ATIEL VIRTUAL TRAINING SESSION:

Making correct and valid ACEA performance claims

Webinars: 10.00am and 4.30pm CET
28 April 2017
Webinar house rules

• Please turn your phone/mic to mute.

• We will take/answer any questions at the end of the webinar.

• If you prefer you can post questions using the chat feature during the webinar - if your question or comment relates to a specific slide please mention the slide number.
Trainer introduction

Nick Clague

- SK Lubricants - Global Technical Manager, based in the UK
- Member of ATIEL Industry Liaison, Quality Management System and BOI/VGRA technical committees
- 18-year career in the oil industry
Anti-trust reminder

• No agreements, discussions, exchange of information or understandings concerning commercially sensitive issues such as profits, margins, and cost data.

• No off line or off record sessions.

• Object to any activities which appear to violate antitrust laws and inform ATIEL's or your company's counsel.
Safety message

• Please ensure that you are safe and secure while watching this webinar.
• Know where your nearest exit is.
• Be aware of any planned drills.
• Do not let this presentation distract you from your environment.
Today’s session - what we will cover

• ABOUT ATIEL
• ACEA PERFORMANCE CLAIMS
• AVOIDING INCORRECT OR TECHNICALLY INVALID CLAIMS
• EXAMPLES
• QUESTIONS
About ATIEL

• Industry body that represents European lubricant manufacturers and marketers.

• Provides expert advice to regulators, industry partners and end-consumers.

• Seeks to enhance the reputation of the lubricants industry by promoting superior standards of lubricant technology and performance.

• Membership open to companies actively engaged in the marketing and/or manufacturing of lubricants in the EU.
ATIEL activities

• Contributes to development of best practices and standards that promote superior quality products in the market:
  • ATIEL Code of Practice sets clear and consistent technical guidelines for lubricant development that addresses the needs of OEMs and consumers.
  • Monitors current and future technical trends and regulatory programmes
  • Acts as a focal point for technical issues relating to the performance and environmental demands of engine oils.
  • Carries out quality surveys to assess levels of quality compliance in the marketplace.
ACEA Oil Sequences

- ACEA European Oil Sequences cover light duty passenger cars & heavy duty trucks.

- The ACEA Oil Sequences are updated regularly to address:
  - Changes in European legislation
  - Changes in engine technology
  - Changes in fuel composition

- The latest issue of the Oil Sequences, ACEA 2016, were published 1 Dec 2016.
ACEA performance claims

• Lubricant marketers are responsible for all aspects of product liability!

• Marketers claiming ACEA performance can include claims for specific engine categories on product labelling.

• For claims to be valid ACEA requires these engine lubricants to be developed in accordance with the European Engine Lubricant Quality Management System (EELQMS) - visit www.eelqms.eu.

• Do your products and performance claims meet the ACEA requirements?
ATIEL quality survey methodology

- Samples sourced every month from across Europe, covering a range of common viscosity grades.
- Samples ‘blind tested’ against most appropriate ACEA European Oil Sequences and key parameters including:
  - Viscosity (high and low temp)
  - Noack volatility
  - Sulphated Ash
  - TBN (Total Base Number)
- Testing and statistical analysis conducted by independent expert laboratory.
- Anonymized data reported to ATIEL Quality Management Committee.
- Individual results shared confidentially only with respective marketer and appropriate follow-up actions taken.
Invalid claims issues

- Market survey activity has identified a number of issues relating to invalid claims in the market.
- These include technically impossible, highly improbable or incorrectly described or misrepresented claims.
- Could be due to lack of technical knowledge or misunderstanding of the ACEA Sequences.
- Some confusion over requirements of different releases of ACEA Sequences (ie 2010/2012/2016) and expiry dates.
Some real examples!

<table>
<thead>
<tr>
<th>SAE</th>
<th>5W30</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACEA</td>
<td>A3/B3/B4/C3/C4</td>
</tr>
<tr>
<td>API</td>
<td>SM/CF</td>
</tr>
<tr>
<td>Renault</td>
<td>RN 0720</td>
</tr>
<tr>
<td>PSA</td>
<td>C3</td>
</tr>
</tbody>
</table>

Performance Levels
- API: SL/CH4
- VW 501.00/505.00
- MB 228.3; 229.5

<table>
<thead>
<tr>
<th>ACEA</th>
<th>C2/C3, A3/B3/B4</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACEA (Meets Engine Test Requirements)</td>
<td>A5/B5</td>
</tr>
<tr>
<td>API (Meets Engine Test Requirements)</td>
<td>SL / SM</td>
</tr>
</tbody>
</table>

ACEA: C2-C3-A3/B4
API: SM/CF
BMW: LongLife-04
JASO: DL-1
MB-Approval: 229.31/229.51
VW: 504.00/507.00
VW: 501.01/502.00/503.00/503.01/505.00/505.01/506.00
y diesel 506.01 (excepto motores V10 y R5 TDI anteriores a Mayo 2007)
Combined claims

• Combined claims for the same lubricant against two or more Categories within the ACEA Oil Sequences are possible.

