Market Surveillance Action for Tyres 2015

MSTyr15

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Abbreviations

AB	MSTyr15 Advisory Board
ADCOs	Administrative Cooperation Groups
AECOSAN	Agency for Consumer, Food Safety and Nutrition
ANEC	The European consumer voice in standardisation
BPG	Best Practice Guidelines
CRPC	Consumer Rights Protection Centre, Latvia
GPG	MSTyr15 Good Practice Guidelines
CCP	Commission for Consumer Protection, Bulgaria
DG ENER	Directorate-General for Energy
DG GROW	Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs
DRPI	Directive Related Product Information Inputs
EASME	Executive Agency for Small and Medium-sized Enterprises
EC	European Commission
EEA	European Economic Area
ECOPLIANT	European Ecodesign Compliance Project which ran from April 2012 to March 2015
EEPLIANT	Energy Efficiency Compliance Project (2014)
EEPLIANT2	Energy Efficiency Compliance Project 2 (2016)
ETRMA	European Tyre & Rubber Manufacturers' Association
EU	European Union
FPS Health	Federal Public Service Health, Food Chain Safety and Environment, Belgium
GSR	General Safety Regulation
ICSMS	Internet-supported information and communication system for the pan-European market surveillance
ILNAS	Luxembourg Institute for Standardization, Accreditation, Safety and Quality of Products and Services
IT	Information Technology
ITMA	International Tyre Manufacturers' Association
IEE	Intelligent Energy Europe
KKI	Estonian Environmental Inspectorate, Estonia
LME RLP	State office for legal Metrology and Verification of Rhineland-Palatinate, Germany
MINGO	Ministry of Economy, Entrepreneurship and Crafts, Croatia
MSA/s	Market Surveillance Authority/ies
MS/s	Member State/s
MT	MSTyr15 Management team
NACP	National Authority for Consumers' Protection, Romania
MSIT	Ministry of Science, Industry and Technology, Turkey
NGO/s	Non-governmental organisation/s
PROSAFE	Product Safety Enforcement Forum of Europe
RR	Rolling Resistance
SCRPA	State Consumer Rights Protection Authority, Lithuania
SWEA – STEM	Swedish Energy Agency
SEAI	The Sustainable Energy Authority of Ireland
Trafi	Finnish Transport Safety Agency
UOKiK	Office of Competition and Consumer Protection, Poland
WG	Wet Grip
WP	Work Package

Executive Summary

Introduction

Market surveillance across the EU in respect of the vehicle tyres Regulation (EC) No. 1222/2009 is not routinely undertaken by all the relevant authorities in a harmonised or coordinated way. This is important, for without good market surveillance there is no way to ensure that products comply with the environment and safety measures incorporated in this measure. Non-compliance penalises much of society: purchasers and users and those economic operators facing unfair competition from the supply of non-compliant products. Though some market surveillance authorities (MSAs) have established working procedures that can be described as "good practice", many of them have not yet built the skills or had the resources to work at those levels.

The objective of MSTyr15 (Market Surveillance Project Tyres 2015) was to help deliver the intended economic and environmental benefits of these energy efficiency regulations by strengthening the skills and capacities of MSAs leading to increasing compliance with the regulations.

The participating MSAs came from Belgium, Bulgaria, Croatia, Estonia, Finland, Germany, Ireland, Latvia, Lithuania, Luxembourg, Poland, Romania, Spain, Sweden and Turkey.

Inspection and testing of the product

Testing of products lay at the core of MSTyr15 activities. This was what stakeholders expect MSAs to do. After all, how can the removal of non-compliant products be enforced from the market unless evidence of non-compliance is obtained through inspections and tests?

The product sector investigated was that of passenger car Summer and Winter Tyres.

Building capacity - Inspection & Testing Results

Label inspections

In total **12.242 labels** on C1 passenger car tyres have been checked against the requirements of the EC regulation by the participating Market Surveillance Authorities. The inspections of labels were performed both in car depots amounting to **76.5%** and the remaining **23.5%** of labels were verified online. **568 (6%)** of tyre labels in shops were found to be non-compliant. Inspections online revealed a non-compliance rate of **22% (568 labels)**.

Documentation inspections

The MSAs requested technical documentation to be provided by the relevant economic operators in relation to **876** tyre models. Out of them, a number of **334 documents** (38%) proved to have non-compliances. In most cases (164), the provided documentation was incomplete.

Performance testing of tyres

After conducting a market research, it was decided to test not only initially planned Class C1 (summer passenger car) tyres, but also Class C1 winter (3pMSF) tyres amounting to 27% due to climatic conditions in the MSTyr15 countries.

Overall, **131 model tyres** were tested for Wet Grip (WG) and Rolling Resistance (RR). Initial tests showed that **16** models were found to be non-compliant for WG, whereas **20** models were classified non-compliant for RR.

After applying of a tolerance, **15 tyre models** remained non-complaint for WG and **13** non-compliant for RR.

Based on the Regulation requirements, three samples of each non-compliant model were additionally tested. After performing of these supplementary tests and applying of a tolerance, the final results of tyre testing are following:

Out of initially **15 non-complaint models** for WG, **only 9** remained categorised as non-complaint. However, two models were not tested since they were not provided by the MSAs on time.

From originally **13 non-compliant** tyre models for RR, **9** stayed classified as non-compliant.

Impacts from MSTyr15

- **At least 15 GWh/y of energy savings** by eliminating non-compliant energy consuming products;
- Increase of confidence among purchasers, manufactures and retailers;
- Enforcement of EU legislation: **12,000** different models examined; enforcement measures were taken for **9%** of tyre models examined;
- Improving competition in the field in the EU Single Market;
- Enhancing the visibility of the project outputs to target groups including the public, and stimulating a further exploitation of the MStyr15 results by the Member States beyond the project's life-cycle.

Looking to the future

The experiences gained in MSTyr15 have enabled the identification of ways to improve the effectiveness of market surveillance in the field of tyres. Key amongst these are improving access to technical expertise and supporting the adoption of good/best practices. But perhaps the most important is access to funding that can be used in the most cost-effective manner. The lessons learnt from MSTyr15 suggest that such funding should be directed towards continuing to build capacity and market leverage through the route of collaborative programmes involving the maximum possible number of MSAs.

1 Introduction

1.1 What is MSTyr15?

The Market surveillance Action for Tyres 2015 project, known as MSTyr15, was focussed on supporting the delivery of the economic and environment benefits of the Tyre Labelling Regulations (EC Regulation 1222/2009) by increasing the rates of compliance with it.

This Regulation, introduced in 2009, requires vehicle tyres to be labelled at the point of sale. Uniquely, though styled on the traditional EU energy label, this label not only depicts energy efficiency performance but also safety and noise performance.

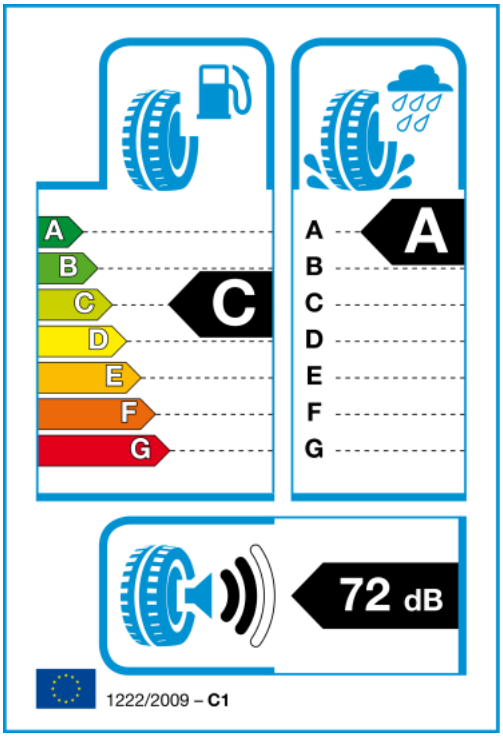

Figure 1 The EU Energy Tyre Label

The work of MSTyr15 was achieved through coordinating the monitoring, verification and enforcement activities of market surveillance authorities (MSAs) from 14 European Union (EU) Member States and Turkey.

The activities undertaken were structured around three platforms:

1. One for building of expertise and promoting the development and adoption of common good practices by the MSAs;
2. Another that was focussed on strengthening the movement towards coordinated pan-EU market surveillance that began with the Intelligent Energy Europe (IEE) funded programme ECOPLIANT (European Ecodesign Compliance Project) and continued with EEPLIANT (**E**nergy **E**fficiency Com**pliant** Products 2014);
3. And a third one aiming at outreach to and engagement with those MSAs not participating in MStyr15, with consumers and the appropriate EU supplier stakeholder associations.

1.2 What is different about MSTyr15?

Previous EU-funded energy labelling or eco-design market surveillance programmes with the exception of ECOPLIANT and EEPLIANT, have been focussed on monitoring and verification activities only. The absence of participation by the responsible national and regional authority bodies (the MSAs) from those programmes had meant that no enforcement actions could be taken.

MSTyr15 is different; it provides that missing link. This coordinated programme has resulted in enforcement actions in respect of non-compliant tyres. Fifteen of the sixteen organisations participating in this project are legally empowered to enforce the requirements of the tyre labelling regulations.

