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*The Consumer Voice in Europe*

## GIVING CONSUMERS CLEAR, RELIABLE AND COMPARABLE INFORMATION ABOUT THE SAFETY AND FUEL EFFICIENCY OF TYRES

ANEC/BEUC's views on the European Commission's legislative proposal on tyre labelling of May 2018

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## Why it matters to consumers

With the help of the tyre label, consumers can assess the safety performance of the tyre on wet roads. At the same time, the label provides information whether a specific tyre will help them save on fuel consumption. However, the Tyre Labelling Regulation, which was adopted in 2009, needs to be revised to ensure consumers receive comprehensive and up-to-date information.

## Summary

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**European consumer organisations, ANEC and BEUC, strongly support the European Commission's proposal to revise the Tyre Labelling Regulation.** Overall, we very much welcome the many proposals that have been made to achieve alignment with the EU Energy label and provide recommendations for improvement.

Specifically, we agree that:

- The tyre label needs a rescale to be applied by 2020, with the top-class A empty.
- Consumers' awareness and understanding of the label must be raised, and a clear understanding of its meaning should be ensured.
- Key information related to safety, such as wet grip must stand out, and receive at least equal weight in terms of visibility as fuel efficiency.
- Information on the snow and ice performance of tyres must be included on the label through a scale that enables comparison.
- Information on the sustainability and life-expectancy of tyres should be provided.
- The type approval process should include the tyre label declaration.
- Enforcement must be enhanced, supported by the database established under Regulation (EU) 2017/1369.
- Third-party verification must become part of the mandatory requirements.
- New information requirements for consumers are indeed useful and needed.
- Testing must reflect real life conditions.
- An assessment of the proposed regulation must take place. However, it should take place earlier than 2026 to evaluate its effectiveness.

# 1. INTRODUCTION

Tyres are the sole contact points between the vehicle and the road: hence the necessity to ensure a high level of safety, irrespective of the weather conditions.

At the same time, due to their rolling resistance, tyres account for 5-10% of fuel consumption of vehicles<sup>1</sup>. As different tyres have a different impact on fuel consumption, clear consumer information about the most efficient ones can make a significant contribution in improving the energy efficiency of road transport and reducing fuel costs for consumers.

In this context, the European Parliament and the Council adopted in 2009 the Tyre Labelling Regulation<sup>2</sup> (hereafter referred to as "the Regulation") as part of a broader effort to boost sustainable and safe mobility within the EU. The Regulation entered into force in November 2012, providing consumers with first-hand information on three main parameters: fuel consumption, wet grip and external noise generated by the tyre<sup>3</sup>.

- *Fuel consumption* relates to the rolling resistance. By diminishing the rolling resistance, fuel savings can be achieved.
- *Wet grip* is the most important tyre characteristic when it comes to safety. Tyres with a good wet grip enable a shorter stopping distance in case of rain.
- *External noise* generated by the tyre/road contact is displayed on the label to inform consumers about the traffic-related noise.

Since 2015, consumer organisations have urged the European Commission (EC) to review the label<sup>4</sup>. In 2017, the European Commission assessed the effectiveness of the Regulation, and identified the need to update it with a view to improve its effectiveness, its level of ambition and the degree of compliance with the Regulation, while also taking into account the technological progress of tyres over the past years.

Therefore, **ANEC and BEUC welcome the European Commission's proposal to revise the Regulation**. We are reassured to see that our main recommendations have been included, such as the need to provide information on snow and ice grip, as well as on the sustainability of tyres. Furthermore, there are several clauses to achieve alignment of the Regulation with the Energy labelling scheme, which we very much support. Below, we provide recommendations to further improve the proposal and ensure the consumer view is considered.

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<sup>1</sup> 2018/0148(COD).

<sup>2</sup> Regulation (EC) No 1222/2009.

<sup>3</sup> The two first parameters, i.e. fuel consumption and wet grip, are expressed through a A-G scheme, similar to the energy label for household appliances, whereas the third parameter, i.e. external noise is displayed in three waves (from lower to higher sound level).

<sup>4</sup> ANEC-TRAF-2015-G-060.

## 2. RESCALING THE LABEL BY 2020, WITH TOP-CLASS "A" EMPTY

The tyre label needs a rescale as soon as possible, and no later than 2020. It is in our view urgent to update the parameters – including a rescale of the classes – currently displayed on the label to consider not only the technological developments, but also the effect of the type-approval requirements under the General Safety Regulation. It imposes minimum requirements which ban the worst performing tyres from the market, therefore leaving the bottom classes of the tyre label empty. Not acting on the latter would be misleading for consumers.

