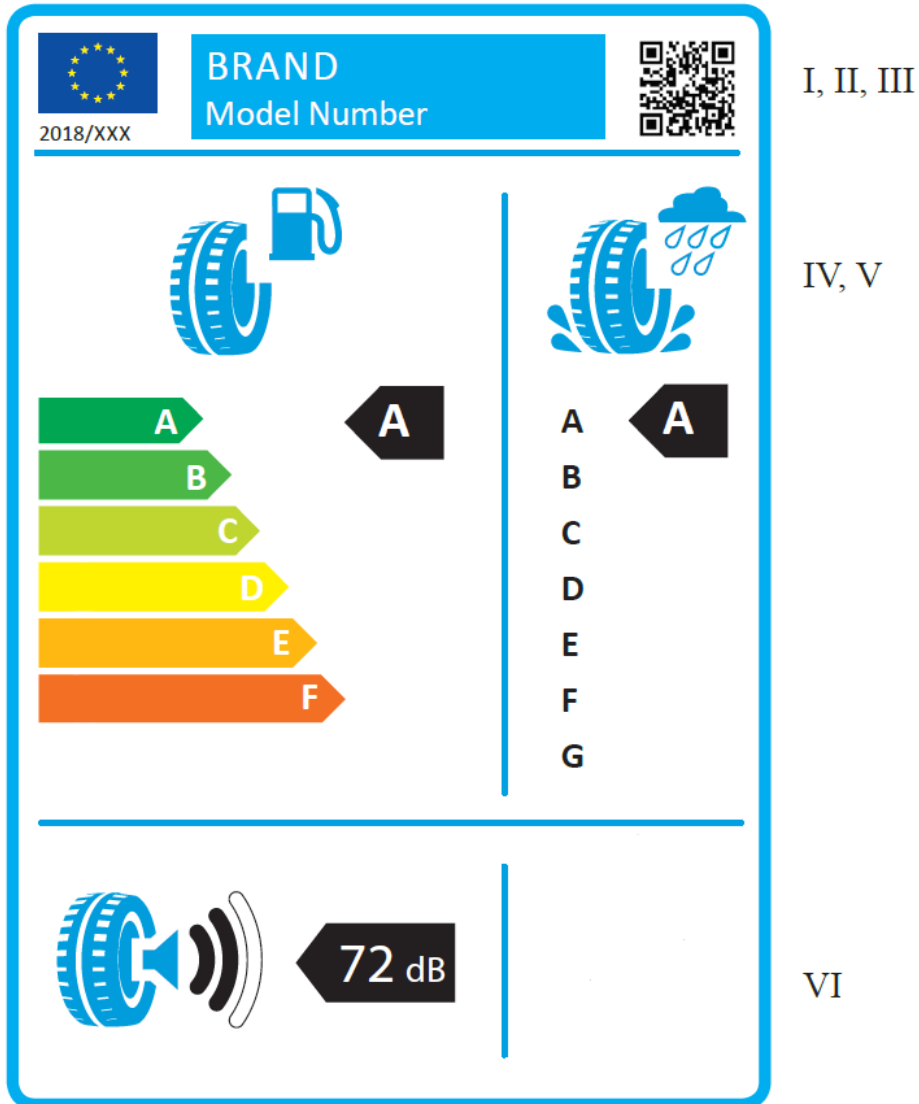
¹ *Logo bracketed until new logo under ISO is released.*

