

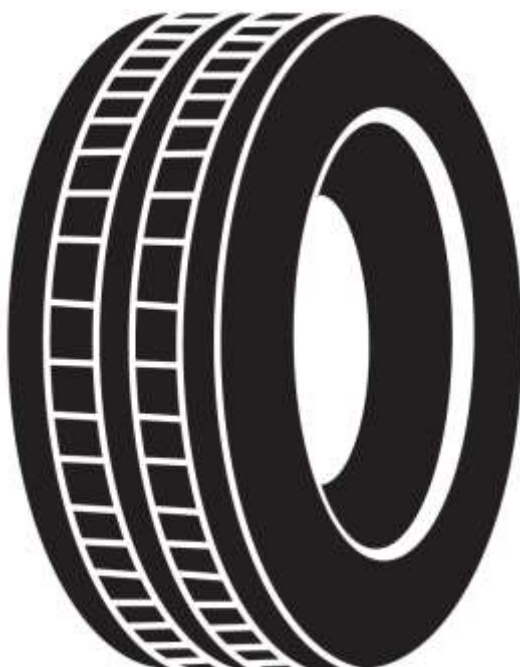
QUESTIONS & ANSWERS

accompanying

November
2020

Regulation (EU) 2020/740 of the European Parliament and of the Council of 25 May 2020 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**



Questions and Answers

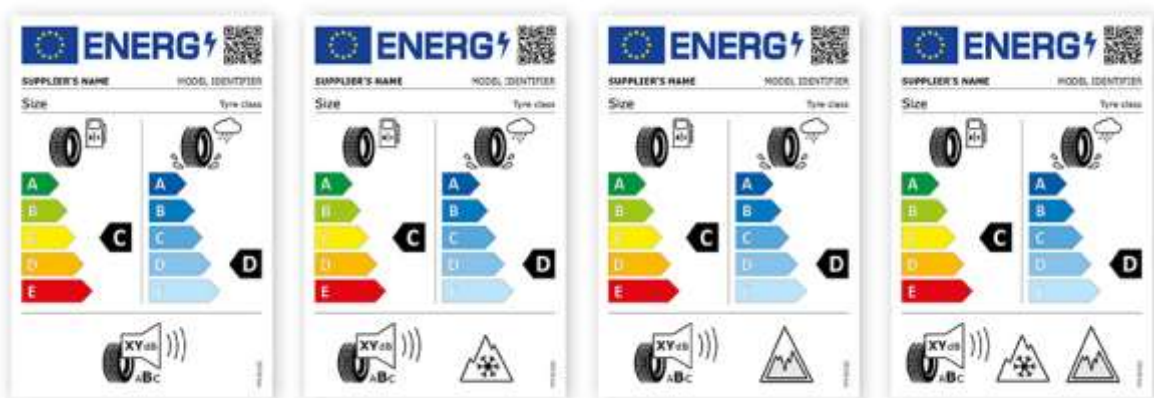
Last Update: 30/11/2020

Regulation (EU) 2020/740 entered into force on 25 June 2020. It repeals and replaces Regulation (EC) No 1222/2009 with start of application on 1 May 2021. It 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, for the purpose of increasing economic and environmental efficiency of road transport by promoting fuel-efficient, safe tyres with low noise levels.

While the content and format of the tyre label are laid down in Annex II, Annex I provides for the testing, grading and measurement of the following parameters:

- (A) Fuel efficiency classes and rolling resistance coefficient,
- (B) Wet grip classes,
- (C) External rolling noise classes and measured value,
- (D) Snow grip,
- (E) Ice grip.

The suppliers and distributors of vehicles and tyres are to provide end-users before the sale with the label for the tyres offered or fitted, any technical promotional material, and ensure the product information sheet, as set out in Annex IV, is available.



DISCLAIMER

This document aims to help relevant stakeholders, including industry and public authorities, to implement the Regulation in practice. It summarises the most relevant information from the regulation to give industry stakeholders an introduction to the subject matter and answer the most common questions. This document may be updated with additional clarifications deemed as necessary.

This document is intended to be used only for facilitating the implementation of the Regulations. It is not intended to replace the Regulation or to provide "interpretation" beyond its intent. This document and the answers provided to a number of questions from tyre and vehicle manufacturers are not legally binding.

