

Oscar Nieto 30/11/2018



YOU'LL GET IT  
EVENTUALLY

[marmaladelondon.co.uk](http://marmaladelondon.co.uk)

European harmonization and mutual recognition  
building blocks for the internal market in Europe

# European Union 1989

Construction  
Products  
Directive

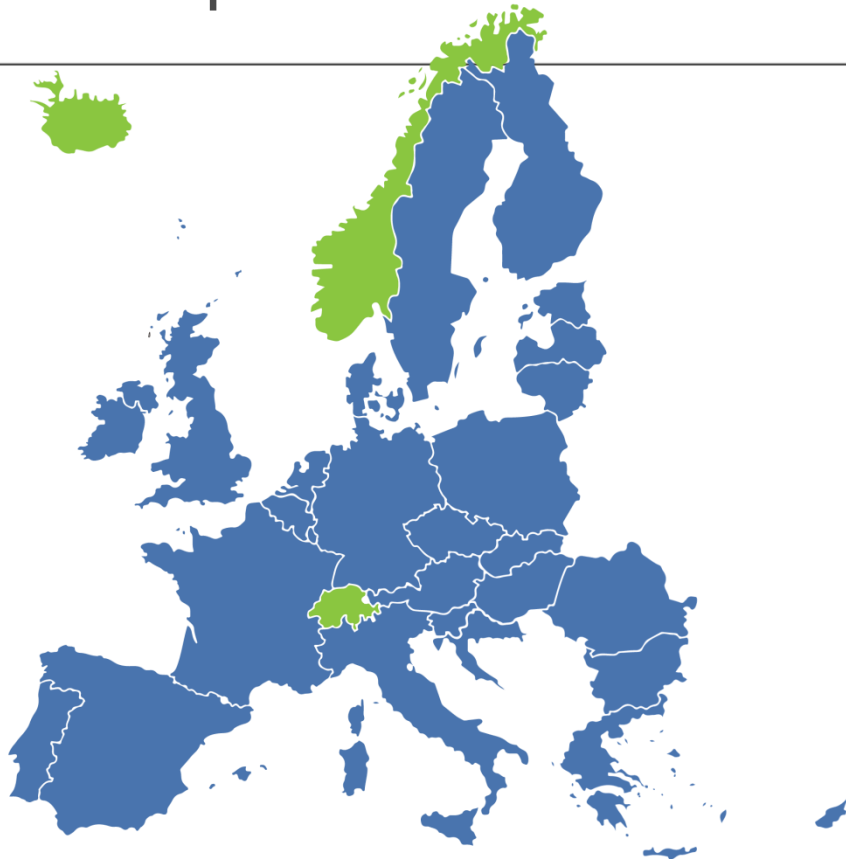
CE marking for  
construction  
concept

Fit for purpose



# European Union 2011

Construction  
Products  
Regulation  
Evolution and not  
revolution