The sector of the tyre market examined under MSTyr15 was that of Class C1 passenger car tyres. This is the largest part of the tyre market in the EU with annual sales exceeding 250 million[1].

The market surveillance activities followed a format in which the participating MSAs worked together to agree and adopt common approaches:

- Making a risk and market analysis;
- Undertaking field inspections of tyres being sold at retail outlets and on-line
- Deciding criteria for sampling products for further examination;
- Sampling products;
- Conducting document examinations;
- Selecting samples for testing;
- Testing at a laboratory;
- Taking enforcement action in respect of non-compliant labels and non-compliant tyres.

Examining and testing tyres, though essential to the purpose of market surveillance, was only part of the purpose of this programme. Little market surveillance on tyres was known to have taken place previously so it was important to build skills, capacity and momentum amongst the responsible MSAs to ensure the sustainability of such actions in the future. Successful tyre compliance campaigns that follow will need the MSAs to have sufficiently skilled and experienced staff capacity to be able to carry out their duties in cost-effective ways.

The development of such skills and bringing the less experienced MSAs up to the good practice standards already being achieved by the more experienced MSAs was therefore important. This was to be achieved through the establishment of two cross-cutting working groups – one to develop *Good Practice* guidance materials and one to provide training and training materials based on the developed Good Practices.

Two other cross-cutting activities were developed too, one to provide an "App" for all participating inspectors to use to ensure all data was collected in the same way and stored in a common synchronised database, the other had a focus on communications and dissemination.

The Figure 2 below displays the interplay of the cross-cutting (horizontal) and the product specific (vertical) activities.

[1] http://www.etrma.org/library-2/studies-reports-2

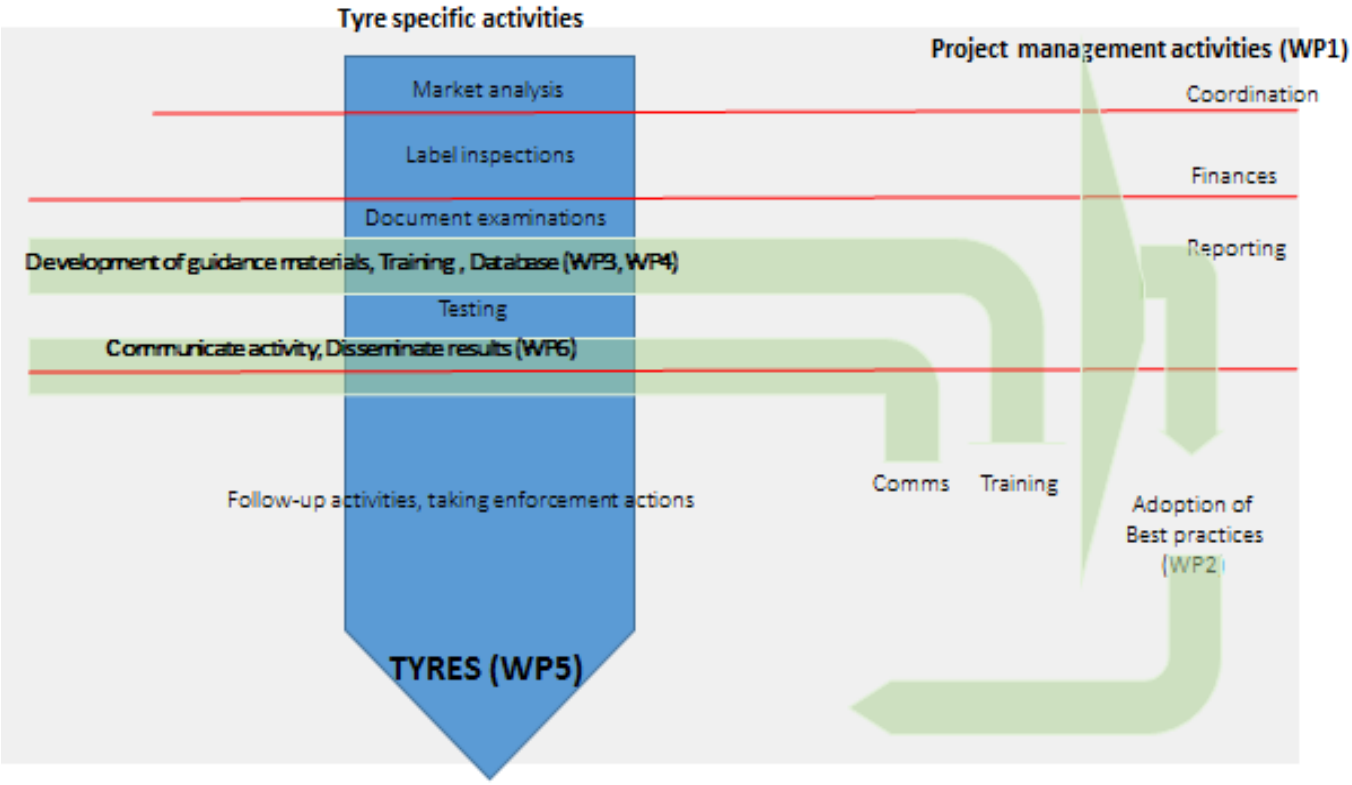

Figure 2 The Interplay Between the Horizontal and Vertical Activities

1.3 Why is MSTyr15 important?

Although Member States (MS) share the same responsibilities for implementing the tyre regulations, they are not obliged to undertake the implementation and enforcement of these in exactly the same ways. The consequences of this are very real as priorities vary from MS to MS, as do budgets, skill levels, and enforcement activities, etc. Apart from reporting requirements in REGULATION (EC) No 765/2008, and any initiatives undertaken by the Tyres ADCO, there has been no organised method for building skills or sharing expertise, and only limited regional sharing and coordinating of work programmes on tyres.

The huge size of the EU tyre market and the relatively small size of the impact that any single MSA is likely to be able to create shows the importance of MSAs working together in coordinated ways. This provides for far more leverage - potentially enough to impact the entire EU market. Furthermore, it seeks to create a level playing field for suppliers by driving out non-compliant tyres that might be being sold in ways that distort a competitive market.

1.4 Who took part?

Participating Organisation	Known as...	Member State
Product Safety Forum of Europe	PROSAFE	Netherlands
Federal Public Service Health, Food Chain Safety and Environment	FPS Health	Belgium

Commission for Consumer Protection	CCP	Bulgaria
Ministry of Economy, Entrepreneurship and Crafts	MINGO	Croatia
Estonian Environmental Inspectorate	KKI	Estonia
Finnish Transport Safety Agency	Trafi	Finland
State office for legal Metrology and Verification of Rhineland-Palatinate	LME-RLP	Germany
The sustainable Energy Authority of Ireland	SEAI	Ireland
Consumer Rights Protection Centre	CRPC	Latvia
State Consumer Rights Protection Authority	SCRPA	Lithuania
Luxembourg Institute for Standardization, Accreditation, Safety and Quality of Products and Services	ILNAS	Luxembourg
Office of Competition and Consumer Protection	UOKiK	Poland
National Authority for Consumers' Protection	NACP	Romania
Agency for Consumer, Food Safety and Nutrition	AECOSAN	Spain
Swedish Energy Agency	SWEA-STEM	Sweden
Ministry of Science, Industry and Technology	MSIT	Turkey

Table 1 List of Organisations Participating in MSTyr15

In addition to DG ENER and EASME, the following stakeholder bodies were offered an advisory role through membership of MSTyr15's Advisory Board (AB):

ETRMA – European Tyre and Rubber Manufacturers Association
ITMA – Imported Tyre manufacturers Association
ANEC – The European consumer voice in standardisation
Transport & Environment

Table 2 Members of MSTyr15's AB

1.5 How does it operate?

MSTyr15 was sub-divided into six activities, termed work packages (WPs):

- WP1 – under the management of PROSAFE, the coordinating body, representatives of each of the participating MSAs made up the management group that was responsible for the successful delivery of the entire programme;
- WP2 – they worked together to identify and implement good practices in market surveillance of energy efficient products;
- WP3 – they identified their training needs and collectively created and provided the training materials, supplied the trainers and the training itself;
- WP4 – they all used and synchronised their data collection through the database that was specifically developed for their use;

- WP5 – this was where the focus on market surveillance activities took place, which fully involved the participating authorities who undertook labelling surveys, examination of documentation, conducted tyre sampling and testing, followed up by administrative and enforcement tasks.
- WP6 – this was where communication and disseminating information about the project and its achievements to national stakeholders and user groups took place.

The flowchart, below, demonstrates the logic structure of the work programme. The four core sub-WPs consisting of market surveys, inspections of labels, sampling and testing of products followed by enforcement action, are located in the middle – they form the core of the programme. The outer structure represents the framework for the project as management, implementation of Good Practice, data handling and communication activities are all key to the functioning of the action.