Furthermore, the top-class "A" should be left empty when introducing the rescaled label. It means that no tyre would perform well enough to receive an "A" class rating at the time of rescale. As technology evolves, better performing products will become quickly available to consumers. Leaving the "A" class initially empty will stimulate innovation, while avoiding a saturation of the rescaled label too quickly. This is in line with the new Energy label framework, where energy-related products are currently being rescaled with class "A" (and even class "B" for fast technology-evolving products) being left empty.

### **The European Parliament and the Council should:**

- ➔ **support the proposal to review the label by 2020 and ensure an adoption of the Regulation by the end of this Commission's mandate.**
- ➔ **ensure the top class "A" is empty when introducing the rescaled label.**
- ➔ **ensure regular revisions of the classes take place to follow technological progress and further stimulate innovation (i.e. set a clear revision date).**

## 3. DISPLAYING THE RIGHT INFORMATION TO CONSUMERS

### **3.1. Safety information must always stand out**

Due to a tyre's complexity, improving one of the parameters, e.g. the rolling resistance, may have adverse effect on other parameters, e.g. wet grip, and vice versa. Although consumer organisations believe improved fuel efficiency is a necessary step towards more sustainable mobility, safety should not be sacrificed for lower rolling resistance and lower noise levels. In a recent test, BEUC Belgian member, Test Achats/Test Aankoop, found tyres offering poor quality and safety<sup>5</sup>. It means that extensive tests are needed, but also that when designing the label, critical information such as the wet grip (related to safety) must stand out and receive at least equal visibility compared with other parameters, such as the fuel efficiency.

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<sup>5</sup> Magazine April 2018, 629, p.58.

### 3.2. Extending the label to snow and ice grip

Although good grip on icy and snowy roads is of utmost importance in colder temperatures, the label currently does not propose information on the snow and ice grip of tyres. It leaves consumers who live in colder climates – where snow and ice occur frequently – to base their purchasing decisions on the wet grip, which is misleading as wet grip and ice grip are almost contradictory features of tyre performance. A good adherence to wet roads does not assure good adherence to snowy or icy roads. On the contrary, such an amalgam may lead to fatal consequences, not only for vehicle occupants, but also for pedestrians, cyclists and other road users. Indeed, snow tyres require a braking distance that is 10% to 15% longer than non-snow tyres on a dry or wet road but offer a braking distance that is 40% to 45% shorter on snow or ice than other tyres<sup>6</sup>.

We therefore support the proposal of the European Commission to include information related to snow and ice grip. However, the current proposal (see Figure 1) does not provide any added value for consumers compared with the current situation, because the proposed logos would enable consumers to identify only tyres which are designed for snow and ice specifically. Such information is already given to the consumer<sup>7</sup>. The new label should inform consumers, living in colder climates, on how well a certain tyre performs in snowy and icy conditions compared with other tyres of the same type. As stated in the draft Regulation itself, the label is a comparative tool for consumers. We therefore recommend the inclusion of a scale for winter tyres, similar to the one for wet grip.

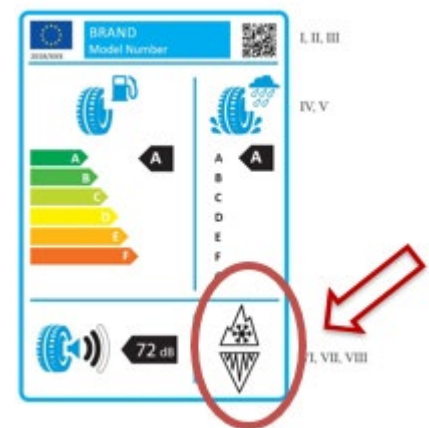


Figure 1. European Commission's proposal to revise the EU tyre labelling. Label design.

→ **The European Parliament and the Council should introduce a scale for winter tyres to give relevant information to consumers living in colder climates.**

### 3.3. Covering a tyre's sustainability and life expectancy

According to tests performed by BEUC Belgian member, Test Achats/Test Aankoop, the durability of certain tyres is decreasing<sup>8</sup>. We therefore welcome the proposal to tackle this issue by providing information on mileage and about how quickly a product will deteriorate over time<sup>9</sup>.

<sup>6</sup> Danish transport and Construction Agency (2009) "Think about tyre choice and speed".

<sup>7</sup> Similar logos can be found on the tyres already.

