

Impact of the proposal of the Construction Products Regulation on CEN

What will need to be done by CEN

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Come back to the CPD

CPD, a success insufficiently recognised.

Remember, before CPD

- Few standards on construction products (except few countries)
- Local requirements insufficiently formulated and documented
- Some “certification” procedures made compulsory de jure or de facto by the relevant national authorities to guarantee a minimum level of quality of products when safety or fire aspects are concerned, ⇒ technical barriers within in the internal market
- Few circulation of products around Europe,
- Obligation to re-assess the characteristics of the products for each work and sometime to adjust the product
- Information flow between manufacturers and users insufficiently organised, allowing distortion of competition

With CPD



Reduction of barriers to trade within the Union

- Compulsory national certification often disappeared
- A tremendous effort was done by the European Commission (mandates) and CEN to prepare harmonised European Standards :
 - 400 products hENs including 350 quoted in OJEU (so in force)
 - More than 1500 supporting standards (mainly test methods)
- EOTA published more than 27 ETAGs and more than 1500 ETAs
- Notified Bodies are organised to effectively carry out third party task in the process of assessment of products and verification of the constancy of their performances



The new CPR proposal

→ ***Important positive changes (1):***

- The new status (regulation instead of Directive) will lead to an identical application everywhere in Europe,
- Introduction of the new Basic Work Requirement 7 (sustainable use of natural resources) and reinforcement of BWR 3
- Definitions (art. 2) clarifying number of concepts
- Clear formulation of the meaning of CE marking for construction products
- Implementation of a **COMMON TECHNICAL HARMONISED LANGUAGE** (test methods, technical definition of characteristics, list of essential characteristics per family of products) indispensable for a first step of harmonisation
- Concerning marks other than CE marking
 - Quality marks authorised for commercial purpose
 - The use of National marks not authorised (overlap with the CE marking)

The new CPR proposal



→ ***Important positive changes (2)***

- Contact points implemented in Members States to provide information on national or local requirements will increase transparency (art. 9)
- Obligations of Economic Operators (manufacturers, distributors, importers) explicitly formulated (art. 10 to 15)
- The use of technical classes in technical specifications encouraged
- Single procedure for ETAs (art. 20 – 21)
- Legal base for simplified procedures already used in CPD (WT/WFT, shared IT and cascading) to reduce administrative burden and avoid useless tests. Highly favourable to SMEs including micro-enterprises (art. 26)
- The notification procedure and the role of notified bodies better defined (art. 29 to 45)



The new CPR proposal

→ ***Some concerns***

- Obligation to make a declaration of performance linked to the existence of requirements where the product is placed on the market, and declaration of performance limited to the characteristic for which a value or class is given (combination of art. 4.1 and 5.2).
Manufacturers would prefer to preserve the current situation for CE marking / declaration of performance
- ETAs,
 - Request for an ETA is authorised for products even when they are already covered by existing hENs (art. 20.1 and 21.1)
 - EAD is considered as Technical Specification, not ETA (art. 2.4)
 - The cost to prepare EAD has to be assumed of the manufacturer presenting the first request (Annex II)
 - Annex 2 (publication of EAD in Official Journal, delays)
- Simplified procedure for micro-enterprises: CEPMC would like to extend the provisions of articles 27-28 to Very Small Series



The new CPR proposal

→ ***Number of amendments voted by the European Parliament were welcomed by CEPMC***

- Obligation to make a declaration of performance as soon as the product is covered by an hEN and obligation to mention the complete list of essential requirements and declare a value, class, or NPD if the characteristic is not regulated (article 4.1 and 5.2):
 - ensure credibility of declaration of performance
 - implement a transparent information on products
- Rules and conditions for affixing CE marking are improved (art. 8)
- ETAs are limited to products which cannot or cannot be entirely assessed according to the existing hEN (art. 20 and 21)
- Systems of assessment when simplified procedures are used (art. 27 and 28 and art. 26.2)



The new CPR proposal

→ ***Some amendments voted by the European Parliament are concerning:***

- Exemption of declaration of performance for manufacturers installing their products is questionable (Recital 7.a, Amend. 124)
- Definition of kits could be improved (Art. 2.20a, A 41)
- Obligation relating to the declaration of hazardous or dangerous substances should not be maintained (Art. 5.2 cc, A 4) and annex III.7 (A101)
- Rules of 25% of representatives of groups of interests (Art. 16.1, A 118) should be deleted
- The provisions of art 27 and 28 (simplified procedures) should be extended to Very Small Series

The new CPR proposal



→ ***Some important points are still not completely solved***

- The question of empty declaration of performance. As a solution, European Parliament proposes to identify characteristics for which a value or class should be declared independently of the existence of requirements where the product is placed on the market (recital 20a - A20), (article 2.3 A 26), (Article 5.1, A 44)
- Marks: CEPMC supports the position of the European Commission, but we know that the question of marks will be discussed again with the Council (article 7.2)



What is important now for CEN

- ***As long as CPR is not agreed, the CPD is still in force and CEN shall continue to prepare harmonised standards applying CPD:***
- Speed up the preparation of standards
 - Check the quality of standards
 - Develop new areas of standardisation for products hEN (sustainable development under the activity of CEN/TC350 and dangerous substances under CEN/TC351)
 - Assume the maintenance the 58 standards named “Eurocodes”, and extend their scope to other Basic Work Requirements than safety and fire aspects



What is important now for CEN

→ ***For CPR***

- Follow the discussion
- Preserve the « acquis » resulting from CPD (the already covered standards)
- Be cautious with provisions which may oblige to change almost all the already published standards
- Preserve a voluntary part in harmonised standards where the manufacturers and the users (distributors, enterprise) can develop voluntary initiatives, not covered by the CPR
- Be prepared for a second round of standardisation resulting from the impact of CPR on the existing standards

More information



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