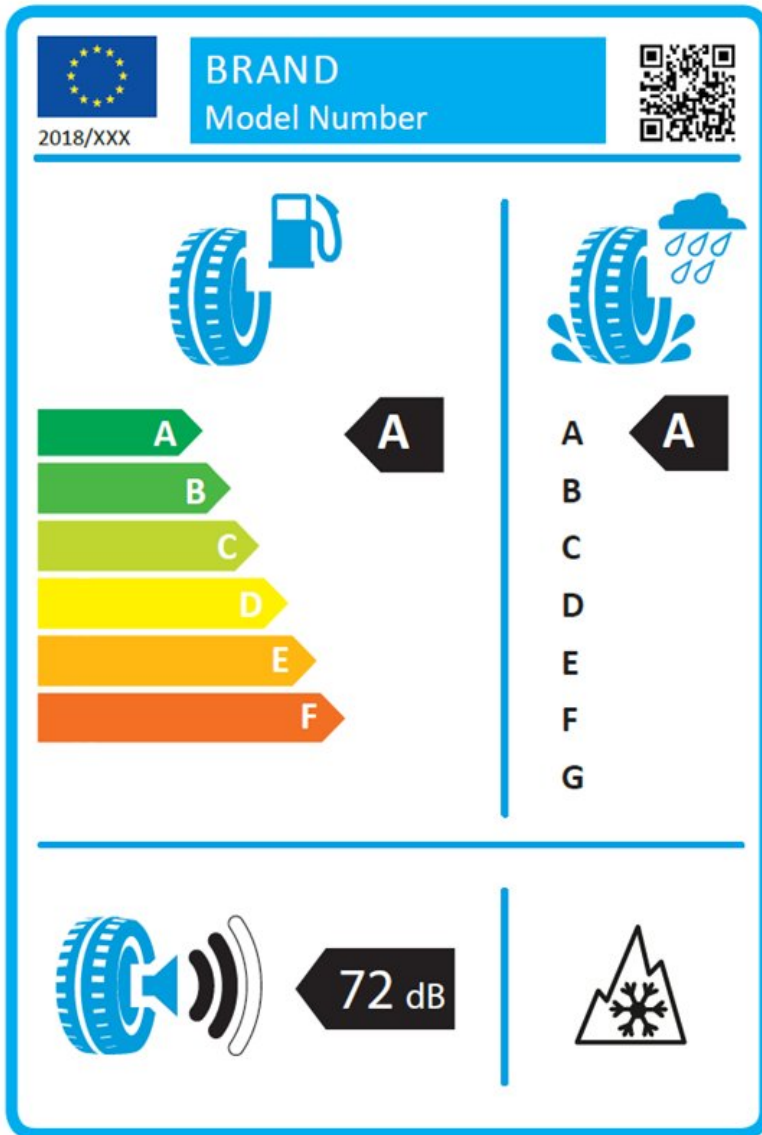
ANNEX II

Format of the label

1. LABELS

1.1. The following information shall be included in the labels in accordance with the illustrations below-:

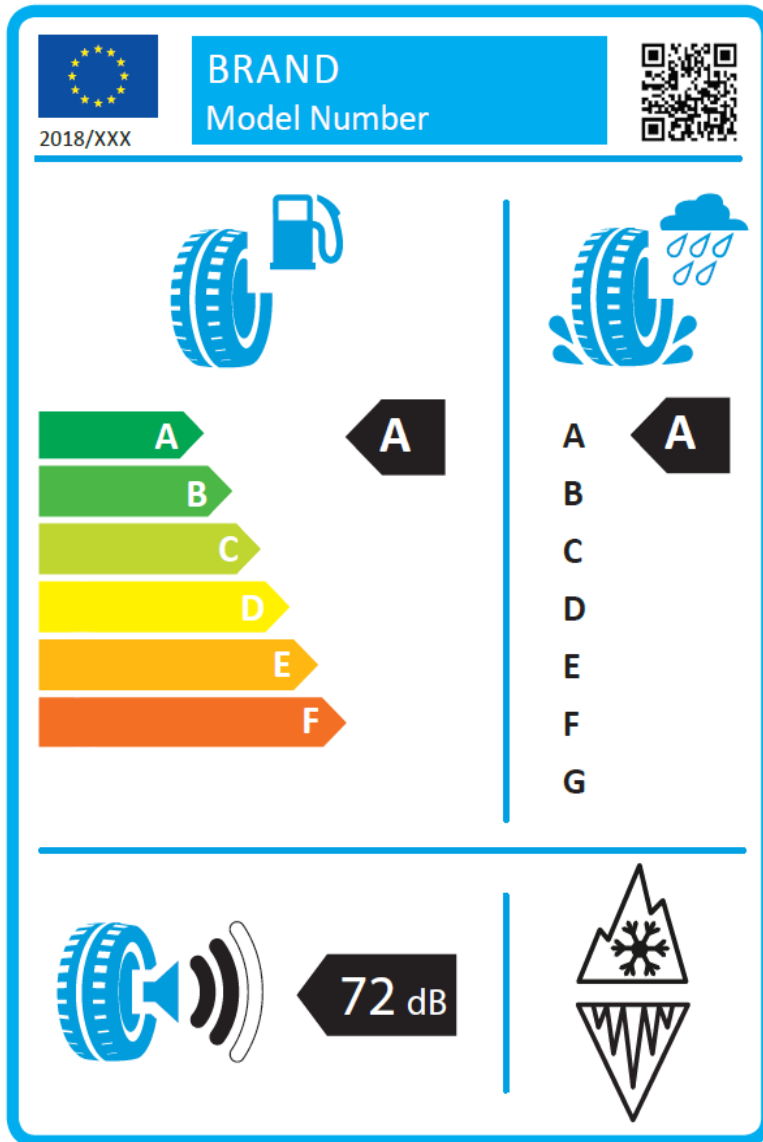




I, II, III

IV, V

VI, VII



I, II, III

IV, V

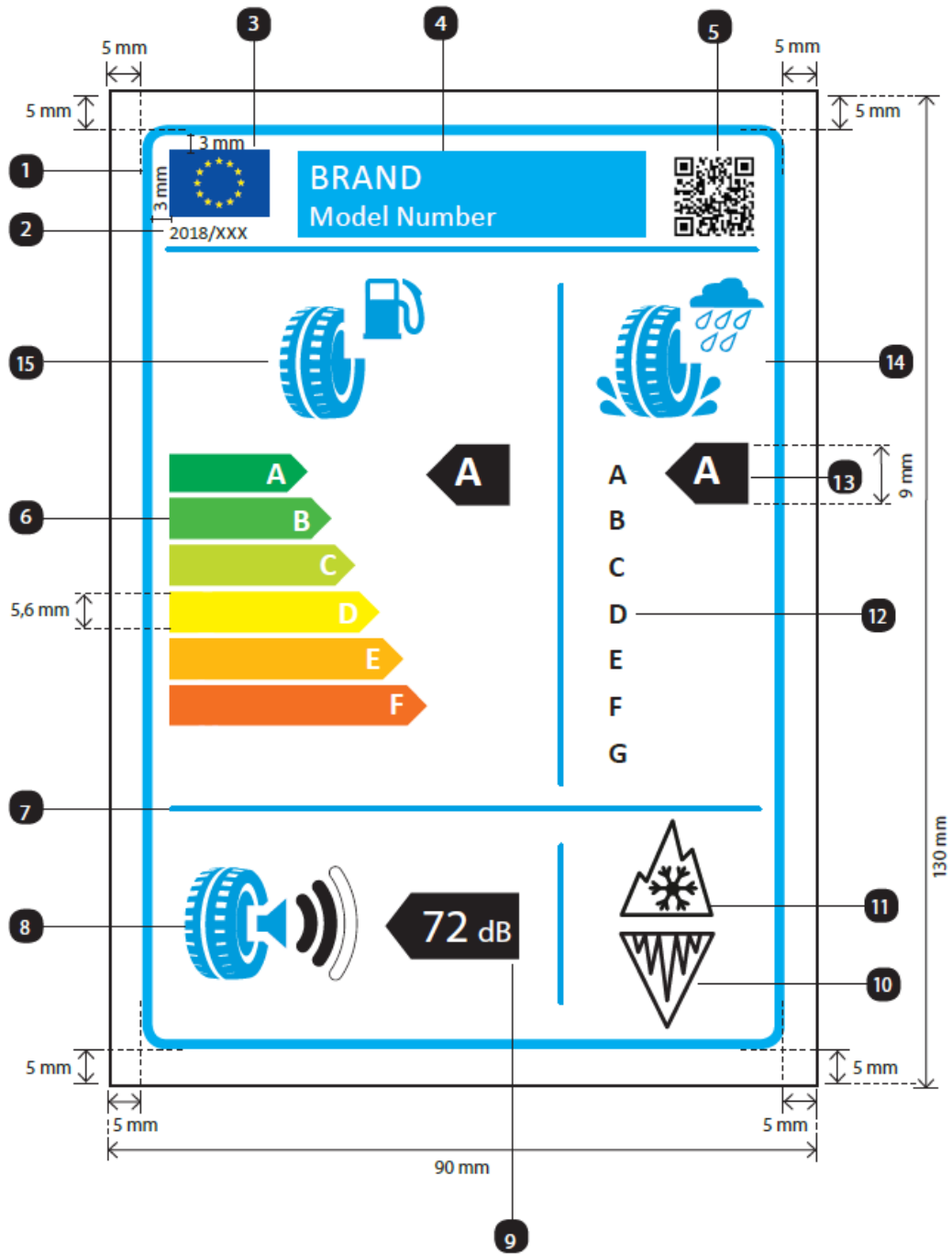
VI, VII, VIII

- I. **The trade** name or trade mark **of the supplier**;
- II. **The** model identifier **of the supplier**, where 'model identifier' means the code, usually alphanumeric, which distinguishes a specific tyre type from other **tyre** types with the same trade **name or trade** mark **of the** supplier[];
- III. QR code;
- IV. Fuel efficiency;

- V. Wet grip **performance**;
- VI. External rolling noise;
- VII. Snow grip **performance**;
- VIII. Ice grip **performance**.

2. LABEL DESIGN

- 2.1. The design of the label shall be as in the figure below:



2.2. The label shall be at least 90 mm wide and 130 mm high. Where the label is printed in a larger format, [] **the** content **of the label** shall [] remain proportionate to the specifications above.

2.3. The label shall [] **meet** the following requirements:

(a) Colours are CMYK - cyan, magenta, yellow and black - and are given following this example: 00-70-X-00: 0 % cyan, 70 % magenta, 100 % yellow, 0 % black;

(b) The numbers listed below refer to the legends indicated in point 2.1.:

(1) Label border: stroke: 1,5 pts - colour: X-10-00-05;

(2) Calibri regular 8 pts;

(3) European flag: width: 15 mm, height: 10 mm;

(4) Banner: width: 51,5 mm, height: 13 mm;

Text "BRAND": Calibri regular 15 pts, 100 % white;

*Text "Model [] **identifier**":* Calibri regular 13 pts, 100 % white;

(5) QR code: width: 13 mm, height: 13 mm;

(6) 'A' to 'F' scale:

Arrows: height: 5,6 mm, gap: 0,78 mm, black stroke: 0,5 pt - colours:

– A: X-00-X-00;

– B: 70-00-X-00;

– C: 30-00-X-00;

- D: 00-00-X-00;
 - E: 00-30-X-00;
 - F: 00-70-X-00.
- (7) Line: width: 88 mm, height: 2 pts - Colour: X-00-00-00;
- (8) Pictogram external rolling noise:
Pictogram as supplied: width: 25,5 mm, height: 17 mm - colour: X-10-00-05;
- (9) Arrow:
Arrow: width: 20 mm, height: 10 mm, 100 % black;
Text: Helvetica Bold 20 pts, 100 % white;
Unit text: Helvetica Bold 13 pts, 100 % white;
- (10) Pictogram ice:
Pictogram as supplied: width: 15 mm, height: 15 mm – stroke: 1,5 pts - colour: 100 % black;
- (11) Pictogram snow:
Pictogram as supplied: width: 15 mm, height: 15 mm – stroke: 1,5 pts - colour: 100 % black;
- (12) ‘A’ to ‘G’: Calibri regular 13 pts – 100% black;
- (13) Arrows:
Arrows: width: 11,4 mm, height: 9 mm, 100 % black;
Text: Calibri Bold 17 pts, 100 % white;

(14) Pictogram fuel efficiency:

Pictogram as supplied: width: 19,5 mm, height: 18,5 mm - colour: X-10-00-05;

(15) Pictogram wet grip:

Pictogram as supplied: width: 19 mm, height: 19 mm - colour: X-10-00-05.