A finally binding legal interpretation of EU legislation may only be provided by the European Court of Justice. The guidelines are without prejudice to the position the Commission might take should an issue arise in a procedure before the European Court of Justice.

#	Article(s)	Question	Answer
	multiple	What does “placing on the market” of a tyre mean?	Article 3(18) refers to the definition of the term in Article 3(2) of the Regulation (EU) 2019/1020 on market surveillance and compliance of products: ‘placing on the market’ means the first making available of a product on the Union market. According to Article 3(17) of the Tyre Labelling Regulation in conjunction with Article 3(1) of the Market Surveillance Regulation, ‘making available on the market’ means any supply of a product for distribution, consumption or use on the Union market in the course of a commercial activity, whether in return for payment or free of charge. In this context, it is important to underline that the concept of placing on the market refers to each individual tyre (unit), not to a type of tyre.
	4 6	For tyres produced in the period between 25 June 2020 and 30 April 2021: Shall all tyres placed on the market after 1 May 2021 bear the new label from this date? Can tyres placed on the market within 30 April 2021 carry only the label as from Regulation 1222/2009? and what from 1 December?	Article 4 and Article 6, establishing the obligation to accompany tyres with the new label, apply from 1 May 2021. C1, C2 and C3 tyres produced from 1 May 2021 (thus bearing a date of production equal or later than “1821” ¹ , and necessarily placed on the market after this date) must bear the label as from Regulation 2020/740. From 1 May 2021, both the old and the new label may be found on tyres at the sales point, depending on the date of placing on the market of those tyres. There is no obligation to relabel tyres that have been placed on the market before 1 May 2021. Tyres may be found in shops or stores for years to come. However, from 1 December 2021, NO tyre in the scope of the Regulation may be placed on the market with the label as from Regulation (EC) 2009/1222, irrespective of the production date.

¹ On the sidewall you find a tyre’s ‘DOT code’. Since year 2000, the date section of the code has been made up of 4 numbers: the first two digits indicate the week number, the last two indicate the year the tyre was manufactured.

			<p>As a consequence, tyres produced before 1 May 2021 (i.e. with DOT less than 1821) and not placed on the market before 1 December 2021 must get a label according Regulation (EU) 2020/740.</p>
5		<p>Tyres produced until start of application of the new regulation may remain for years in warehouses and PoS locations with “old” labels on them.</p> <p>Should suppliers (retrospectively) register in EPREL tyres produced in the period between 25 June 2020 and 30 April 2021 and placed on the market before 1 May 2021 even if they will never be placed on the market after that date (thus never bearing the new label)?</p>	<p>Article 5 refers to the registration obligation. Any registration can be entered by suppliers at any time but will become visible, publicly and to compliance verification authorities, not before 1 May 2021, date of start of application.</p> <p>Tyres produced from 1 May 2021 have to be registered before they are placed on the market.</p> <p>Tyres produced between 25 June 2020 and 1 May 2021 (thus, necessarily bearing a date of production between “2620” and “1721”) may be in two situations in respect to registration:</p> <ul style="list-style-type: none"> • if placed on the market before 1 May 2021, they must bear the label as from Regulation 1222/2009. • if placed on the market from 1 May 2021, they must bear the label as from Regulation 2020/740. <p>Tyres placed on the market before 25 June 2020 (thus, necessarily bearing a date of production up to “2520”), have no obligations of registration; the supplier may register the tyres on a voluntary basis (Article 5(3)).</p> <p>Tyres produced and placed on the market before 1 May 2021 do not need to be registered in EPREL if not placed on the market anymore after 30 April 2021.</p> <p>Labelling and registration obligation are related to some extent: as the new label has to bear the QR code associated to the registration in EPREL, tyres</p>