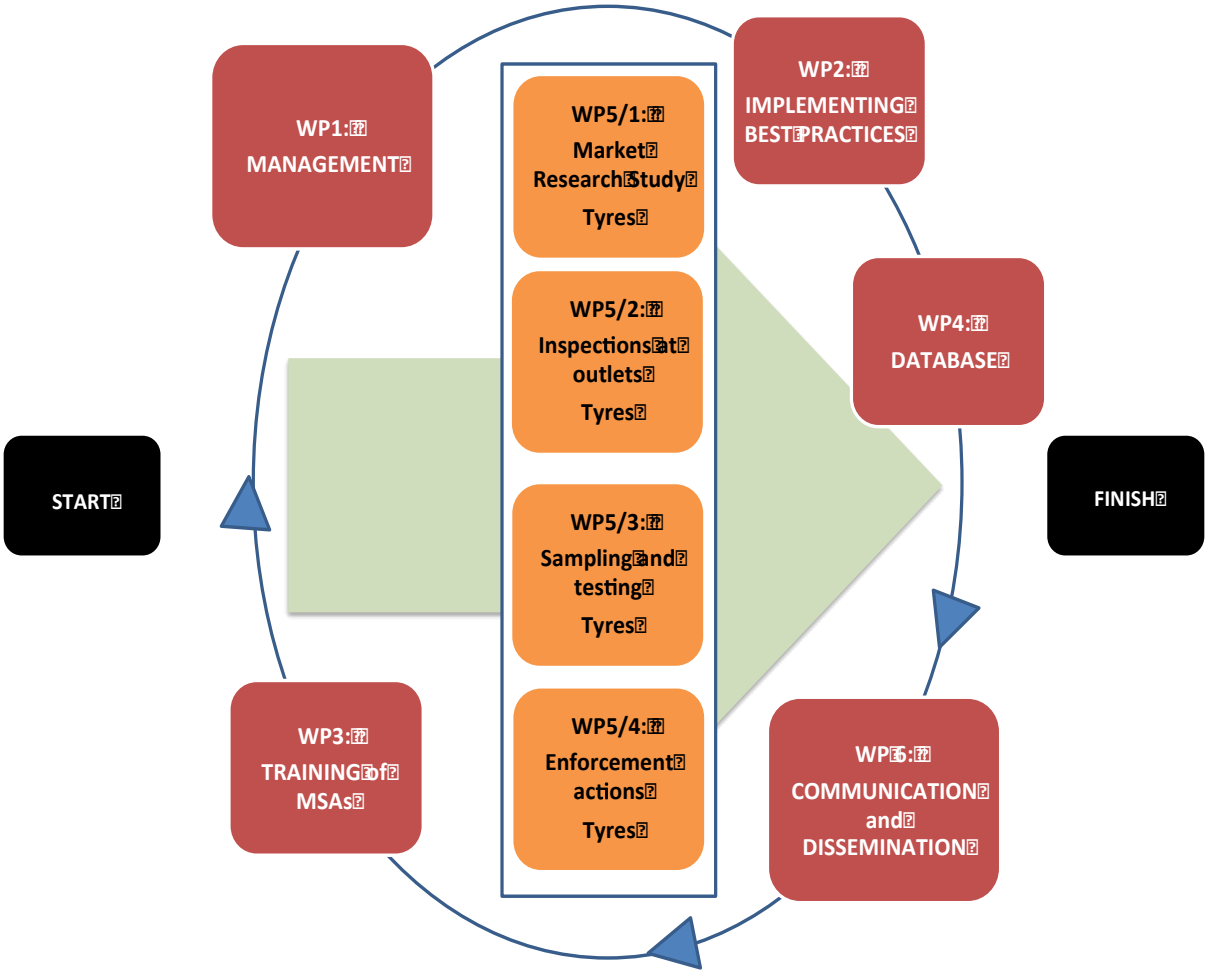

Figure 3 The Logic Structure of the MSTyr15 Work Programme

1.6 What was the timing of MSTyr15?

The project formally began in March 2016, it finished in the end of June 2018.

2 Building Capacity[2]

2.1 Developing and implementing best practices

In common with the predecessor programmes, ECOPLIANT and EEPLIANT, it was more effective to recognise, adapt and adopt good practices already established by some of the MSAs rather than invent them from scratch. Being able to examine existing practices enables their good (and not so good) points to be examined under real use conditions. Knowledge of their effectiveness is established based on practical experience rather than guesswork.

This was the starting point for MSTyr15, which had the legacy Best Practice Guidelines (BPG) developed in the predecessor projects, EEPLIANT, and had access to the established practices of some of the more experienced MSAs participating in MSTyr15. Thus, there was a basis for creating a document based on well researched, practical and effective techniques already in daily use by MSAs in parts of the EU.

The guidelines have been structured into the following components:

Module A - Introduction and overview of the task of providing market surveillance for the Regulations governing the labelling of tyres.

This part is intended to provide a broad briefing for new staff or persons who are unfamiliar with the operation of market surveillance of tyres in the EU. It covers:

- Organisation and strategy in national market surveillance
- How to establish Inspection Programmes
- How to select tyres for detailed inspection
- How to conduct a label inspection at point of distribution to the end-user
- How to conduct document inspection
- How to conduct compliance verification laboratory tests
- Sharing of inspection results amongst MSAs
- How to enforce the provisions of the tyres regulations.

Module B - Summary of the legal background governing the labelling of tyres in the EU.

This and the following modules are structured as short focused guides. They are available as separate PDF files so can be loaded onto a laptop computer or similar for ease of access, which is particularly convenient when conducting field inspections away from the full facilities of the office.

Module C - Description of the tyre label

Module D - Guidance for inspecting the display of labels on tyres and/or provision of information on tyre parameters

Module E - Guidance for making an examination of technical documentation for tyre labels

Module F - Recommendations for the Conduct of Market Surveillance Tests.

[2] *Capacity*: the building of knowledge, skills and experience amongst the staff and management of market surveillance authorities. Leading to an increase in capability, confidence and effectiveness.

Copies of these Guidelines were initially sent to each participant and were made available as downloads at the MStyr15 website http://www.mstyr15.eu/index.php/en/work-packages/wp3-training.

All the participating organisations should then have become very familiar with the substance of the Guidelines as they formed the operating basis for Work Package 5 where all the inspection and testing of tyres took place and in which all beneficiaries participated. Once this document had been created and shared amongst the participants, MStyr15 had a basis that enabled all participating MSAs to use common methods, protocols and checklists.

All participants were continually encouraged to become familiar with the GPG materials and to share them with their colleagues. To further reinforce the importance of adopting common best practices by all MSAs, surveys were made of the participants to get a measure of take-up of the recommended practices.

The final survey asked for *"feedback for where improvements are required in the guidance"* and *"What extra guidance would be needed if the tyres project was to be repeated sometime in the future?"* These responses clearly identified that more detailed, practical, guidance was desired. So much so, that one respondent recognised that this task could amount to a "mini project". Similar conclusions came from the recently completed EEPLIANT project – participants were wanting much more specific how-to-do guidance, templates, draft letters etc. — which resulted in the creation of a specific Work package in EEPLIANT 2 responsible for developing good practice toolkits as the natural extension beyond the basic guidance originally developed for EEPLIANT.

It is suggested that any future market surveillance project on tyres follows a similar route and develops a multi component toolkit of the type currently being developed in EEPLIANT2.

2.2 Data management

Prior to this programme, many MSAs were collecting on-site tyre and other product inspection data using pen and paper with subsequent manual transposition into that MSA's database via a desktop terminal. Little, if any, of this data has subsequently been routinely shared with other MSAs. Full use of ICSMS, the IT tool provided by the EC for this purpose, is only used by a minority of MSAs since this, too, is usually only loaded with data through yet more manual re-keying of data.

Clearly, this approach needed to be replaced by a more cost effective and shared data management scheme. The initial concept developed for this programme is best seen through the Figure 4 below. Here, users (MSA inspectors) can input data directly into an IT system that stores their data. This data can be shared amongst registered users and can be subsequently electronically transferred into ICSMS.

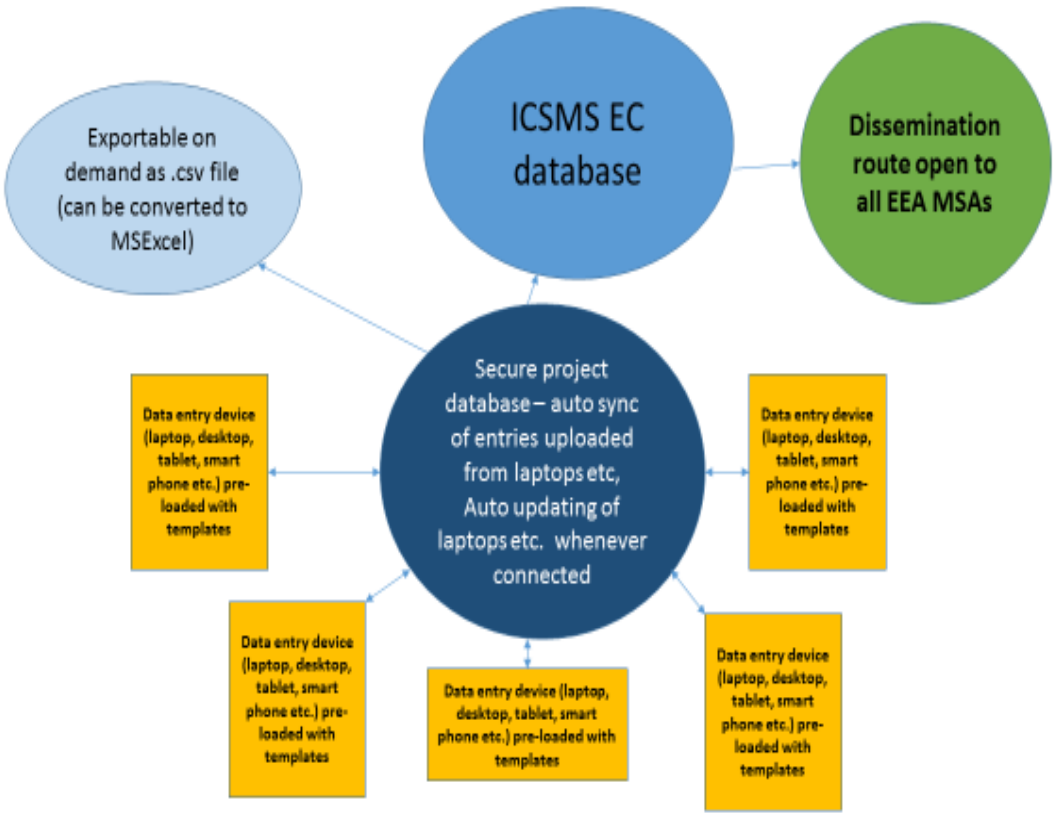

Figure 4 MSTyr15 Data Management Scheme

The system built for the programme provided the following functionality through use of an "App" on a tablet or smart phone or laptop/desktop computer:

- Database user enters their information onto a template for each tyre they inspect – the template being partially auto-completed from drop-down menus or because a similar model had previously been inspected by another MSA;
- Database provides for users to upload and store a photo of the tyre label;
- Database auto-syncronises inputs and informs user if there is an anomaly when there are updating an entry;
- Although the main inspection data entry could be via the embedded templates, data can also be uploaded as PDFs e.g. complete laboratory test reports, into the database;
- Has a high level of security as it will be used by officials responsibility for undertaking legal actions;
- Has an administration interface to view the central database showing all the data and when it was last synchronised. This interface has super-user access controls and levels;
- Has the functionality to add a limitless number of users. Each would need to be given an account, including a password.
- The contents can be exported as a .csv (or other formats) as and when users would like to do it i.e. for downloading the data sets for storage on their own MSA system. Similarly, there was functionality to enable equivalent e.g. MS Excel files to be imported into the programme's database.

The intent was to ensure that all findings, whether they were compliant or not, were recorded by all participating MSAs in the database. Currently, similar databases such as ICSMS are typically only populated with reports of noncompliance with the consequences that compliance checking activities

may be duplicated by different authorities that were not aware of compliance checking that has already been done by other MSAs on the same (compliant) product.

All participants used their tablet computers, or any other similar device such as a laptop or desktop computer, to directly enter the data that they read off a tyre label or related documentation. This data was stored on the tablet until it was uploaded to the master database either in real time, as the tablets had a 3G or 4G SIM card, or when they were next connected to the internet. The database then synchronised into the secure MStyr15 database after each days' inspections and so enabled all tablet held data to be kept up to date through uploading its new data and downloading data that had been entered by other MSAs. Thus, any MSA inspecting a tyre label could quickly check if that tyre label had already been inspected by another MSA and so would only need to check that their label declarations were consistent with those inspected previously. This reduced efforts through minimising what would otherwise be the inevitable duplication caused by many brands being commonly sold across much of the EU.

As will be seen later in this report, more than 12,000 tyre label inspections were recorded in this database during the lifetime of the MSTyr15 programme.

The intent to auto-transfer all (relevant) results from the project database directly into ICSMS was challenging. This was partly because ICSMS had originally been designed with a specific focus on safety. Consequently, its generic template (which needed to be used for recording the data from this project) was not an ideal match to the MSTyr15 data. For example, there are no provisions in ICSMS for recording the results of inspections carried out on the premises of retail outlets or online. Another challenge, for which DG GROW who are responsible for ICSMS had to introduce special measures, was that the file transfer of so much data needed, itself, to be carefully managed as it had never been done on such a scale before.

2.3 Training - adoption and familiarisation with good practices

A training seminar was held early in the programme to introduce and familiarise the participants with the training materials developed in the form of Good Practice Guides, which were described earlier in this report. A secondary purpose was to introduce the extensive library of PROSAFE training materials available online, such as the e-learning facility, or available for downloading such as those for the energy labelling project EEPLIANT.

2.3.1 Training videos

MSTyr15 broke new ground by producing a two-part training video, translated into 15 language versions specific to each participating organisation taking part – Part 1 with spoken voice and captions, Part 2 with captions only. Part One dealt with inspecting labels at distribution centres and on-line; Part Two dealt with making inspections of the documentation that suppliers were obliged to supply if requested by a MSA.

The surveys conducted toward the end of the programme confirmed that these were very popular with the participants – all had seen them.

Whilst popular and, clearly, a powerful training tool, the developers of the videos (Trafi and PROSAFE) found that producing videos in multiple language versions is challenging. The basis for this is not the scripting or filming so much as ensuring that the translations are *perfectly* correct. The voiceovers for the spoken Part 1 version needed to be provided by professional speakers who, whilst having the necessary qualities of voice projection, were not aware of any errors in the script they were provided.

And repeat voiceovers, necessary to correct the most minor of errors, meant a repeat of the fee paid to the professional providing the voiceover.

The videos can be accessed at http://www.mstyr15.eu/index.php/en/mstyr15/training.

3 Inspection and testing of passenger car tyres

3.1 Scope

The objective of this work package was to carry out a market surveillance action for coordinated monitoring, verification and enforcement of class C1 passenger car tyres, subject to (REGULATION (EC) No 1222/2009, REGULATION (EU) No 228/2011 and REGULATION (EU) No 1235/2011) using the Good Practices developed in Work Package 2.

The activity was originally intended to be focussed on summer tyres. Analysis of information collected from manufacturers associations and testing laboratories showed that it would not be possible to inspect and test the planned numbers of only C1 summer car tyres within the time frame of the project.

The cumulative effect of the time for inspection, analysis and selection combined with the problem on the climate/temperature conditions of the tests, would make impossible to finalise the testing program, the risk assessment and the enforcement actions in due time, unless the programme covered both type C1 summer and winter (3pMSF) tyres.

The original plan proposed had been to deliberately set the highly ambitious target of:

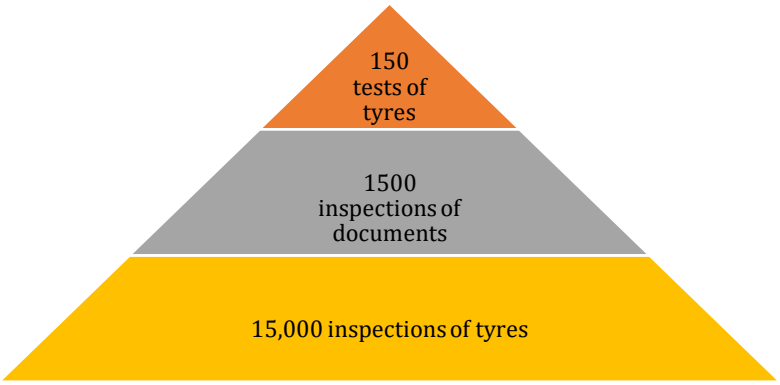

Figure 5 The Initial MSTyr15 Inspection and Testing Plan

But the necessary decision to expand the scope to include so-called winter tyres meant that the target of 15,000 inspections would be jeopardised as there would now need to be double visits to tyre retail outlets - one for summer and one for winter tyres. It was also noted that logistics (visits to distribution and retail stores, transport of tyres to laboratory) would take a significant role and would have a budgetary impact.

3.2 Preparatory activities for the inspection and testing work package (WP5)

3.2.1 Market research

The initial task undertaken was to organise a market research study to collect the basic information needed for the correct selection of brands, types, models to be selected for the inspection and for the

following document inspection and tests. This was necessary as the number of brands of tyres in any one MS could be very high, with many expected to be common to a number of MS.

Identifying where the same brands were present in the participating MS enabled the participants to reduce duplicated inspection activities whilst (later) maximising the impact of enforcement actions since these were simultaneously organised across multiple numbers of MS whilst being based on just one set of test results.

The market research was subcontracted to a specialist agency.

3.2.2 Contacts with stakeholders (Tyres Manufacturers Associations)

In order to acquire a better knowledge of the market and of the technical contents of the activity, initial fact-finding meetings were held with the two most representative Manufacturers Associations operating in Europe:

- ETRMA: European Tyre & Rubber Manufacturers' Association, which represents the biggest worldwide manufacturers, covering nearly 80 different brands of tyres;
- ITMA: International Tyre Manufacturers' Association which represents the main importers of tyres, covering nearly 120 brands of tyres.

The information gathered during these meetings was used to inform the planning (and the management of expectations) of the inspection and testing programme:

- 350 different brands of tyres are sold on EU market for a total of 60,000 different models for all types of tyres sold annually. More than half of these brands are not covered by EU manufacturers Associations;
- Inspections of summer tyres could not take place in a number of the participating MS until February 2017 as only winter tyres would be on sale in those markets until then;
- Wet grip testing does not have good reproducibility;
- Testing is ambient temperature dependent, which limits when testing can take place;
- Only a limited number of independent test laboratories offer services in EU: maximum of four and not all can offer the full range of tests;

3.3 Activities in Work Package 5

3.3.1 Inspection of tyre labels

The aim of this task was to carry out a market surveillance action by inspecting many labelled tyres being held in stock at distribution, retail sites and on the web in each of the participating MS.