(c) The background shall be white.

2.4. The tyre class shall be indicated on the label in the format **[] of** the illustration in point 2.1.

II

ANNEX IV

Product information sheet

The information in the product information sheet of tyres shall be included in the product brochure or other literature provided with the [] **tyre** and shall include the following:

- (a) [] **the trade** name or trade mark **of the supplier, or of the manufacturer if it is not the same as the supplier;**
- (b) [] **the** model identifier **of the supplier;**
- (c) **the** fuel efficiency class of the tyre in accordance with Annex I;
- (d) **the** wet grip class of the tyre in accordance with Annex I;
- (e) **the** external rolling noise class and decibels in accordance with Annex I;
- (f) whether the tyre is a snow tyre **for use in severe snow conditions;**
- (g) whether the tyre is an ice tyre;
- (h) **the date of production of the tyre.**

ANNEX V

Information provided in technical promotional material

1. Information on tyres included in technical promotional material shall be provided in the **following** order []:
 - (a) the fuel efficiency class (letter ‘A’ to ‘F’);
 - (b) the wet grip class (letter ‘A’ to ‘G’);
 - (c) the external rolling noise class and measured value (dB);
 - (d) whether the tyre is a snow tyre;
 - (e) whether the tyre is an ice tyre.
2. The information [] **referred to** in point 1 shall meet the following requirements:
 - (a) **it shall** be easy to read;
 - (b) **it shall** be easy to understand;
 - (c) if different grading is available for a given tyre type depending on dimension or other parameters, the range between the least and best performing tyre [] **shall be** stated.
3. Suppliers shall also make the following available on their websites:
 - (a) a link to the relevant Commission webpage dedicated to this Regulation;
 - (b) an explanation of the pictograms printed on the label;
 - (c) a statement highlighting the fact that actual fuel savings and road safety depend heavily on the behaviour of drivers, and in particular **on** the following:
 - eco-driving can significantly reduce fuel consumption;
 - tyre pressure needs to be regularly checked to optimise wet grip **performance** and fuel efficiency [];
 - stopping distances must always be [] respected.

Laboratory alignment procedure for the measurement of rolling resistance

1. DEFINITIONS

For the purposes of the laboratory alignment procedure **for the measurement of rolling resistance**, the following definitions [] apply:

1. ‘reference laboratory’ means a laboratory that is part of the network of laboratories, the names of which have been published [] in the *Official Journal of the European Union* **for the purpose of the laboratory alignment procedure**, and **that** is able to achieve the accuracy of test results determined in Section 3 with its reference machine;
2. ‘candidate laboratory’ means a laboratory participating in the **laboratory** alignment procedure that is not a reference laboratory;
3. ‘alignment tyre’ means a tyre that is tested for the purpose of performing the **laboratory** alignment procedure;
4. ‘alignment tyres set’ means a set of five or more alignment tyres for the alignment of one single machine;
5. ‘assigned value’ means a theoretical value of the []**rolling** []**resistance** []**coefficient** (RRC) of one alignment tyre as measured by a theoretical laboratory which is representative of the network of reference laboratories that is used for the **laboratory** alignment procedure;
6. ‘machine’ means every tyre testing spindle in one specific measurement method. For example, two spindles acting on the same drum shall not be considered as one machine.

2. GENERAL PROVISIONS

2.1. Principle

The measured (m) rolling resistance coefficient in a reference laboratory (l), ($RRC_{m,l}$), shall be aligned to the assigned values of the network of reference laboratories.

The measured (m) rolling resistance coefficient obtained by a machine in a candidate laboratory (c), $RRC_{m,c}$, shall be aligned through one reference laboratory of the network of its choice.

2.2. Tyre selection requirements

A set of five or more alignment tyres shall be selected for the alignment procedure in compliance with the criteria below. One set shall be selected for C1 and C2 tyres together, and one set for C3 tyres.