			<p>can bear the new label only after they have been (pre)registered. A pre-registration enables the production of the label and related information material; however, it does not enable the publication of the registration, and a scanning of the QR code will return an error message until the registration is completed and published. Thus, in practice, the registration has to be published before placing the tyres on the market.</p>
	5	<p>If the official ‘Supplier Administrator’ of EPREL is located in an EU country, can the ‘Suppliers user’ of EPREL be located in non-EU Countries?</p> <p>More in general, can a tyre manufacturer not established in the EU access the registrations concerning its tyres which have been entered into EPREL by an importer or authorised representative established in the EU?</p>	<p>By definition, suppliers are established on the EU territory. The compliance part of the database is subject to strict data protection rules. Suppliers receive rights to enter and access their data. The Commission is not entitled to give access rights to the compliance part to other parties than suppliers and market surveillance authorities. Agreements between the importer or authorised representative and the manufacturer established outside the EU are not regulated in the context of the Tyre Labelling Regulation (EU) 2020/740 (nor of the framework Labelling Regulation (EU) 2017/1369).</p> <p>The supplier is solely responsible of the data entered in the database and remains liable, whoever, wherever data has been input.</p> <p>No supplier can access the compliance data of any other supplier at any moment and by any mean (interactive or via system-to-system).</p> <p>No operator not established in the EU-EEA can be regarded as supplier.</p>
	4.1	<p>Is the “printed tyre label” as of Article 4.1 (b) intended as necessarily printed on paper or can it also be “printed on a display” or be a “printable” information transmitted in a digital file?</p> <p>For the provision of tyre labels in electronic form, is a delegated act foreseen?</p>	<p>Batches of tyres placed on the EU market have to be accompanied by a printed label. The Regulation refers to an electronic version of the label as “label in electronic form” and not as “printed on a display” (see definition of ‘tyre label’ in Article 3(5)).</p> <p>A label must accompany each batch of tyres and “the batch” is to be understood as the entire set delivered to a single address, at a single customer on a specific date (i.e. 4 tyres in the same parcel could be considered as a parcel).</p>


			<p>The format of tyre labels (both in printed and electronic form) is set out in Annex II. Article 13(1)(a) empowers the Commission to adopt delegated acts in order to amend Annex II with regard to the content and format of the tyre label. The Commission does not deem the adoption of a specific delegated act for labels in electronic form necessary.</p>
4.1 5.1 6.1	<p>Is the QR code giving access to the PIS and the Label in a visible form?</p>	<p>Yes. The QR code leads to the label and the product information sheet as stored in EPREL: they appear on the display of a QR reader, such a smartphone</p> <p>The QR code is a machine-readable universal resource locator (URL), leading to the specific record in the EPREL system.</p> <p>Such a link includes the univocal code associated to a specific tyre type, i.e. the EPREL product identifier.</p> <p>The QR code gives access to the public information in EPREL that constitutes the label and the PIS.</p> <p>The public information appears in the internet browser of the different ICT media, such as a smartphone, tablet or computer. A PDF version of the label and PIS can be visualised, downloaded or printed.</p> <p>Equivalent models have a different univocal product number and QR code but lead to the same label and PIS content (because of the definition itself of “equivalent”).</p>	
4.1 5.1 6.1	<p>How is the supplier giving the information to the distribution chain? is the provision of the QR code enough?</p>	<p>The QR code provides a direct link to the “public” information stored in EPREL, i.e. to all parameters part of the label and of the Product Information Sheet.</p> <p>Alternatively, the URL in clear, corresponding to the QR code must be provided for those situations where a QR reader is not available.</p>	

			<p>According to Art 32), of the framework regulation (EU) 2017/1369 suppliers shall provide the Product Information Sheet on demand from dealers within 5 working daysI (if not provided beforehand). In principle the aim of the QR code is to let anybody have instant access to the Product Information Sheet on-line by reading the QR code with a suitable tool.</p> <p>In principle the aim of the QR code is to let anybody have instant access to the Product Information Sheeton-line by reading the QR code with a suitable tool.</p> <p>Caveat: EPREL does not make any information publicly available before the date of start of application date, i.e. the provision of the QR code alone does not permit access to the information before 1 May 2021.</p> <p>More in general, the QR code does not provide any publicly accessible information before the date of starting of placement on the market as declared in EPREL.</p>
4.1 5.1 6.1	Is it a tyre manufacturers' obligation to provide the PIS or is it sufficient that the Distributor goes to EPREL and downloads the PIS to fulfill its obligations?		EPREL can automatically produce a PIS from data entered by the supplier and in any official language of the EU. Fulfilling the obligation requires that the tyre type is registered in EPREL if a printed version is not provided.
4.1 5.1 6.1	Since the QR code is available in the distribution channel, can "accompanied" be understood as fulfilling the obligations regarding the PIS?		The word "accompanied" is used in the Regulation in Article 4: "suppliers shall ensure that tyres are accompanied by a tyre label (in the form of a sticker or by a printed tyre label) and by a product information sheet. No clear indication is given as to the format of the product information sheet. Article 3(8) defines the 'product information sheet' as a standard document