The inspection activities were coordinated by being based on the results of the market research in such a way that all the most common brands were adequately sampled whilst limiting the duplication of inspections (of the same brands/models of tyres) by different MSAs.

Taking the typical climatic conditions in the countries of the members in the MSTyr15 action into consideration, BG, ES, HR, TK attempted to cover 80% summer tyres and 20% winter tyres, the remaining members: BE, DE, EE, FI, LV, LT, LUX, PL, RO, SE attempted to cover 70% summer tyres and

30% winter tyres, IE attempted to cover 100% summer tyres. It should be noted that these percentages were guides only. Overall, 73% of the tyre models inspected were Summer tyres, 27% were Winter tyres.

Similarly, attempts were made to divide the brands to be covered as follows: 30% of models verified were to be premium brands (those supplied by members of ETRMA), 30% were to be imported tyres (those supplied by members of ITMA). The remaining 40% were to come from other suppliers and were generally found amongst the lower cost brands manufactured outside of the EU.

All inspection data was collected using the same format and stored in a common database as described earlier in this report (WP4). This was achieved, for the first time, by using tablet computers with the newly developed software embedded on them. This enabled each inspector of the participating authorities to record and then upload their results to the common database in real time.

This IT process meant that inspections and the required data recording was done in a highly efficient way whilst avoiding duplication of models inspected. The database of all results then ensured easier and quicker analysis of the activities, as all data in the data base could be exported into MS Excel for subsequently analysis and sorting using the range of tools available in that programme.

Overall, each participating MSA was required to inspect sufficient brands/models of tyres to enable the target of 15,000 models inspected to be accomplished. The actual numbers achieved are given in the chart below:

Participant organisation	Country	Inspections
Federal Public Service Health, Food Chain Safety and Environment (FPS Health)	BE	221
Commission for Consumer Protection (CCP)	BG	900
Ministry of Economy, Entrepreneurship and Crafts (MINGO)	HR	536
State office for legal Metrology and Verification of Rhineland-Palatinate (LME-RLP)	DE	1238
Estonian Environmental Inspectorate (KKI)	EE	258
Finnish Transport Safety Agency (Trafi)	FI	1080
Consumer Rights Protection Centre (CRPC)	LV	976
State Consumer Rights Protection Authority (SCRPA)	LT	583
The Luxembourg Institute for Standardisation, Accreditation, Security and Quality of Products and Services (ILNAS)	LUX	501
Office of Competition and Consumer Protection (UOKiK)	PL	1111
National Authority for Consumers' Protection (NACP)	RO	700

Agency for Consumer Affairs, Food Safety and Nutrition (AECOSAN)	ES	744
Swedish Energy Agency (SWEA-STEM)	SE	1068
DG for Industrial Products Safety and Inspection	TR	1246
Sustainable Energy Authority of Ireland	IE	1080
Total		12242
Inspections made on line		23.5%

Table 3 Total Number of Inspections Performed by Participants

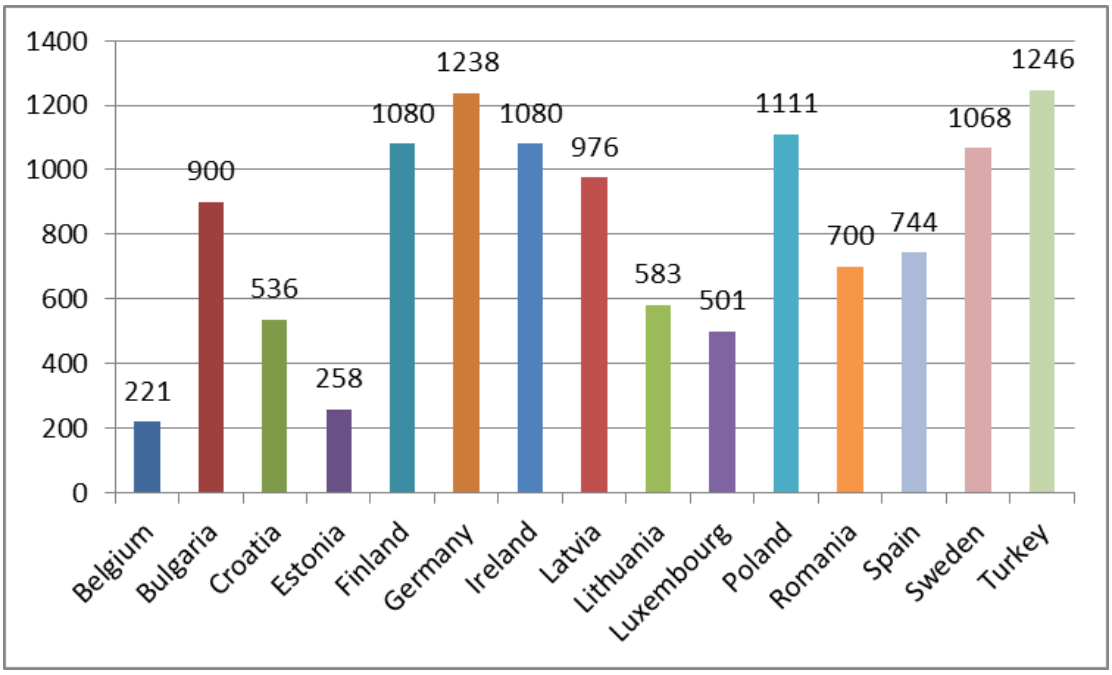

Chart 1 Number of Inspections Performed by Participants

The overall total was less than the number originally targeted. The main reasons for this, apart from the need to make repeat visits for inspections due to the seasonal availability of winter and summer tyres were that, for the smaller MS, the number of available tyre models was often much less than those available in the larger MS. And, for the larger MS, the distances needing to be travelled to access some of the models required a high level of staff capacity.

The following graphic gives a breakdown of the different classes declared for rolling resistance. Although there is no class D permitted in the current regulation, in one case class D was declared for a studded tyre to which the Regulation does not apply.

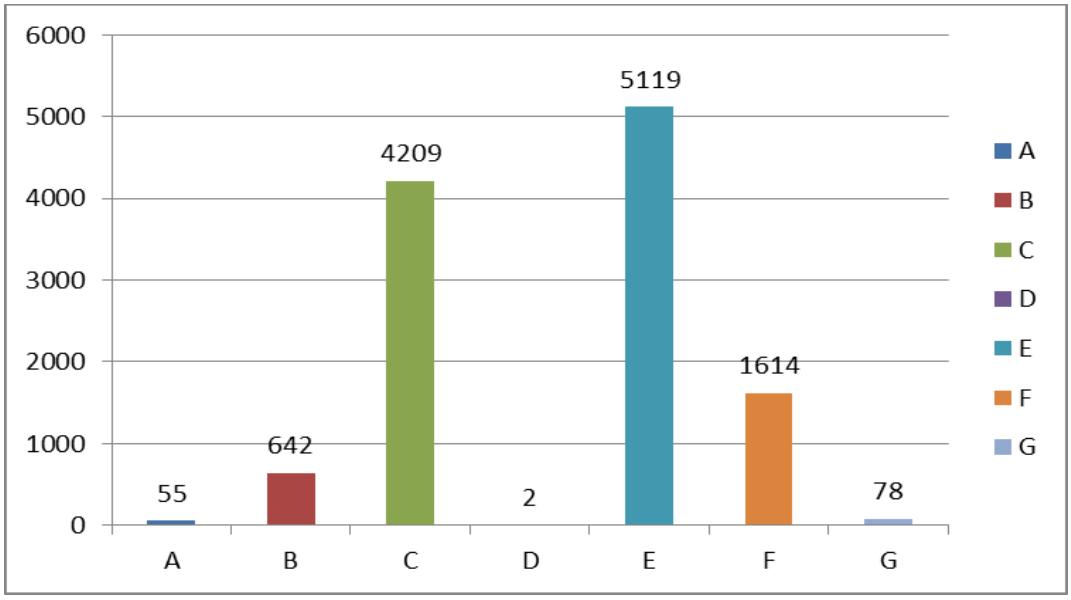

Chart 2 Distribution of declarations for Rolling Resistance

The following graphic gives a breakdown of the different classes declared for wet grip. Note that there is no class D permitted in the current regulation.

