

Brake pads on the EU Market:

ARE THEY COMPLIANT WITH EU AND UN RULES?

The Joint Action JAHARP2022-05 is funded by the European Union with the aim to survey the Single Market to verify compliance of brake pads for category L vehicles with REACH Regulation and UN/ECE Regulation 90.

VERIFYING ASBESTOS PRESENCE



Legislation:
Regulation on the registration, evaluation, authorisation and restriction of chemicals EC 1907/2006 (REACH)

The presence of asbestos in brake pads may improve the level of brake performance. However, asbestos has not been allowed to be used in Europe since 2005, because of the **high risks it poses to the environment and the health of consumers and workers in the field.**

Nonetheless, it is still often present in non-original (aftermarket) replacement brake pads, especially if manufactured in third countries and sold on e-commerce platforms.

A total of **110 products** will be subject to testing for the presence of asbestos.

The samples will be tested by a technical service according to the specifications of ISO 22262-1:2012.

TYPE APPROVAL TESTING

The previous EU-funded Action [JAHARP2021-03](#) revealed a high number of non-conformities in aftermarket brake pads for M1 vehicles.

As a consequence, testing will now be extended to **target L-category vehicles** under UN/ECE Regulation No 90, Annex 7 and Regulation No. 78, Annex 3.

A maximum of **30 products** will be subject to the cold performance equivalence, dry stop and wet brake tests.



Legislation:
UN/ECE Regulation n. 90 and Regulation n. 78

Caution! The results are based on products that were sampled from the markets in the participating countries by experienced market surveillance inspectors. As in any routine market surveillance activity, the results represent the targeted efforts that authorities undertake to identify non-compliant products. They do not give a statistically valid picture of the market situation.

Collaboration under Article 9 of the Market Surveillance Regulation 2019/1020

In this Action coordinated by [PROSAFE](#), two market surveillance authorities, a health and environment authority, an occupational health and safety authority and a type-approval authority signed a joint agreement of collaboration.

Main challenges

The product sampling exercise has been challenging due to the limited availability of **non-original brake pads with the R90 approval**.

Whereas initially the project group aimed to test brake pads solely for L1eb vehicles (two-wheeled mopeds), the scope was broadened to include L3 vehicles as well (two-wheeled motorcycles) to ensure a larger sampling frame for the R90 marked products.

The participants also learned that the replacement of brake pads for these vehicles is rare (once in a lifetime of the moped for example) and shop owners do not have a lot of stock, hence turning to online shops had been a necessity.

There is also a limited number of category L vehicles available to support the test process which dissuaded many Technical Services from expressing their interest to test these products.

In addition, the **product approval information provided in e-commerce platforms is often missing or it is unclear**, making it difficult to determine whether a product has R90 approval or not.

Furthermore, **Regulation (EU) No 168/2013 covering the approval and market surveillance requirements for two-wheeled vehicles applies from 1 January 2016**. This potentially limits the number of available aftermarket brake pads available for testing (given the typical life expectancy of brake pads and the typical low mileage covered by category L vehicles).

The way forward

The MSAs are also verifying the documentation requirements of the sampled brake pads to ensure its compliance with the applicable legislations.

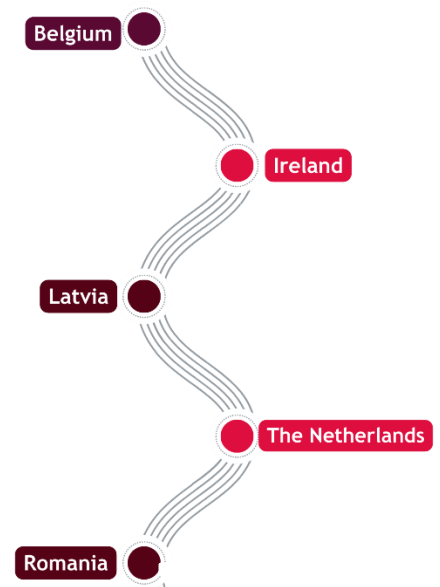
Based on the results of the tests and inspections, the participants will conduct risk assessment in order to identify the possible hazards caused by non-compliant products to the safety of consumers, the economy and the environment, and their gravity.

Enforcement measures, varying from fines to sale bans and withdrawals will follow. Products classified as serious risk will also be reported in the [Safety Gate](#).

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