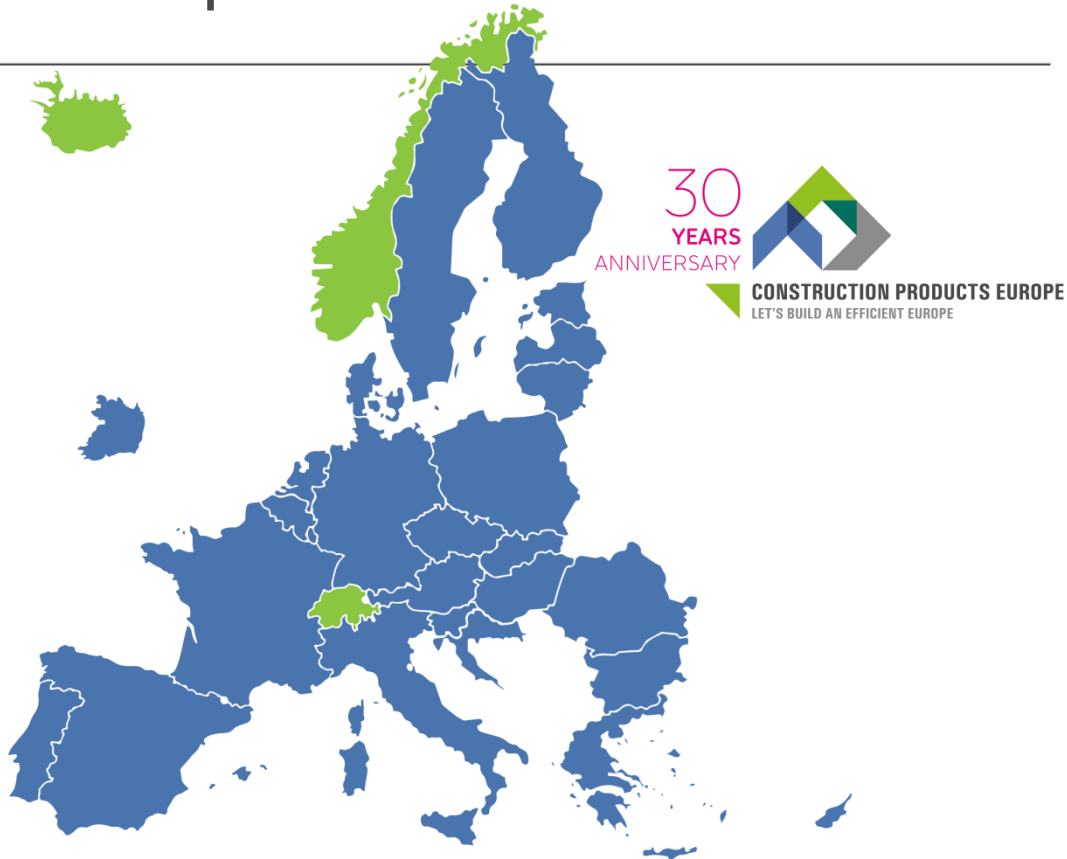


# European Union 2019

Common technical  
language

Single market for  
construction  
products

Product  
performance  
declaration



# Construction Products Regulation

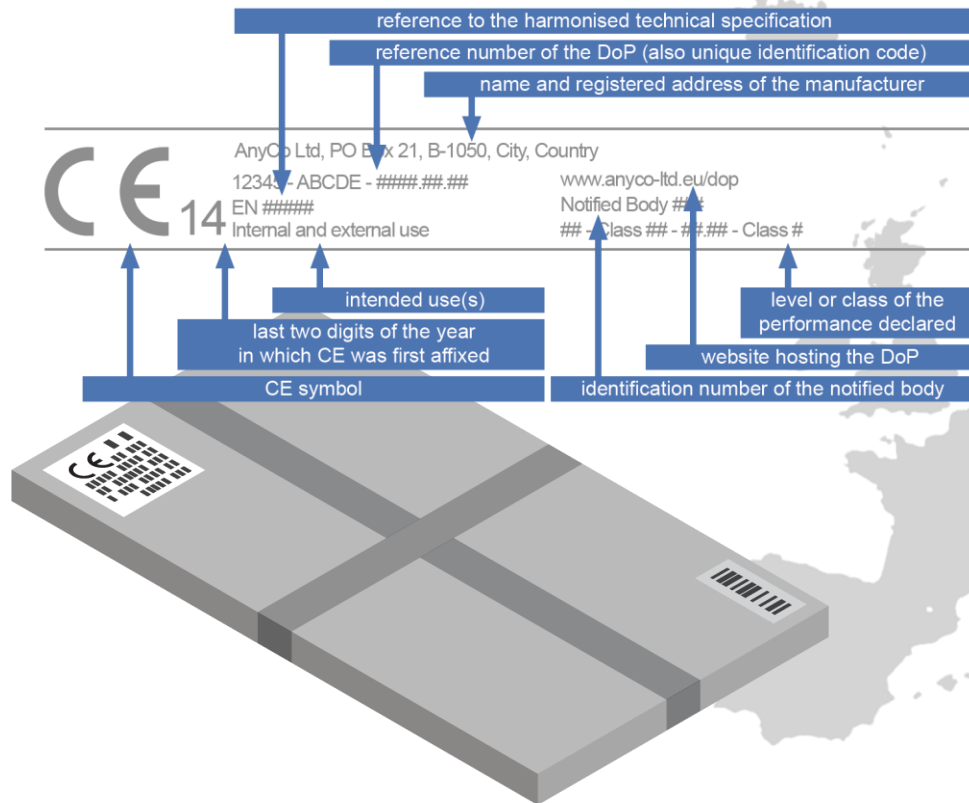
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CE marking means:

This construction product has been assessed as to its performance in accordance with a harmonised European standard or a European Assessment Document.

