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REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL

on the delegation of the power to adopt delegated acts conferred on the Commission pursuant to 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

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1. INTRODUCTION

Regulation (EU) 2020/740 ([1]) on the labelling of tyres with respect to fuel efficiency and other parameters was adopted on 25 May 2020 and entered into force on 1 May 2021. It repealed Regulation (EC) 1222/2009.

Tyre labelling enables consumers to make informed choices based on clear indications about the fuel efficiency, wet grip and other important supplementary information. It can contribute significantly to fuel savings while also encouraging innovation and investments in the development and marketing of better tyres. By harmonising related requirements at EU level, tyre labelling also benefits manufacturers, industry and the EU economy overall ([2]).

The rules set out in the Regulation have applied since 1 May 2021 and cover the fuel efficiency, safety and external noise performance of new tyres for passenger cars (C1), light commercial vehicles (C2) and buses and lorries (C3). The label follows the well-known colour-coded classification system used for household appliances such as dishwashers and refrigerators, albeit with only five different classes available for rolling resistance and wet grip, and three classes for external rolling noise. Rolling resistance is an indicator of a tyre's energy efficiency. It helps customers chose tyres with lower fuel consumption and which can extend the distance that a vehicle can cover between refuelling or charging points. Meanwhile, the wet grip measurement, indicating the braking performance, is a key safety aspect. The label helps consumers make a better informed choice based on factual key information when buying new tyres. Since the Regulation has been applied, the European Product Registry for Energy Labelling (EPREL) ([3]), has become fully operational, and suppliers of tyres need to register in its database any tyre-type within the scope of the Regulation before placing them on the EU market. The label together with the related data collected in the product database EPREL ([4]) is also a highly useful tool in public and private bulk procurement decisions, such as those by fleet managers and vehicle manufacturers.

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1 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, OJ L 177, 5.6.2020, p. 1–31, ELI: http://data.europa.eu/eli/reg/2020/740/oj.

2 Commission staff working document accompanying the Commission's Communication on the Ecodesign and Energy Labelling Working Plan 2022-2024, EUR-Lex - 52022SC0101 - EN - EUR-Lex (europa.eu).

3 https://eprel.ec.europa.eu/screen/home.

4 https://eprel.ec.europa.eu/screen/product/tyres and https://energy-efficient-products.ec.europa.eu/ecodesign-and-energy-label/product-list/tyres_en.

2. LEGAL BASIS

According to Article 13 of Regulation (EU) 2020/740, the Commission is empowered to adopt delegated acts in accordance with Article 14 of that Regulation. Article 14 sets out that the Commission is empowered to adopt delegated acts for an initial period of 5 years from 25 June 2020 and set the conditions for a possible extension of this period. Under this provision, the Commission is required to prepare a report on the delegation of power at the latest 9 months before the end of the 5-year period. This report aims to fulfil that requirement.

Article 14(2) of the Regulation also lays down that the delegation of power must be tacitly extended for periods of the same duration, unless the European Parliament or the Council opposes such extension no later than 3 months before the end of each period. Furthermore, Article 14(3) states that European Parliament or the Council can revoke the delegation of power at any time.

3. EXERCISE OF THE DELEGATION

The Commission has not yet exercised the delegated powers conferred to it under the relevant provisions of Regulation (EU) 2020/740. This is primarily due to certain conditions not being sufficiently mature and in particular the following reasons.

- It was not possible to propose a delegated act to supplement the Regulation in relation to **labelling of re-treaded tyres** by 26 June 2022 given the unavailability of a suitable testing method ([5]). However, work to address this gap has advanced. The Commission has launched a study by an independent laboratory specialised in homologation testing of vehicles and components, to assess whether an industry proposal on the labelling of C3 tyres, presented in October 2022, is valid and feasible. The study's findings will inform an impact assessment that is also being launched. Relevant stakeholders from governments, industry and consumer associations with expertise in regulatory activities concerning motor vehicles ([6]) will be consulted in an appropriate manner on a draft Commission Delegated Regulation.
- A delegated act to supplement the Regulation to include parameters or information requirements for **tyre abrasion and mileage** could not be launched yet as no reliable, accurate and reproducible methods to test and measure tyre abrasion and mileage are currently available. However, work on this is in progress, in the context of the UN-ECE Task Force on Tyre Abrasion (TF-TA) ([7]). The resulting testing method to measure abrasion for setting the minimal requirements in the context of the Euro-7 Regulation will be soon available for C1 tyres. C2 and C3 tyres will follow. Work is scheduled to start soon, as part of the TF-TA mandate, to assess a method for estimating the mileage potential of tyres.

Furthermore, according to Article 13, point 1, the Commission is also empowered to adopt delegated acts in accordance with Article 14 to amend parts D and E of Annex I, Annex II regarding the content and format of the tyre label and Annexes III, IV, V, VI and VII, by adapting the values, calculation methods and requirements set out in relation to technological progress. The Commission has already indentified a range of issues on which there is likely a

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5 See Article 13(2) of Regulation (EU) 2020/740.

6 Commission's Motor Vehicles Working Group (MVWG).

7 https://wiki.unece.org/pages/viewpage.action?pageId=160694352.

need to use this empowerment and it intends to conclude thereon no later than in the context of the report due by 1 June 2025, in accordance with Article 15 of the Regulation.

4. CONCLUSION

The Commission considers that a tacit extension of the delegations of power for 5 years, provided for in Article 14(2) of the Regulation (EU) 2020/740, is clearly needed.

The need to develop and adopt rules based on the empowerments granted by Article 14 will arise in the future. The rationale for the delegations of power has not changed. It is important to: (i) maintain the flexibility in the legal framework to supplement or adjust it to emerging needs; and (ii) amend the mentioned annexes when needed to ensure safety and protect health and economic and environmental efficiency of road transport. These actions may also be carried out based on the extra experience gained through applying the Regulation.

The Commission invites the European Parliament and the Council to take note of this report.