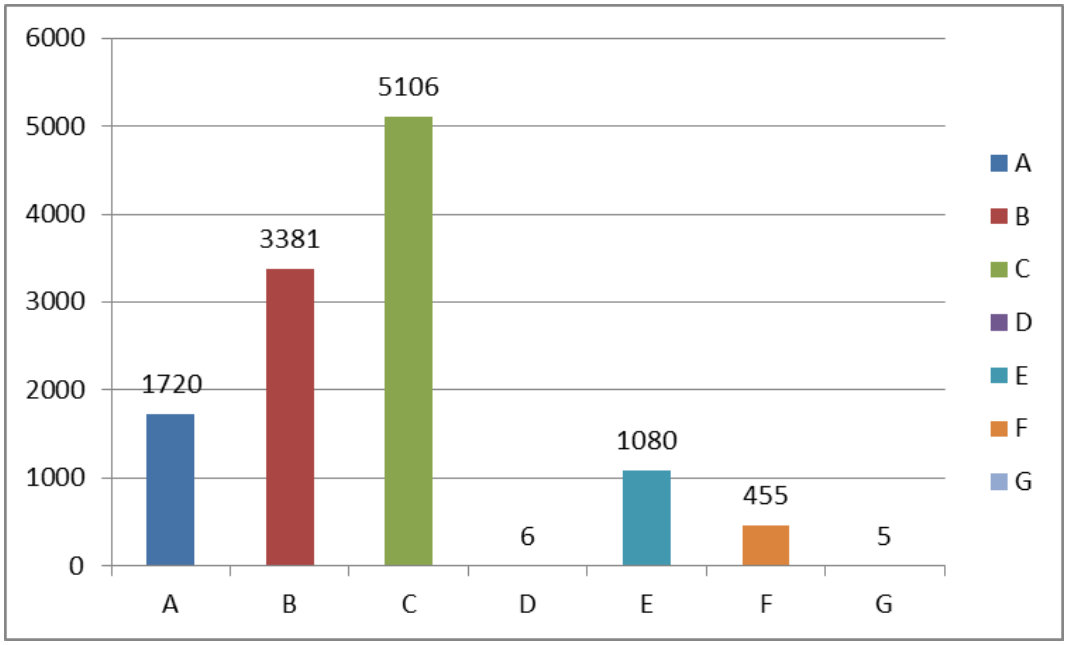

Chart 3 Distribution of declarations for Wet Grip

The inspections of labels required by the Regulation and were performed primarily **(76.5%)** through in-person visits to shops and similar sales places. The remaining inspections **(23.5%)** were made on-line.

The results were as follows:

Results of verifications in shops:

568 of 9353 (6%) tyre models were non-compliant. In **109** cases no label was shown. Other main non-conformities were: wrong label format **(319)**, label incomplete **(69)**, label not easily visible **(28).**

Results of verifications made on-line:

627 of 2888 (22%) tyre models were non-compliant. In **385** cases no label was shown. Other main non-conformities were: no link to Commission website **(160)**, missing explanation of pictograms **(21)**, faulty information **(92)**.

3.3.2 Document Inspection

The overall aim of this task was to carry out a market surveillance action for document inspection. It was the logical next step for those brands identified as most likely to be at risk of non-compliance after the earlier inspection activity.

The MSAs required the relevant suppliers to provide technical documentation which, in accordance with Article 4(4) of REGULATION (EC) No 1222/2009, meant that the documentation had to be sufficiently detailed as to allow the verification of the compliance with the requirements of the Regulation.

MSAs verified the accuracy of information provided on the label about fuel efficiency, wet grip and external rolling noise. Though it was initially agreed that a target of 10% of the inspected models should be subjected to the verification of the documentation, it was found that the time required to undertake this task was significantly more than had been originally estimated – often because of the difficulties to identify which was the relevant economic operator in cases of imported tyres.

The information and the results of the document analysis gathered from the document inspections were added, by making use of the tablets, to the database.

Documentation was requested for **876 tyres models** by contacting the following economic operators:

Type of Economic Operator	Number
Dealer	172
Importer	314
Manufacturer	278
Representative	112
Total	**876**

In 3% of cases no documents were received and **for more than 40% of the cases** the documents were delivered more than two weeks after being requested. Often, repeated requests needed to be made for these.

For 334 documents received (38%) there were non-compliances. The main problems were:

- Incomplete documents received: 164
- Delivery of documents very late: 57
- No documents received: 26
- Wrong documents received: 19
- Faulty documents received: 17

3.3.3 Performance testing of tyres

Testing was the final phase of the investigative activities undertaken by the participating MSAs to verify the compliance of tyres.

Some of the brands/models classified as non-compliant in the previous step (verification of the documentation) were to be tested for the following characteristics: Wet Grip (WG) and Rolling Resistance (RR).

Inclusion of both safety and performance requirements into a single label is unique – and necessary. As the only contact point between vehicles and roads, tyres have an essential role for road safety. Optimising the energy efficiency design characteristics of tyres and optimising (or at least not compromising) the wet grip characteristics is a major challenge in tyre development. Therefore, the approach has been to put equal emphasis on fuel efficiency ("rolling resistance") and wet braking performance to support energy efficiency objectives without compromising road safety policy goals.

However, as there is not a similar clear-cut relationship between tyre/road noise and rolling resistance coefficients[3], it was decided not to include noise testing as part of this project.

Tests were performed at a single expert laboratory in strict accordance with the regulation.

One sample of each of 131 different models of tyres was tested. The participating MSAs analysed the results of this testing and decided, based on the values and the relevant tolerances as given by the Regulation, which of the tyre models indicated a non-compliance to the Regulation.

These first (single sample) indicative results were as follows:

- **16 models (12%)** gave an indicative non-compliant result for Wet Grip:

  3 from HR and LV, 2 from BG, IE and RO, 1 from DE, EE, LT and LU
- **20 models (15%)** gave an indicative non-compliant result for Rolling Resistance:

  4 from SE, 3 from BG and IE, 2 from DE, 1 from BE, EE, ES, FI, HR, LU, LV and PL

No models of tyres indicated a failure to both Wet Grip and Rolling Resistance.

The expression "indicative result" has been used above where one, rather than those from a total of four sample test results, is available and where the permitted tolerance has not been applied to the measured result.

Once the permitted tolerance had been applied, one of the models from the Wet grip test results was re-graded as compliant and seven of the models from Rolling Resistance testing were re-graded as compliant.

In accordance with Annex VI of the Regulation, three further samples of each model that were considered non-compliant in the first test needed to be tested. The average measurement value from those three tyres tested was used to finally assess conformity with the declared information.

The results of the tests on three additional samples per tyre model were:

From the 15 models indicating non-compliance for Wet Grip:

- **9** were non-compliant
- **8** were compliant*

[3] Final Report S12408210 Tyre/Road Noise. Forum of European National Highway Research Laboratories (FEHRL)

- **2** were not tested as samples were not made available by the MSA in time.

From the 13 models indicating non-compliance for Rolling Resistance:

- **9** were non-compliant
- **4** were compliant*

**In some cases, this may only have been achieved through the application of the permitted verification tolerance.*

3.4 Enforcement measures

The implementation of enforcement measures was a central part of the project, as appropriate follow-up actions were required against all tyres found to be non-compliant with the labelling regulation.

Although EU Member States have their individual approaches for market surveillance enforcement, the participating MSAs discussed the results of all activities together and agreed on a common approach to enforcement actions. Each participant undertook the agreed enforcement actions for those products that were found to be non-compliant for Labelling, Technical Documentation and/or performance Tests.

More than **1,100** letters were sent to Economic Operators requiring corrective actions to be undertaken. **In some 20% of cases**, the Economic Operator quickly took voluntary actions.

Table 4 shows the enforcement situation at end of June 2018. It should be noted that enforcement was still taking place in some MS at the time of writing this report.**Error! Not a valid link.**

Table 4 Enforcement Situation at End of June 2018

The Table below presents an overview of all results and findings from the different activities carried out in the project, based on the data that we were able to compile from the participating MS.

Tyres inspected	
Tyres inspected total	12241
Tyres inspected on the web	2888
Non compliances after inspection	
Total non-compliances after inspection	1195
Non-compliances on the web	627
Verification of documentation	
876 requests for documentation contacting the relevant economic operator (Dealer: 172, Importer: 314, Manufacturer: 278, Authorized Representative: 112)	
For 334 documents received (38%) there were non-compliances For 10% of cases no documents received For more than 40% documents delivered after more than two weeks and after repeated requests	
Test Results	
Tyres tested	131
For the 16 tyres non-compliant for Wet Grip, after repetition tests:	• 5 were still NOK • 8 were OK • 1 was not tested after analysis of tolerances • 2 were not tested as samples were not made available in time

For the 20 tyres non-compliant for Rolling Resistance, after repetition tests:	• 9 were still NOK • 4 were OK • 7 were not tested after analysis of tolerances
Enforcement actions	
Voluntary action to correct label or documentation	244
Request to correct the label + fines	71
Request to correct the label	105
Sample not available any more	18
Requirement for adaptation to EC Regulation 1222/2009	220
Notification not accepted by Economic Operator	2
Economic operator stopped sales	5
Economic operator required to correct non compliance	75
The Distributor has modified the information of the invoices, adapting to what is established in Annex I of Regulation CE 1222/2009	66
The Distributor has modified the information offered on the website, adapting to the provisions of Regulation CE 1222/2009	5
Action transferred to a competent authority in another State	4
Warning letter	183
Warning letter. Follow up in next campaign	238
No sanctions	61
Under discussion when the JA was finalised	73

Table 5 Overview of all results and findings

There were no known withdrawals nor recalls of tyres. This is not unexpected as the types of non-conformities detected required mainly changes to labelling or to documentation.