			<p>containing the information set out in Annex III in printed or electronic form. If the product information sheet can be obtained in electronic form by scanning the QR code on the label (as printed on a physical support, this fulfils the obligation to accompany the tyres by the product information sheet. However, if the customer cannot access the PIS via the EPREL system, using the QR code, then the PIS has to be made physically available.</p>
	7	<p>How should “intend to acquire a new vehicle” be interpreted?</p> <p>Do vehicle suppliers have to provide the required information only to those “going to order a vehicle”, thus signing a contract, or also to visitors of the vehicle store but not necessarily going to sign a purchase agreement?</p> <p>How should “before the sale” be interpreted? Just right before the customer signs the order contract or should the information be displayed at the point of sale (both in brick&mortar garage and on line for on-line sales)?</p>	<p>The label, with the product information sheet, has to help the end-user in an informed purchase choice.</p> <p>“Intend to acquire” suggests that the decision is close to be taken but not formalised yet, i.e. with signature of a reservation, order or purchase contract. Therefore, at the very latest before such an irreversible action, vehicle suppliers and vehicle distributors have to provide this element of complementary information.</p> <p>However, the provision of the tyre label should be not intended as mere document to attach at the time of signature, but as part of the technical promotional material provided to influence the purchase decision.</p> <p>This appears particularly relevant if the vehicle is proposed with different rims of different size and thus different tyres types that may have an influence on the energy consumption of the vehicle, whatever “fuel” uses (including electricity), consequently the relevant label has to be provided.</p> <p>This has to be considered as applicable not only for a vehicle displayed in a store, but also for on-line sales.</p>
	7	<p>Would an electronic format-only of the label and product information sheet be</p>	<p>Article 7 does not refer to any specific media support for the label, thus a label in electronic format appears acceptable if the remaining vehicle</p>

		<p>considered compliant?</p> <p>If the information is provided as part of the documentation addressed to any customer (i.e. product brochures and flyers), can the obligation be considered fulfilled?</p>	<p>information is provided in that same way.</p> <p>The obligation can be considered fulfilled by providing the tyre label and the relevant technical promotional material in the documentation addressed to any customer, as long as this documentation is provided to the end-user intending to acquire a new vehicle.</p>
	7	<p>For vehicle suppliers, would a print out or an electronic format attached to the sales contract be fulfilling the “before the sale” requirements?</p>	<p>“Before the sale” requirements are set in Article 6(1)(b), Article 6(4) and Article 7.</p> <p>Article 6(1)(b) explicitly requires a printed tyre label; a tyre label in electronic form is therefore not sufficient in situations covered by Article 6(1)(b). In the situations covered by Article 6(4) and Article 7, the tyre label can be in printed or in electronic form.</p>
	7	<p>Vehicle suppliers need time to update documents. For vehicle suppliers, which is the date of start of application? Is it 1 May 2021, irrespective of the date of placement on the market of the tyres and/or of the vehicle? Can vehicle manufacturers still propose the label as from Regulation (EC) 2009/1222 until the tyre types already placed on the market before start of application are finally registered (i.e. at the latest by 30 November 2021)?</p>	<p>As the specific tyre type part of the OEM supply may be not registered in the EPREL in principle the vehicle supplier cannot access the information related to the tyre. Thus the information can be updated only after the tyre supplier has registered the tyres in EPREL.</p>
	7	<p>Are vehicle manufacturers deemed</p>	<p>No.</p>

		responsible for inaccuracy of the tyre label as provided by the tyres supplier?	
	7	<p>What happens if a vehicle is imported fitted with tyres not already placed on the EU market?</p> <p>For tyres not placed on the EU market as replacement and only delivered equipping a new car imported in the EU, who should be responsible for registration of the tyre in the product registration system EPREL? And, in general, what are the obligations for imported vehicles in respect to tyres?</p>	<p>Vehicle importers act also as tyre importers, with all obligations related to type approval and labelling.</p>
	7	<p>For a vehicle supplier: If the label (and PIS) of a specific tyre type is provided to the end-user, is this specific tyre brand binding?</p>	<p>The label description in Annex II includes ‘Trade name or trademark of the supplier’ as mandatory element.</p> <p>If the vehicle manufacturer cannot know, at the moment of signing the sales contract, which tyre brand will be finally provided, then all possible labels of all possible brands should be provided.</p> <p>The sales contract may possibly regulate a situation where, for any reason, the car has to be finally delivered with a different tyre Type.</p>
	7	<p>For vehicle manufacturers, does the obligation of providing the label and PIS cover also the final delivery of the vehicle, i.e., has the label of the tyre type finally equipping the car to be delivered as part of the documentation provided to</p>	<p>There is no such obligation.</p> <p>The Regulation assumes that the label and PIS must be an instrument of informed purchase choice.</p>

