

EU Ban on chemicals in tyres

From **1st January 2010** certain chemicals used in the manufacture of **tyres** are banned under chemical legislation, REACH.

From 1st January 2010 the placing on the market of tyres manufactured containing **polycyclic aromatic hydrocarbons (PAHs)** in Europe is banned.

'Placing on the market' means any supply of tyres or making them available, whether for payment or free of charge to a third party.

'Import' is also deemed to be placing on the market.

PAHs are a group of chemicals with hazardous properties, which are present in extender oils used for the production of tyres.

Importer, recipient & supplier

An EU company is defined as a tyre 'importer' if it imports tyres from outside Europe. An EU-based company that is sourcing tyres from within the EU is a tyre 'recipient'. An EU company supplying tyres to the European market is classed as a tyre 'supplier'. One company could be all of the above.

Restriction

The restriction on PAHs prohibits, **from 1st January 2010**, the placing on the market or use of extender oils containing certain PAHs for the production of tyres or parts of tyres if they contain:

- More than 1 mg/kg (0.0001% by weight BaP or
- More than 10 mg/kg (0.001% by weight) of the sum of all PAHs listed in the restriction

In addition, tyres and treads for retreading **manufactured after 1st January 2010** cannot be placed on the market if they contain extender oils exceeding the limits indicated above. This does not apply to retreaded tyres if their thread does not contain extender oils exceeding the limits referred to above.

Details of the full restriction can be found at entry no. 50 in [Regulation EC No. 552/2009](#), the amended Annex XVII to the REACH Regulation. REACH stands for Registration, Evaluation, Authorisation and Restriction of Chemicals.

Obligations on tyre importers & suppliers

Irish companies importing and supplying tyres are responsible for ensuring that the products supplied comply with the REACH restriction on PAHs.

If you are an importer or supplier of tyres, you should request information from your non-EU or EU suppliers as to whether the tyres **manufactured after 1st January 2010** contain PAHs. If you find out that the tyres were manufactured using extender oils with PAH concentrations above the limits stated in the restriction, you cannot import or supply these tyres in Europe.

For companies involved in the supply of tyres, detailed [guidance](#) is available on the conditions of the restriction, and on the various steps that must be taken to ensure compliance with the restriction.

FAQs

What is the legislative basis for this ban?

The original Directive imposing the ban on tyres manufactured with extender oils containing PAHs was adopted **on 16 November 2005**. The ban entered into force on 1st January 2010 and is effective for most types of tyres, from those for motorcycles and passenger cars to the largest truck, bus, agricultural and earthmover tyres. This ban is also in line with the opinion of EU Scientific Committee and the UN Convention on persistent organic pollutants (POPs).

S.I. 363 of 2006 transposed the original Directive 2005/69/EC in Ireland.

However since then, **Title VIII and Annex XVII of the REACH Regulation (No. 1907/2006) replaces the Marketing and Use Directive 76/769/EEC and its amendments.**

Does ban apply to tyres manufactured before 1 January 2010?

No, the restriction only applies to tyres and re-threaded tyres manufactured using extender oils exceeding PAHs limits **after** 1st January 2010. Therefore the 'date of manufacture' of the tyre is the key element in deciding whether or not this restriction applies.

e.g. I imported tyres from Korea in 2009 and I have some still left in stock. Can I continue to sell them after 1st January 2010?

Yes, importers, who have tyres stock that were manufactured before 1 January 2010 will not fall under this restriction. Therefore this stock can be sold on.

Does the ban cover re-threaded tyres?

Yes, if they contain extender oils exceeding the limits referred to above. Re-threaded tyres are not restricted if their thread does not contain extender oils exceeding the limits referred to in paragraph 1. Tyres retreaded after 1 January 2010 should be retreaded with new tread containing new low-PAH extender oils.