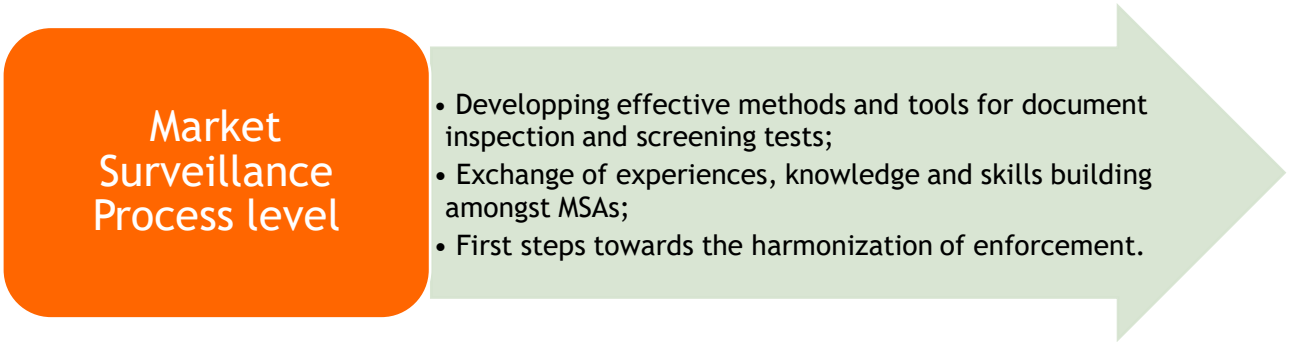

Figure 6 EEPLIANT Benefits and Impact

3.5 Policy recommendations

The MSTyr15 comprehensive campaign on Class C1 passenger car tyres identified two key shortcomings in the current regulations and technical standards for tyres that had a negative impact on the efficiency and effectiveness of the market surveillance measures carried out in this project.

In May 2018, coincidentally with the final activities of MSTyr15, the European Commission proposed changes to the tyre labelling regulations. These were announced too late for the participating MSAs to study prior to finalisation of the project though indications were that adoption of the proposals would result in the two issues that negatively impacted the efficiency and effectiveness of market surveillance being reduced or eliminated entirely:

Creating an obligation to register tyres in the product database established under Regulation (EU)2017/1369

Access to documentation was one of the most difficult challenges encountered in the project. As reported earlier, documentation was slow to be provided (the current regulations do not specify a maximum time for these to be produced by the supplier) and in a number of cases, was never produced. Although the final specification of the forthcoming product data base is not yet known, it is expected that it will contain provisions for the types of documentation required for effective market surveillance.

Adoption of improved test methodology

Alignment with the General Safety Regulation (GSR), will improve the reproducibility of the existing test method which in turn will support the proposed re-adjustment of the label classes. These, together, would “tighten-up” the parameters that currently govern compliance and reduce uncertainties of test measurements.

4 Dissemination and Communication activities

Dissemination and exploitation activities had always formed a core of the project, regularly disseminating the inspection results to the following target groups:

- User and consumer groups
- Manufacturer, retailer and other professional associations (Economic Operators)
- Market Surveillance Authorities
- European Commission.

The results from the document inspections, testing and the enforcement actions taken by each MSA will be disseminated to the Tyres ADCO who will share them with all the MSAs in the EEA. These MSAs will then be encouraged to exploit the results at their national level.

Furthermore, all of the non-compliances identified will be reported to ICSMS. This will ensure that all MSAs in the EEA will have access to the MSTyr15 results as well as the results of any enforcement actions that have already been taken. These actions, in conjunction with the earlier sharing amongst participants, are seen as playing a key role in maximising the impact of the project thorough the increase in enforcement actions that will follow.

An overview of the dissemination activities that have been performed are displayed hereunder.

OUTPUT	DISSEMINATED BY OR VIA	DISSEMINATED TO	INTENDED EXPLOITATION
Results of label and document inspections and laboratory tests	Participating MSAs	Suppliers of the noncompliant products	Non-compliances corrected, removal of non-compliant products from the markets of the participating MSAs
Results of document inspections and laboratory tests	ADCO and the database adopted from EEPLIANT (by then it may be integrated within ICSMS)	Non-participating MSAs for onward dissemination to suppliers of the noncompliant products	Non-compliances corrected, removal of non-compliant products from the markets of the non-participating MSAs
Outline of results of document inspections and laboratory tests and, where appropriate, results of enforcement actions	Advisory Board, ETRMA and ITMA, (EU trade bodies for tyre Manufacturers and tyre importers)	National trade bodies for tyres, suppliers and other market operators	Suppliers of non-compliant products to spontaneously take their own action to correct or remove non-compliant products from the market in response to the knowledge that MSAs are actively pursuing suppliers of non-compliant products.
Outline of results of document inspections and laboratory tests	Advisory Board, other EU User and Environmental NGOs	Policy makers, purchasers and users of energy consuming products	Build confidence in the implementation of the regulations for energy labelling of tyres.

and, where appropriate, results of enforcement actions			

Figure 7 Overview of Dissemination Activities

A specific Work Package was developed to ensure that wider communication beyond dissemination amongst MSAs was achieved too. The goal was to communicate (and so enable further dissemination and exploitation) to all relevant stakeholders, from the professional and industry associations of tyre manufacturers and economic operators, to consumer and environmental NGOs, societal and other interested stakeholders.

This WP used two main routes of communication to reach the goals of promoting the project and its findings:

- One was the targeted communication to the key stakeholder communities, which was primarily accomplished through use of the MSTyr15 Advisory Board (AB).
  The AB members, which included the EU bodies representing key target groups such as national supplier associations, provided an excellent conduit for informing their members of the project, its progress and its findings. Other AB members represented societal bodies that were able to similarly act as an information conduit to their national membership.

- The other main route was the wider communications activities made through newsletters, press releases, the project website, events and Twitter accounts. These meant that individual market actors, industry associations, non-profit organisations, public and societal bodies were all being informed about the activities of market surveillance authorities in the area of car passenger tyres and market surveillance in Europe.

4.1 Project website

The project website www.mstyr15.eu was created to maintain an up to date description of the project activities and make output materials available to both project participants and the general public. News articles have been regularly published in the news section of the website. The news were informing about laboratory tenders, project developments, results, events and publishing of the project deliverables.

The MSTyr15 website also hosts a link to the PROSAFE's e-Learning System, navigable from the home page. The e-learning portal gives access to selected literature and external sources of information not only to the Market Surveillance Authorities, but also to external interested stakeholders.

The main language of the website is English. However, some project deliverables such as newsletters, press releases or training videos were provided in other languages as well. The website will remain available for at least 3 years following the end of the MSTyr15 project.

Figure 8 MSTyr15 Website Home Page

4.2 Newsletters

The project newsletters were published at the beginning of the project and again upon achieving specific results in the inspection and testing activities. Overall, four newsletters were issued in English and several other languages.

A maximum visibility of newsletters was ensured via different channels including the project's AB, the MSTyr15 website[4] and the project's Twitter account[5]. The newsletters were also circulated amongst EU-level stakeholders and the national level stakeholders by the individual project partners.

The newsletters have announced up to date information not only on the project plans, developments, achievements, results of the inspection and testing activities, upcoming events, availability of project deliverables, but also the overall lessons learned.

4.3 Press releases

Two project press releases were published at the beginning and at the end of MSTyr15 in English and were translated into other languages. The intention of the first press release was to announce the start

[4] http://www.mstyr15.eu/index.php/en/news/press-release
[5] https://twitter.com/mstyr15

of the project and share the project plans and objectives with the general media. The final press release revealed the main project achievements and results and announced the end of the project. The press releases are accessible from the MSTyr15 website[4].

Both press releases were published on websites of the participating MSAs either in English or in the relevant national language, disseminating the project results at the national level.

4.4 General media and articles

A number of articles have been published in printed and online media, informing about the individual project achievements. Most of the articles were giving information on the project activities, test results and announcing publishing of the project newsletters or press releases.


Nu sker kontroll av energi-märkningen på sommardäck

Däck till personbilar, lastbilar och bussar ska ha energimärkning som visar energieffektivitet, väggrepp vid vått väglag och buller.

ENERGIMÄRKNING AV DÄCK

Figure 9 Articles in the foreign media describing the MSTyr15 activities: Sweden and Ukraine (from top to bottom)

4.5 Social media presence

The MSTyr15 Twitter[7] account has been live since June 2016 and has been regularly updated to inform about project activities, to announce achievements of project results, publishing of project deliverables or participation of MSTyr15 at events.

In total, **over 150 tweets** were issued by the end of August 2018, reaching 88 followers comprised of industry associations, civic organizations, individual manufacturers, experts, policymakers, authorities and interested consumers.

All tweets, newsletters, press releases and documents from events were also collected and stored on a separate social media account of Wakelet[8].

4.6 National events

Project participants have organised or participated in national events to ensure the project visibility and dissemination also to MSAs not directly participating in the project, but also to economic operators, stakeholders, consumers and even news agencies and car-oriented magazines. In total, 14 project partners organised **23** national events. Each national event involved a project presentation giving an overview of project activities and foreseen or achieved results.

[7] https://twitter.com/mstyr15
[8] https://wakelet.com/@MSTyr15

Figure 10 National events organised in Belgium Latvia, Spain and Turkey (from left top)

4.7 EU conference appearances

MSTyr15 was presented three times at two international conferences, namely the World Sustainable Energy Days[9] (WSED2018) held between 28 February and 2 March 2018 in Austria and the EU Sustainable Energy Week[10] (EUSEW18) taking place from 4 to 8 June 2018 in Brussels.