		the end-user?	
	7	When a vehicle is provided to the end-user, should the tyres bear the sticker on/in it? If not, why?	No. There is no such obligation. The Regulation assumes that the label and PIS must be an instrument of informed purchase choice.
	Annex VII	EPREL allows to input the technical information with 6 different documents for providing the required information in point 2, numbered (a) to (f), as from point 2 of Annex VII, however all the information may be easily provided in a single document. Can a single document be uploaded?	All information can be provided in a single document and all buttons can be set. A specific form, for this purpose, for all suppliers is available, thus helping streamline this specific control by Market Surveillance Authorities.  Template for TLR Annex VII Point 2 v6a.c
	Annex VII	Is there an option to update Annex VII report after the tyre has been placed on the market? Which changes are possible?	Once a product is complete and the date of placing on the market occurs, some changes are not possible anymore and some others remain possible but logging is activated and a reason for the change has to be provided in a specific notes field (this can be done both with automatic transfer or by using the GUI). For convenience, the accepted reasons are listed: Correct typo: supplier has done a mistake when declaring a value and needs correction. Change in standards: the testing standards can change and some values need to be modified. Label scale-range change, e.g. as result of amendment of the type approval legislation.

			<p>Request to change declaration by market surveillance: If MSA detects an error or mistake that does not need a new model registration, it can ask the supplier to modify some values of a registered model.</p> <p>Correction without changes in declaration: during the lifecycle of a model it might be, that either the company itself produces more helpful information, or clarification, or that it turns out that for communication with MSA this information speeds up their understanding (though strictly speaking not legally necessary). Additional information, that does not change in such a case the model, this cannot lead to a forced change in model number (=no new registration), a change of model would then not make any sense.</p> <p>Request to change declaration by external body: A Certification Body very frequently detect errors in declared data, sometimes typing mistakes, many times performance data that, after test in Independent Laboratory, need correction (“re-rating”). Data linked to a product can represent up to dozens of values, and it can happen that one, a few, or more, need adjustment. New models each time is not sustainable.</p> <p>Set date of end of placement on the market: To set the date of end of placement on the market of a model.</p> <p>More details can be found in the user guides in Wiki: https://webgate.ec.europa.eu/fpfis/wikis/display/EPREL/EPREL+Guidelines</p>
	<p>3.7 4.4</p>	<p>What is regarded as a “technical promotional material”?</p>	<p>The definition of technical promotional material is given in Article 3(7) of the Tyre Labeling Regulation: ‘technical promotional material’ means documentation, in printed or electronic form, that is produced by a supplier to supplement advertising material with the information set out in Annex IV”</p> <p>Recital 24 provides more detail: Potential end-users should be provided with information explaining each</p>

			<p>component of the tyre label and its relevance. That information should be provided in all technical promotional material, for example on suppliers' websites, but should not be required in visual advertisements. Technical promotional material should not be understood to include advertisements via billboards, newspapers, magazines or radio or television broadcasts.</p>
		<p>There are storage situations along the distribution chain, where tyres will never be seen by the end-customer, especially in the case of truck tyres. Are these storage situations also understood to be points of sale where the tyre label needs to be displayed?</p>	<p>Storage locations in the premises of the tyre manufacturer or importer, thus before the tyres are "placed on the market", are not covered by any obligation in respect to labelling.</p> <p>Storage in the premises of a distributor is not considered a point of sale where Article 6 applies. However, Article 4 applies (the storage of a distributor, irrespective of access by customers or by MSAs, can only contain tyres that have been "placed on the market" when they were made available to the distributor), thus the supplier must ensure that the tyres are accompanied by an individual label sticker, or, for batches, by a printed label.</p>
		<p>Are tyres inside a container just downloaded at the harbour or on a truck passing customs at an EU border already considered as "placed on the market" and thus covered by obligations as from Article 4?</p>	<p>Not always. A tyre is "placed on the market" when it is first made available on the Union market. 'Making available on the market' means the supply of the tyre for distribution, consumption or use on the Union market in the course of a commercial activity, whether in return for payment or free of charge. According to the Blue Guide, the making available of a product supposes an offer or an agreement (written or verbal) between two or more legal or natural persons for the transfer of ownership, possession or any other right concerning the product in question after the stage of manufacture has taken place. Being downloaded at a harbour or passing customs is in itself not sufficient to consider that a tyre is "being placed on the market". However, in most cases, the tyres downloaded at the harbour or passing the border are already subject to an agreement and can hence be considered as "placed on the market", thus those tyres must bear an individual label</p>