- (a) The set of alignment tyres shall be selected so as to cover the range of different RRC_s of C1 and C2 tyres together, or of C3 tyres. In any event, the difference between the highest RRC_m of the tyre set, and the lowest RRC_m of the tyre set shall be, before and after alignment, at least equal to:
 - (i) 3 kg/t for C1 and C2 tyres; and
 - (ii) 2 kg/t for C3 tyres.
- (b) The RRC_m in the candidate or reference laboratories ($RRC_{m,c}$ or $RRC_{m,l}$) based on declared RRC values of each alignment tyre of the set shall be distributed evenly.
- (c) Load index values shall adequately cover the range of the tyres to be tested, ensuring that the rolling resistance force values also cover the range of the tyres to be tested.

Each alignment tyre shall be checked prior to use and **shall be** replaced when:

- (i) **the alignment tyre** shows a condition which makes it unusable for further tests;
and/or
- (j) there are deviations of $RRC_{m,c}$ or $RRC_{m,l}$ greater than 1,5 per cent relative to earlier measurements after correction for any machine drift.

2.3. Measurement method

The reference laboratory shall measure each alignment tyre four times and retain the three last results for further analysis, in accordance with paragraph 4 of Annex 6 **to** UNECE Regulation No 117 and its subsequent amendments and **under** the conditions set out in paragraph 3 of Annex 6 **to** UNECE Regulation No 117 and its subsequent amendments.

The candidate laboratory shall measure each alignment tyre (n + 1) times, with n being specified in Section 5 **of this Annex** and retain the n last results for further analysis, in accordance with paragraph 4 of Annex 6 **to** UNECE Regulation No 117 and its subsequent amendments and applying the conditions set out in paragraph 3 of Annex 6 **to** UNECE Regulation No 117 and its subsequent amendments.

Each time an alignment tyre is measured, the tyre/wheel assembly shall be removed from the machine and the entire test procedure **referred to** in paragraph 4 of Annex 6 **to** UNECE Regulation No 117 and its subsequent amendments shall be followed again from the start.

The candidate or reference laboratory shall calculate:

- (a) the measured value of each alignment tyre for each measurement as specified in **the** paragraphs 6.2 and 6.3 of **Annex 6 to** UNECE Regulation No 117 and its subsequent amendments (i.e. corrected for a temperature of 25 °C and a drum diameter of 2 m);
- (b) the mean value of the three **last measured values of each alignment tyre** (in the case of reference laboratories) or **the mean value of the n last measured values of each alignment tyre** (in the case of candidate laboratories) **and**

(c) the standard deviation (σ_m) as follows:

$$\sigma_m = \sqrt{\frac{1}{p} \cdot \sum_{i=1}^p \sigma_{m,i}^2}$$

$$\sigma_{m,i} = \sqrt{\frac{1}{n-1} \cdot \sum_{j=2}^{n+1} \left(Cr_{i,j} - \frac{1}{n} \cdot \sum_{j=2}^{n+1} Cr_{i,j} \right)^2}$$

where:

i is the counter from 1 to p for the alignment tyres;

j is the counter from 2 to n+1 for the n last repetitions of each measurement of a given alignment tyre

n+1 is the number of repetitions of tyre measurements (n+1=4 for reference laboratories and n+1 ≥4 for candidate laboratories);

p is the number of alignment tyres (p ≥ 5).

2.4. Data formats to be used for the computations and results

- The measured RRC values corrected from drum diameter and temperature shall be rounded to 2 decimal places.
- Then the computations shall be made with all digits: there shall be no further rounding except on the final alignment equations.
- All standard deviation values shall be displayed to 3 decimal places.
- All RRC values will be displayed to 2 decimal places.
- All alignment coefficients (A1_l, B1_l, A2_c and B2_c) shall be rounded and displayed to 4 decimal places.

3. REQUIREMENTS APPLICABLE TO THE REFERENCE LABORATORIES AND DETERMINATION OF THE ASSIGNED VALUES

The assigned values of each alignment tyre shall be determined by a network of reference laboratories. Every second year the network shall assess the stability and validity of the assigned values.