A project poster and a flyer were presented and circulated amongst WSED2018 participants comprising of **600** experts from **66** countries from business, the research community and the public sector. The event was promoted on Twitter and an article was published on the project website[11].

The EUSEW18 policy conference was attended by **2.500** policy makers, authorities, industry, stakeholders, NGOs, researchers and academia in the European sustainable energy sector. MSTyr15's project activities, achievements and impacts were presented by PROSAFE to approximately **80** participants on 5 June 2018. The session was also attended by one of the project partners (SEAI) who shared their market surveillance experiences and opened up a discussion on the challenges of the MSAs.

[9] http://www.wsed.at/en/world-sustainable-energy-days.html
[10] http://eusew.eu/
[11] http://www.mstyr15.eu/index.php/en/news/press-release/135-mstyr15-at-the-world-sustainable-energy-days-2018

The event was announced via both Twitter and project website[12] channels. A press release on the EUSEW conference was also published on the PROSAFE website[13].

Figure 11 Pictures from the WSED2018 and EUSEW18 conferences

4.8 Expected impacts

The main, tangible, impact of this project was to detect and enforce cases of non-compliant tyres and their labelling identified in MSTyr15. Since the participants had the legal authority to act to demand corrections and remove non-compliant products from the market, then it follows that their exploitation of the results has been achieving exactly that.

A number of expected impacts were identified when this project was first conceived. Each of these is discussed below.

[12] http://www.mstyr15.eu/index.php/en/news/press-release/139-the-mstyr15-project-will-be-presented-at-the-eu-sustainable-energy-week-on-5-june-2018-in-brussels
[13] http://prosafe.org/index.php/news-items/38-news-and-events/news-items/282-highlights-from-the-eu-sustainable-energy-week-s-eusew-session-organised-by-prosafe-on-5-june-2018-in-brussels

4.8.1 Generating energy savings by eliminating non-compliant energy consuming products

MStyr15 was funded by grant from the EU's Horizon2020 programme. The project was designed to respond to a Call that specified "[for market surveillance proposals] *every million Euro of EU support is expected to generate savings of* ***at least 15 GWh/year*** *of energy losses avoided from non-compliance.*"

The original estimation was that the programme proposed would achieve a saving of **105 GWh** for a budget of €1.975m. It has not been possible to robustly quantify the energy savings due to tyres being withdrawn, modified and relabelled as a result of MSTyr15 actions. This is primarily because the participating MSAs did not receive sufficient feedback from the economic operators concerned confirming that the changes they required had been put into effect.

4.8.2 Generating an increase of confidence among purchasers, manufacturers & retailers

That same Horizon2020 Call also required that the actions of MSTyr15 "...*should result in an increase of confidence among purchasers, manufacturers and retailers.*" All of those participating in and supporting MSTyr15 recognised that delivering this impact was very important. They acknowledged that stakeholders, particularly those from the EU supplier organisations and consumers had campaigned for improved and visible market surveillance for tyres. Consequently, a high level of visibility was structured into the project through providing EU level stakeholder representatives with an active role in the MSTyr15 Advisory Board (AB). Further to this, one work package (WP6) was entirely focussed on communications and dissemination, the WP being developed specifically to maximise the visibility of this programme to purchasers (both consumer and non-consumer) and economic operators.

Only by ensuring that all concerned bodies could "see" and, perhaps more importantly, experience effective enforcement taking place could the necessary increase in confidence take place.

We believe this has been achieved. The enthusiastic and supportive engagement by AB representatives in WP meetings and at the AB formal meetings and amongst those attending MSTyr15's Final conference shows that the work of this project had resulted in an increase of confidence among purchasers and manufacturers. And the news releases and events held in the MS of those MSAs taking part can only have increased this confidence (in market surveillance) still further.

4.8.3 Enforcement of EU product legislation

It was a requirement of the Horizon2020 Call was that MSTyr15 should *"…contribute to the enforcement of EU product legislation."* This was certainly achieved as that was exactly the purpose of this project. 15 of the 16 participants, who are national or regional authorities, have been doing just that by having taken highly visible enforcement actions in respect of passenger car tyres. **More than 12,000** different models have been examined in this project, which involved 100 of visits to outlets where tyres are sold. Furthermore, more than **800** economic operators have needed to provide the documentary justifications for the performance declarations on their tyre labels products and **more than 100 models of tyres** were sent to a laboratory for testing. And this work has resulted in **more than 1,000** enforcement measures being taken.

Enforcement measures were taken for **9%** of tyre models examined. In the majority of cases, economic operators were served a legal notice requiring them to correct technical documentation, energy label and/or product fiches.

The enforcement impacts of MStyr15 go much wider than the specified measures identified for this project for it has developed a cadre of MSAs that now have the right skills, knowledge and experience to continue and widen momentum created by MSTyr15. For example, one of the participating MSAs began its own project on Class C3 (truck) tyres just as its work on MSTyr15 was finishing.

Many of the MSA staff had done little work on the tyre regulations previously to taking part in MSTyr15. To work effectively, MSAs needed to have good technical knowledge of the tyre regulations which could only have come from access to guidance, training materials and the building of experience. The project provided all three by:

- Developing and publishing Good Practice Guidelines;
- Training programme and video (including an always available on-line facility) in the application of Good Practice;
- Shared and harmonised project activities based on the implementation of Good Practice throughout WP5.

4.8.4 Dissemination and exploitation of results by other EEA MSAs

As stated earlier, the most tangible impact has been that of the enforcement authorities being seen to be inspecting tyres and acting against those found to be non-compliant. Although this has been done in the MS of those MSAs taking part in this project, it has not been necessarily done in those MS that did not take part in MSTyr15.

Providing information about this project and access to its results was clearly key to achieving take up amongst the largest possible number of EU MSAs. This has been done in two ways. One was to upload all results into ICSMS, as described in Section 2.2. Since all EEA MSAs have, in theory, access to ICSMS, and since this is the official tool for informing them, then it follows that this should be the best possible route for sharing the results of MSTyr15.

The second route to informing other MSAs that had not participated in MSTyr15 was to make a presentation of the project's results at the first tyres ADCO meeting that took place just after the project finished. The presentation provided information on where the ADCO membership could access the MSTyr15 results and, just as importantly, could access the Good Practice Guides, and training video.

5 Looking ahead

5.1 What is a good result for market surveillance?

MSTyr15 has made a substantial impact on the passenger car tyre market in the EU. The measurements show, and stakeholders agree, that MSTyr15 has been very successful.

But is this also a *good* result?

It has been argued before[14] that a *very good* result would show that only low levels of non-compliance were found; there were no products needing to be removed from the market; there was no significant consumer detriment and there were no energy savings to be claimed as part of the success. In other words, the EU market is a compliant market.

Tyres, with a detected 9% non-compliance rate and no products needing to be removed from the market, is, then, seemingly a much better (= *good*) result than had been achieved in predecessor projects that had reported much higher rates on non-compliance.

5.2 The practical challenges and some suggestions

5.2.1 Benefits of adopting good practices

As enforcement is the responsible of MS, so their national rules are always likely to impose some restrictions on the level of harmonisation that can be achieved by MSAs working in the EU. The adoption of shared good practice guidance, as happened throughout MSTyr15 resulted in all the participating MSAs using the same ways of working. Making these guides available for download by any MSA in the future will encourage continuing uptake of the guides too. This "bottom up" approach thus supports a working level of harmonisation without the need for any "top-down' edicts.

5.2.2 Supporting ICSMS

As ICSMS has been provided as the EU repository of market surveillance results so it has been recognised throughout MSTyr15 that it is essential for its results to be loaded into there. The accomplishment of this has been challenging, needing adaption of the webtool for data transfer and the creation of ways to load data e.g. label inspections, for which ICSMS was not designed to store. Further work will need to be done by the relevant authorities if the benefits of ICSMS are to be maximised.

5.2.3 Financial support for market surveillance

As has was stated in the predecessor report for EEPLIANT, the work and achievements of MSTyr15, and its predecessor EEPLIANT, would not have been possible without EC funding. The largest single budget item for this funding is the cost of obtaining the samples and testing them. Without this central funding, some MSAs do not have sufficiently large budgets to enable them to undertake a product testing at all. The reality is that maintaining a significant and effective market surveillance presence across the EU within the current policy scenario cannot be achieved without some form of funding support beyond that provided by the MS.

That said, then it is equally necessary to ensure that such funding is used in the most cost-effective manner. The lessons of MStyr15 and EEPLIANT suggest that such funding should be directed towards continuing to build capacity through the route of collaborative programmes involving the maximum possible number of MSAs. The EU is a single market place and the work of market surveillance should be directed in the same way i.e. wherever possible and practicable product sectors are dealt with through single coordinated/collaborative actions.

[14] EEPLIANT final Report

MStyr15 and EEPLIANT also demonstrated that pan-EU coordinated actions require project administrative and coordination support. These can be substantial multi-disciplined programmes that, themselves, require another set of skills to manage effectively. If such skills cannot be deployed from within the ranks of the MSAs, then they will need to be found elsewhere.

PROSAFE
Joint Actions
Best Practice

The Project is funded
by the European Union