<sup>8</sup> The durability of 14-inch tyres has decreased on the whole compared with the previous test performed by Test-Achats/Test-Aankoop. Magazine April 2018, 629, p.58.

<sup>9</sup> Abrasion relates to microplastic released in the environment when the tyre interacts with the road surface. Abrasion contributes to particle matter pollution, therefore to air pollution more generally, which is harmful for both the environment and consumer health. It would therefore be interesting to investigate whether it is a useful and understandable information for consumers.

Mileage information especially would inform consumers on the durability and life expectancy of a tyre. It would empower consumers to choose longer lasting tyres, which would be good for the environment and, at the same time, enable consumers to estimate the total running cost of their tyres<sup>10</sup> over time.

→ **The European Parliament and the Council should strongly support the proposal to include information on mileage in the label.**

## 4. ENHANCING CONSUMERS' AWARENESS AND UNDERSTANDING OF THE LABEL

Although consumer organisations – such as BEUC UK member, Which? <sup>11</sup> – already explain and promote the tyre label to consumers, this alone is not enough to ensure broad knowledge and acceptance of the label.

### 4.1. Improving consumer awareness of the label

The impact assessment of the Regulation concluded that the effectiveness of the tyre label is reduced due to poor visibility. We therefore welcome provisions aiming at increasing awareness of the label. Specifically, we agree that all tyres placed on the market must be accompanied by the label, independent of the sales channel. Concretely, it means that the full label must be displayed in visual advertisements, technical promotional material, on the internet and in paper-based distance selling.

We note that this proposal is in line with the new Energy labelling framework, a successful and well-known label among consumers. This ensures a more comprehensive and consistent EU approach across product groups.

→ **The European Parliament and the Council should strongly support the proposal to require the display of the label in all advertisements to increase consumer awareness of the label.**

### 4.2. Testing consumer understanding of the label

ANEC and BEUC agree more work is needed to ensure consumers have clear understanding of the label. With this in mind, we welcome the new clause under article 12 that requires the design and content of the new elements to be tested among consumers, in line with the Energy label process. We however encourage the European Commission:

- to test not only individual pictograms, but the new label as a whole (e.g. to ensure information overload is avoided). This is especially appropriate given the proposal to add new elements to the label (which we support in principle).
- to test the new label as it will be displayed in 2020, and not only elements that might be incorporated in the future through delegated acts. The new label must be able to be understood correctly.

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<sup>10</sup> Tyres are also an important cost of a car Total Cost of Ownership (TCO).

<sup>11</sup> <https://www.which.co.uk/reviews/new-and-used-cars/article/how-to-buy-car-tyres/tyre-speed-ratings-and-markings>

- **For reasons of comprehension, the European Parliament and the Council should ensure that, not only the new elements are tested among consumers, but also the entire new label. The consumer survey must be a mandatory step<sup>12</sup>.**

### **4.3. Providing additional requirements for consumers**

We welcome the proposal to require information in the technical documentation, the product information sheets and in the technical promotional material. This information, for example, includes the supplier's name, the model identifier and the fuel efficiency class. This is again in line with the Energy label framework, which we see as a positive step towards more transparency. In addition, each parameter displayed on the label should be explained in a simple manner to consumers in the product information sheet. It might not seem obvious for consumers why e.g. the external noise performance of a tyre is provided, i.e. because of environmental and health reasons.

- **The European Parliament and the Council should support the provision of additional information in the technical documentation, the product information sheets and the technical promotional material.**

## **5. ENHANCING COMPLIANCE THROUGH ENFORCEMENT OF THE LABEL**

The impact assessment of the current Regulation clearly identifies non-compliance – arising from a lack of enforcement – as one of the major issues. Results of the MSTyr15 project<sup>13</sup> highlight that there is room for improvement in terms of compliance: 21.7% of tyres checked in the context of the project were found to be non-compliant during the online inspection and 6.1% were found non-compliant in shop inspection. These non-compliance rates include cases where the label was not shown at all. Furthermore, several consumer tests have shown discrepancies against the manufacturer's test results<sup>14</sup>.

We therefore welcome both regulatory and non-regulatory proposals from the European Commission to overcome this issue.

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<sup>12</sup> In the current proposal, the European Commission has the choice to decide whether or not a consumer survey should take place.