Each reference laboratory participating in the network shall comply with the specifications of Annex 6 to UNECE Regulation No 117 and its subsequent amendments and have a standard deviation (σ_m) as follows:

- (a) not greater than 0,05 kg/t for C1 and C2 tyres; and
- (b) not greater than 0,05 kg/t for C3 tyres.

The alignment tyre sets, in accordance with the specification of Section 2.2, shall be measured in accordance with Section 2.3 by each reference laboratory of the network.

The assigned value of each alignment tyre is the average of the measured values given by the reference laboratories of the network for this alignment tyre.

4. PROCEDURE FOR THE ALIGNMENT OF A REFERENCE LABORATORY TO THE ASSIGNED VALUES

Each reference laboratory (l) shall align itself to each new set of assigned values and always after any significant machine change or any drift in machine control tyre monitoring data.

The alignment shall use a linear regression technique on all individual data. The regression coefficients, A_{1l} and B_{1l} , shall be calculated as follows:

$$RRC = A_{1l} * RRC_{m,l} + B_{1l}$$

where:

RRC is the assigned value of the rolling resistance coefficient;

$RRC_{m,l}$ is the individual measured value of the rolling resistance coefficient by the reference laboratory “l” (including temperature and drum diameter corrections).

5. REQUIREMENTS APPLICABLE TO CANDIDATE LABORATORIES

Candidate laboratories shall repeat the alignment procedure at least once every second year for every machine and always after any significant machine change or any drift in machine control tyre monitoring data.

A common set of five different tyres, **in accordance with** the specification of Section 2.2 shall be measured in accordance with Section 2.3 firstly by the candidate laboratory and later on by one reference laboratory. More than five alignment tyres may be tested at the request of the candidate laboratory.

The alignment tyre set shall be provided by the candidate laboratory to the selected reference laboratory.

The candidate laboratory (c) shall comply with the specifications of Annex 6 **to** UNECE Regulation No 117 and its subsequent amendments and preferably have standard deviations (σ_m) as follows:

- (a) not greater than 0,075 kg/t for C1 and C2 tyres; and
- (b) not greater than 0,06 kg/t for C3 tyres.

If the standard deviation (σ_m) of the candidate laboratory is higher than [] **those** values with four measurements, the last three ones being used for the computations, then the number $n+1$ of measurement repetitions shall be increased as follows for the entire batch:

$$n+1 = 1 + (\sigma_m/\gamma)^2, \text{ rounded up to the nearest higher integer value}$$

where:

$$\gamma = 0,043 \text{ kg/t for [] C1 and C2 tyres}$$

$$\gamma = 0,035 \text{ kg/t for [] C3 tyres}$$

6. PROCEDURE FOR THE ALIGNMENT OF A CANDIDATE LABORATORY

One reference laboratory ([] **1**) of the network shall calculate the linear regression function on all individual data of the candidate laboratory (c). The regression coefficients, $A2_c$ and $B2_c$, shall be calculated as follows:

$$RRC_{m,l} = A2_c \times RRC_{m,c} + B2_c$$

where:

$RRC_{m,l}$ is the individual measured value of the rolling resistance coefficient by the reference laboratory ([] **1**) (including temperature and drum diameter corrections)

$RRC_{m,c}$ is the individual measured value of the rolling resistance coefficient by the candidate laboratory (c) (including temperature and drum diameter corrections)

If the coefficient of determination R^2 is lower than 0,97, the candidate laboratory shall not be aligned.

The aligned RRC of tyres tested by the candidate laboratory [] **shall be** calculated as follows:

$$RRC = (A1_l \times A2_c) \times RRC_{m,c} + (A1_l \times B2_c + B1_l)$$

ANNEX VII

Verification procedure

The conformity with this Regulation of the declared fuel efficiency, wet grip and external rolling noise classes, as well as the declared values, and any additional performance information on the label, shall be assessed for each tyre type or each grouping of tyres as determined by the supplier, according to one of the following procedures:

1. a single tyre or tyre set is tested first:
 - a. if the measured values meet the declared classes or external rolling noise declared value within the tolerance defined in Table 1, the test is successfully passed;
 - b. if the measured values do not meet the declared classes or external rolling noise declared value within the range defined in Table 1, three more tyres or tyre sets are tested. The average measurement value stemming from the three tyres or tyre sets tested is used to assess conformity with the declared information within the range defined in Table 1;
2. where the labelled classes or values are derived from type approval test results obtained in accordance with Regulation (EC) No 661/2009, or UNECE Regulation No 117 and its subsequent amendments, Member States may use measurement data obtained from the conformity of production tests on tyres, **carried out under the type-approval procedure established by Regulation (EU) 2018/858.**

Assessments of the measurement data obtained from the conformity of production tests shall take into account the **verification tolerances** defined in Table 1.

