

**OBSERVACIONES AL PROYECTO DE REGLAMENTO TÉCNICO
ECUATORIANO NOTIFICADO A LA OMC Y A LA CAN**

No. PRTE	TÍTULO DEL PROYECTO DE REGLAMENTO	FECHAS				OBSERVACIONES RECIBIDAS
		CAN		OMC		
		NOTIFICACIÓN	OBSERVAC. HASTA	NOTIFICACIÓN	OBSERVAC. HASTA	
011	Neumáticos	2006-02-17	2005-05-18	2006-02-22	2006-04-23	<p>The draft technical regulation contains the definitions, technical requirements and administrative provisions for vehicle tyres of different categories to be marketed in Ecuador. It does not contains the prescriptions of the required tests INEN 2 097, 2 098, 2 099, 2 100 and 2101.</p> <p>According to Article 8 § 2 of the draft a certificate of conformity has to be issued by an accredited body and a pre-shipment inspection shall take place (Article 9). The EC considers that the marking of tyres with the ECE-mark or the letters DOT should be sufficient to demonstrate the compliance with these rules. In the view of the EC, the currently applicable procedure in Ecuador of delivering the test data by the manufacturer should satisfy the requirements of this regulation. Any further involvement of other authorities only increases the commercial burdens for the marketing of tyres. To this effect, the EC would like to point out that according to Article 5.1.2 of the TBT Agreement Members shall ensure that conformity assessment procedures are not prepared, adopted or applied with a view to or with the effect of creating unnecessary obstacles to international trade.</p> <p>In addition, the draft regulation mentions in its Article 2 eight different tyre categories of which only three are defined in Annex A. Since prescriptions are given for all of them, a definition of the remaining ones should be given. The defined categories refer to tyres for cars and utility vans (Cat. 1) and vans and mini buses (Cat. 2). This might be misleading, as some tyres can be placed in either of these categories. The EC would suggest a sorting according to their destination for personal transport or transport of goods like in the ECE Regulations 30 and 54.</p> <p>Furthermore, the EC observes that in the definition of tyre types, a variation of the tread pattern is proposed. In § 3.1.18, 3.1.19 and 3.1.20 the direction of the main grooves should define the type, which is understandable from the intention, but difficult to handle. The EC suggests that such descriptions are deleted from the draft technical regulation.</p> <p>In the EC's view, in Article 3.1.11, the tolerance of TWI height should be 0.6 instead of 0.06 mm.</p>

						<p>The EC would appreciate if Ecuador could take into account the above comments and if it would confirm that the marking of tyres with the ECE-mark or the letters DOT should be sufficient to demonstrate the compliance with Article 8 § 2 of the draft that requires a certificate of conformity issued by an accredited body and the requirement of a pre-shipment inspection (Article 9).</p>
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