<sup>13</sup> The Market Surveillance Project Tyres 2015 (MSTyr15) project was designed to help deliver the intended economic and environment benefits of Regulation (EC) No 1222/2009 on the labelling of tyres by increasing the rates of product compliance with it. Between March 2016 and May 2018, monitoring, verification and enforcement activities related to tyres took place as part of the project. In total, 11 899 tyre labels were checked as well as 761 technical documentations.

<sup>14</sup> Based on International Consumer Research & Testing (ICRT) results.

### 5.1. Supporting market surveillance authorities (post-sale controls)

We welcome that the European Commission took our recommendations into account and foresees a link of this Regulation with the product registration database being set up under the new Energy Labelling Framework Regulation<sup>15</sup>. The centralisation of compliance and performance data in the Energy label database also for tyres would be useful for market surveillance purposes, to provide the public with information on tyre labelling and to help assess when a rescaling of the label should take place.

→ **The European Parliament and the Council should support the link made with the Energy label database to help market surveillance authorities improve enforcement.**

### 5.2. Including tyres in the type-approval process (pre-sale controls)

According to the proposal, tyre manufacturers will have to subject the label declaration to the type-approval requirements for the general safety of motor vehicle<sup>16</sup>. Concretely, the type-approval process means that the requirements laid down under the Regulation related classes and performance declared, will have to be checked and certified before tyres are placed on the market. Such a process provides additional certainty on the correctness of the label, which we strongly support.

However, in the current proposal, there is no mandatory requirement for public authorities to ensure third-party verification<sup>17</sup>. It means that the label parameters are solely based on self-declaration from manufacturers, which has proven insufficient to ensure compliance<sup>18</sup>. We strongly encourage the EU to introduce a mandatory third-party verification scheme into the Regulation to ensure compliance and credibility towards consumers.

→ **The European Parliament and the Council should support the proposal to extend the type-approval process to tyres but also call for a mandatory third-party certification of the label to ensure compliance with the Regulation.**

## 6. ENSURING REAL-LIFE TESTING

As recently highlighted by BEUC French member, UFC-Que Choisir<sup>19</sup>, the current tests to determine the energy efficiency and the wet grip classes are done when tyres are new<sup>20</sup>. As different tyres may show a different performance after a certain time in use, we believe it is not representative of real-life to base a label classification only on new products. This can mislead consumers when making their purchasing decisions.

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<sup>15</sup> Regulation (EU) 2017/1369.

<sup>16</sup> Regulation (EC) No 661/2009.

<sup>17</sup> In the current proposal, third party verification can only be found under Article 14 ' Evaluation and report', which is not sufficient.

<sup>18</sup> See MSTyr15 project on note 11.

<sup>19</sup> Magazine October 2018, 573, p.54.

<sup>20</sup> i.e. at ~8mm tread depth.



When it comes to parameters for fuel efficiency and external noise, the performance of most tyres is likely to improve over time, although to different extents. This means that the tyre label will indicate the class for fuel efficiency and external noise based on the worst performance of the labelled tyre. In a sense, this is acceptable as consumers cannot be disappointed with the performance over time. However, it might be that the performance of one tyre will improve more steadily compared to another one, which should be reflected in the formula.

This reasoning is even more important for wet grip performance, where performance will diminish over time. In addition, wet grip performance of tyres will not decrease to the same degree for each tyre, as there is no correlation between the performance in the new and worn states<sup>21</sup>. This has the following consequences:

- consumers cannot compare tyres based on the whole service lifetime of their tyres.
- manufacturers who design tyres which constantly provide for a high level of safety during the use phase are not rewarded.
- no incentives are provided to manufacturers to improve the tyre performance during the entire service lifetime. In other words, there is risk that some manufacturers will optimise the performance of their tyre when new to obtain a good rating, whereas consumers have an interest in a lifetime performance in line with the initial labelling classification.

➔ **The European Parliament and the Council must call for testing that reflects real life conditions to show those tyres that perform well during their complete lifetimes.**

## 7. ASSESSING THE LABEL'S EFFECTIVENESS

We agree with the EC's proposal that an assessment of the proposed regulation must take place in the coming years to evaluate its effectiveness. However, provided the Tyre Labelling Regulation will be adopted before the end of this European Commission and Parliament, the EC should carry out the evaluation study earlier than six years after the entry into force of the Regulation, i.e. earlier than 2026.

We believe the evaluation study should take place four years after the entry into force in order to determine whether the objectives have been reached.

➔ **The European Parliament and the Council should encourage the European Commission to assess the impact of the new Regulation four years after its entry into force.**

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<sup>21</sup> Planned obsolescence is not inevitable (2017) Ernst & Young and associates.