Table 1

Measured parameter	Verification tolerances
Rolling resistance coefficient (fuel efficiency)	The aligned measured value shall not be greater than the upper limit (the highest <i>RRC</i>) of the declared class by more than 0,3 kg/1 000kg.
External rolling noise	The measured value shall not be greater than the declared value of <i>N</i> by more than 1 dB(A).
Wet grip <u>performance</u>	The measured value <i>G(T)</i> shall not be lower than the lower limit (the lowest value of <i>G</i>) of the declared class.
Snow grip <u>performance</u>	The measured value shall not be lower than the minimum snow performance index.
Ice grip <u>performance</u>	The measured value shall not be lower than the minimum ice performance index.

ANNEX VIIa

Information to be entered into the product database

1. Information to be entered in the public part of the database by the supplier:

- a) the name or trademark, address, contact details and other legal identification of the supplier;
- b) the tyre type identifier and the date of production;
- c) the label in electronic format;
- d) the energy efficiency class(es) and other parameters of the label;
- e) the parameters of the product information sheet in electronic format.

2. Information to be entered in the compliance part of the database by the supplier:

- a) the tyre type identifier of all equivalent types already placed on the market;
- b) a general description of the tyre type, including its dimensions, load index and speed rating, sufficient for it to be unequivocally and easily identified;
- c) protocols of the testing, grading and measurement of tyre parameters in accordance with Annex I;
- d) specific precautions that shall be taken when the tyre type is assembled, installed, maintained or tested;
- e) the measured technical parameters of the tyre type;
- f) the calculations performed with the measured parameters;
- g) testing conditions if not described sufficiently in point (c).

ANNEX VIII
Correlation table

Regulation (EC) No 1222/2009	This Regulation
Article 1(1)	Article 1(1)
Article 1(2)	Article 1(2)
Article 2(1)	Article 2(1)
Article 2(2)	Article 2(2)
Article 3(1)	Article 3(1)
Article 3(2)	Article 3(2)
-	Article 3(3)
Article 3(3)	Article 3(4)
Article 3(4)	Article 3(5)
-	Article 3(6)
Article 3(5)	Article 3(7)
-	Article 3(8)
-	Article 3(9)
Article 3(6)	Article 3(10)
Article 3(7)	Article 3(11)
Article 3(8)	Article 3(12)
Article 3(9)	Article 3(13)
Article 3(10)	Article 3(14)
Article 3(11)	Article 3(15)
-	Article 3(16)
Article 3(12)	Article 3(17)
Article 3(13)	Article 3(18)
-	Article 3(19)
Article 4	Article 4
Article 4(1)	Article 4(1)
Article 4(1)(a)	Article 4(1)(b)

Article 4(1)(b)	Article 4(1)(b)
Article 4(2)	-
-	Article 4(2)
-	Article 4(3)
Article 4(3)	Article 4(4)
Article 4(4)	Article 4(6)
-	Article 4(5)
-	Article 4(6)
-	Article 4(7)
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-	Article 5
Article 5	Article 6
Article 5(1)	Article 6(1)
Article 5(1)(a)	Article 6(1)(a)
Article 5(1)(b)	Article 6(1)(b)
-	Article 6(2)
-	Article 6(3)
Article 5(2)	Article 6(4)
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-	Article 12(a)
-	Article 12(b)
-	Article 12(c)
Article 11(a)	-
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Article 11(c)	Article 12(d)
Article 12	Article 11
-	Article 11(1)
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-	Article 13
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Article 16	Article 17