			sticker, or, for batches, “a printed label” must accompany them.
Annex part E	I,	<p>For assessing ice grip performance, the Regulation does not indicate a specific standard. What are the testing standards to be used? Is a delegated act foreseen to indicate such standard and how should it be used?</p> <p>From when the ice grip pictogram of a tyre, that has been tested according to ISO 19447 and that satisfies the relevant minimum ice grip index values, can be printed on the label?</p>	<p>Recital 14 clearly refers to ISO 19447 as the only standard for measuring the ice grip index.</p> <p>Only C1 tyres can be tested according to this standard. No ice grip testing method exists, so far, for testing C2 and C3 tyres. Consequently, only C1 tyres having the minimum ice grip performance level can display the “ice” pictogram on the label.</p> <p>The ice grip pictogram can only be placed on the new label that will only appear for end-users after the start of application of the new Regulation, i.e. from 1 May 2021. A tyre may be tested at any time once the standard is published (and a facility becomes available to perform the necessary test according to what indicated in the standard).</p>
Annex part E	I,	Can C2 or C3 tyre labels bear the ice pictogram?	<p>No. At the date of writing this document, the standard ISO/DIS 19447 “Passenger car tyres — Method for measuring ice grip performance — Loaded new tyres” only covers the testing method for C1 tyres. Until this standard will be updated to cover C2 or C3 tyres, no C2 or C3 tyre can be tested and, consequently, no C2 or C3 tyre can bear the ice pictogram.</p> <p>The subject matter of the Tyre Labelling Regulation (EU) 2020/740 in its Article 1 justified by Recital (9) is to provide harmonized information on tyre parameters to allow the end user to make an informed choice. It is also essential to prevent that different testing results will be obtained by market surveillance authorities in comparison to the testing results declared by the suppliers.</p> <p>This is possible only with the use of a reliable, accurate and reproducible method, and at the condition that no alternate method providing different</p>

			<p>information is used.</p> <p>At the date of writing this document, the standard ISO/DIS 19447 “Passenger car tyres — Method for measuring ice grip performance — Loaded new tyres” only covers the testing method for C1 tyres.</p> <p>Until this standard will be updated to cover C2 or C3 tyres, no C2 or C3 tyre can be tested and, consequently, no C2 or C3 tyre can bear the ice pictogram.</p> <p>Consequently, only C1 tyres having the minimum ice braking performance level from ISO 19447 can display the “ice” pictogram on the label.</p>
--	--	--	---

The following table provides a summary of the obligations for labelling and for registration in EPREL in respect to the date of production and the date of placement on the market, for all possible scenarios.

Tyre produced	Tyre placed on the market	Obligation for label and PIS to accompany the tyre (Article 4.1)	Obligation to upload information in EPREL (Articles 5.1. 5.2 & 5.3, Annex VII)
Before 25 June 2020 (up to 2620)	Before 25 June 2020	No ²	On voluntary basis
	Before 1 May 2021	No ²	On voluntary basis
	After 1 May 2021	Yes	On voluntary basis
Between 25 June 2020 and 30 April 2021 (2720 to 1721)	Before 1 May 2021	No ²	Yes, by 30 November 2021
	After 1 May 2021	Yes	Yes, by 30 November 2021
From 1 May 2021 (from 1821)	After 1 May 2021	Yes	Yes, before placing on the market

² C1 and C2 tyres in this situation, anyhow, must bear the label as of Regulation (EC) No 1222/2009.”