• Make products as widely applicable as possible.

• Reduces portfolio complexity and/or formulation/blending costs

• But only possible if **ALL** the associated chemical limits and physical testing requirements can be met.
Incompatible claims

- There are instances, however, where making a combined claim is either:
  - Technically impossible due to conflicting demands of two or more Categories (e.g., right).
  - Highly unlikely due to minimal overlap in physical and chemical properties required for that combination of Categories.
Valid combined claims - ACEA 2016

Chart available on the ATIEL website in the Industry info section - www.atiel.org/industry-info/acea-oil-sequences/acea-combined-claims
Valid combined claims - ACEA 2012

<table>
<thead>
<tr>
<th>A1/B1</th>
<th>A2/B2</th>
<th>A3/B3</th>
<th>A4/B5</th>
<th>C1</th>
<th>C2</th>
<th>C3</th>
<th>C4</th>
<th>C5</th>
<th>C6</th>
<th>C7</th>
<th>C8</th>
<th>C9</th>
</tr>
</thead>
</table>

- Chart available on the ATIEL website in the Industry info section - www.atiel.org/industry-info/acea-oil-sequences/acea-combined-claims
Partial or incomplete claims

- ACEA Sequences state that **ALL** tests must be passed in order to make a performance claim.

- A claim such as ‘C2 (without fuel economy)’ is not valid against the ACEA C2 Category

- A claim such as ‘C2 (without fuel economy)/C3’ is not a valid combined claim.
Incorrect labelling

• ACEA performance claims are self-certifying.
• ACEA ‘approved’, ‘certified’ or ‘recommended’ are not valid ways of making an ACEA claim.
• Combined claims should be separated:
  • A3/B3/B4 is not valid
  • A3/B3, A3/B4 is valid
• ACEA also states that the year is not to be included;
  • The claim is ACEA A3/B4 NOT ACEA A3/B4-16
Claim validity periods

- Each ACEA sequences issue has a validity period.

<table>
<thead>
<tr>
<th>Sequence Issue</th>
<th>First allowable use</th>
<th>Mandatory for new formulation claims</th>
<th>Oils with this claim may be marketed until</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>14 Dec 2012</td>
<td>14 Dec 2013</td>
<td>1 Dec 2018</td>
</tr>
<tr>
<td>2016</td>
<td>1 Dec 2016</td>
<td>1 Dec 2017</td>
<td></td>
</tr>
</tbody>
</table>

- To maintain a current claim a formulation must meet the requirements of a valid ACEA sequence.


- Until 1 December 2018 claims against ACEA 2012 or 2016 are possible but after 1 Dec 2017 any NEW products must meet ACEA 2016.
Obsolete category claims

- Claims for obsolete categories such as ACEA E2 are valid as long as the claim is from the most recent ACEA issue when the category was valid (i.e., ACEA 2007).

- See *Industry info - ACEA claims representation* section of ATIEL website for more information: [www.atiel.org/industry-info/acea-oil-sequences/acea-claims-representation](http://www.atiel.org/industry-info/acea-oil-sequences/acea-claims-representation)
Examples - 1

Which ACEA performance categories can currently be claimed against?

- Currently, only the ACEA 2012 and 2016 Oil Sequences are valid which means that following category claims can be made:
  - ACEA 2012 claims are only valid until 1st December 2018.

- After 1 Dec 2017 any **NEW** products must meet ACEA 2016.
Examples - 2

There is no ACEA E2 category included in the ACEA 2016 Oil Sequences. Can I still make this claim for an existing product?

• Yes, there is no need to remove the E2 claim because it has not been superseded.

• Obsolete but not superseded categories do not expire.

• Claims from categories removed from the previous or current ACEA Oil Sequences (A2, B2, E2, E3 and E5) can still be made as long as they are made against the final issue of the sequences when they last appeared. For ACEA E2 this would be the ACEA sequences from 2007.

• However for any new products E2 is no longer a valid category and so claims cannot be made.
Examples - 3

In 2011, I introduced a lubricant formulation claiming A3/B4 according to the ACEA 2010 requirements. The technology supplier has not confirmed upgrade of this technology to ACEA 2012 or 2016 requirements. Can I still make the claim?

- No, the claim should be removed.
- Only claims meeting current ACEA Oil Sequences can be made.
- At present, ACEA Oil Sequences from 2012 and 2016 are the only valid issues with ACEA 2012 becoming obsolete on 1 December 2018.
Examples - 4

In 2009, I introduced a lubricant formulation claiming a combination of A3/B4 and C3 performance according to ACEA 2008 requirements. The technology supplier confirmed the upgrade of this technology to ACEA 2012 requirements only for the C3 category. Can I still make the combined claim?

- No, A3/B4 the claim should be removed from the label, but C3 claim can be kept.
- A3/B4 claims against ACEA 2008 were only valid until December 2012.
Examples - 5

In 2009, I introduced a lubricant formulation claiming oil labelled as A3/B4 in accordance with ACEA 2008 requirements. The technology supplier confirmed an upgrade of this technology to A3/B4 for the ACEA 2012 sequences. For how long is this claim valid?

• Claims against 2012 requirements are valid until 1 December 2018.

• Expiry dates table available on the ATIEL website provides guidance on all categories/claims.
Examples - 6

I am marketing a lubricant with a A1/B1, A5/B5 combined claim - the A1/B1 claim relates to ACEA 2012 and the A5/B5 to ACEA 2016. Do I need to distinguish between the two on labelling and marketing?

• No, because ACEA states that dates are not to be used as part of claims on end-user/consumer labelling and literature.

• The principle of ACEA claims is that any claim must be made against a current and/or valid version of the ACEA Sequences (currently ACEA 2012 and ACEA 2016) - so this combined claim is currently valid and does not need further explanation.

• However, claims against ACEA 2012 are only valid until 1 December 2018 - after that date you would not be able to make a NEW combined A1/B1, A5/B5 claim because the A1/B1 category has been removed from ACEA 2016.

• The dates of the ACEA sequences are of little interest/value to end-users/consumers - as an industry we just need to provide reassurance to stakeholders that the claims on our products are valid.
I want to make a combined C3, E6 performance claim against ACEA 2016 but according to ATIEL’s guidance table this is classified as ‘possible but needs care due to physical and chemical requirements’ - what do I need to check before making such a claim?

- As indicated by the table, you should pay attention to TBN, phosphorus and sulphated ash.
- Specifically, you need to ensure that the TBN value of that oil is above or equal to 7mgKOH/g, phosphorus level is between 0.070 and 0.080 % m/m and sulphated ash level is below or equal to 0.8% m/m.
- On top of that all other separate requirements for C3 and E6 categories must be met and documented.
I want to make a combined C2, C3 combined performance claim against ACEA 2016 but according to ATIEL’s guidance table this is classified as an ‘possible but needs care due to physical and chemical requirements’ - what do I need to check before making such a claim?

• As indicated by the table, attention to HTHS and M111FE test should be paid.

• Specifically, you need to ensure that fuel economy improvement vs. Reference oil RL191 according to CEC L-54-96 is equal or above 2.5% while at the same time the viscosity of the oil at high temp. & high shear rate (CEC L-036-90) is above or equal to 3.5 mPa*s.

• On top of that all other separate requirements for C2 and C3 categories should be met and documented.
ATIEL Compliance Policy

• Launched in April 2017 to support marketers who make valid ACEA performance claims.

• Encourages greater compliance across the industry through:
  • continuous monitoring of lubricant quality in the market
  • exchange of information and technical data that supports the education of lubricant marketers.

• Provides a framework for supporting marketers in taking corrective action to address non-compliance issues.

• Sets out procedures for ATIEL to give feedback and advice to marketers, or to take action against them, depending on the severity of the non-compliance.
Summary

• As a lubricant marketer, you are responsible for all aspects of product liability.

• As a Letter of Conformance signatory you need to ensure that you are making correct and valid performance claims.

• ATIEL has developed guidance and training material to assist LoC signatories.

• Through its market surveys and Compliance Policy ATIEL continues to monitor and address levels of compliance in the market.
More information

The ATIEL website provides information on a range of topics related to compliance with the ACEA Oil Sequences including:

- **Making combined claims**
  [http://atiel.org/industry-info/acea-oil-sequences/acea-combined-claims](http://atiel.org/industry-info/acea-oil-sequences/acea-combined-claims)

- **Correct claims representation**
  [http://atiel.org/industry-info/acea-oil-sequences/acea-claims-representation](http://atiel.org/industry-info/acea-oil-sequences/acea-claims-representation)

- **Claims expiry dates**

- **New requirements in ACEA 2016 and ATIEL Code of Practice Issue 20**

- **The ATIEL Compliance Policy**
Any questions?
Thank you!

www.atiel.org

info@atiel.eu