The declared performance is available in CE marking and Declaration of Performance

# Construction Products Regulation



## DECLARATION OF PERFORMANCE

Unique identification code of the product-type: No 12345 - ABCDE - #####

Intended use/es: *Intended to be used...*

Manufacturer: AnyCo Ltd, PO Box 21, B-1050, City, Country

Notified body: *Notified Body ###*

Declared performances:

Essential characteristics

Performance

AVCP

hEN

essential characteristic 1:	### units / class / description	#	EN ###
essential characteristic 2:	### units / class / description	#	EN ###
...	...	...	...
essential characteristic n:	### units / class / description	#	EN ###
durability essential characteristic 1:	### units / class / description	#	EN ###

The performance of the product identified above is in conformity with the set of declared performance/s.

This declaration of performance is issued, in accordance with Regulation (EU) No 305/2011, under the sole responsibility of the manufacturer identified above.

Signed for and on behalf of the manufacturer by:

Mr / Ms...

At city on ###.###.####



[www.anyco-ltd.eu/dop](http://www.anyco-ltd.eu/dop)

# Construction Products Regulation

Declared performances:

Essential characteristics

Performance

AVCP

hEN

essential characteristic 1:

### units / class / description

#

EN ###

essential characteristic 2:

### units / class / description

#

EN ###

...

...

...

...

essential characteristic n:

### units / class / description

#

EN ###

durability essential characteristic 1:

### units / class / description

#

EN ###

The performance of the product identified above is in conformity with the set of declared performance/s.

This declaration of performance is issued, in accordance with Regulation (EU) No 305/2011, under the sole responsibility of the manufacturer identified above.

# NATIONAL BUILDING CODE

## CONSTRUCTION PRODUCTS REGULATION

## NOTIFICATION

## STANDARDISATION REQUEST



## OJEU CITATION

## STANDARD

[illegible][illegible]

NATIONAL BUILDING CODE		
The required performance for the construction product MINIMUM for the Intended use MINIMUM is summarized in the following:		
Desired performance:	Performance	EN
sewer E01 characterizable 1:	400 u/s/s - class 1 (description)	EN 12566
sewer E01 characterizable 2:	400 u/s/s - class 1 (description)	EN 12566
sewer E01 characterizable 3:	400 u/s/s - class 1 (description)	EN 12566
characterizable sewer E01 characterizable 1:	400 u/s/s - class 1 (description)	EN 12566


 AnyCo Ltd, PO Box 21, B-1000, City, Country  
 12345 - ABCDE - 67890 00 00  
 EN 60959  
 Internal and external use

www.anyco-hd.eu/ndp  
 Notified Body 0000  
 BS - Class 00 - 00.00 - Class 00

## DECLARATION OF PERFORMANCE

Unique identification code of the product type: No. DGE - ASIDE - **4000-00-00**

Intended use(s): *Intended to be used...*

Manufacturer: **anyCo LLC**, PO Box 27, 8-KT0, City, Country

Notified body: **Notified Body 000**

Declared performance:

Essential characteristics	Performance	ACCP	100%
essential characteristic 1	000 units / class / description	#	100-000
essential characteristic 2	000 units / class / description	#	100-000
essential characteristic 3	000 units / class / description	#	100-000
essential characteristic 4	000 units / class / description	#	100-000
essential characteristic 5	000 units / class / description	#	100-000

The performance of the product identified above is in conformity with the set of declared performances.

This declaration of performance is issued in accordance with Regulation (EU) No 305/2011, under the sole responsibility of the manufacturer identified above.

Signed for and on behalf of the manufacturer by:

19/10/20

At city on day month year



[www.sergio-italia.it](http://www.sergio-italia.it)



# System in place



Mandates developed more than 20 years ago

Standards following technical and practical approaches with legal implications

Citation according to technical and legal criteria

# Court cases

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[Bauregellisten \(C-100/13\)](#)

[James Elliott \(C-613/14\)](#)

[Global Gardens \(T-474/15\)](#)

[Germany vs. EC \(T-229/17\)](#)



# Harmonised standards



≈300

hEN not updated  
according to the  
CPR and cited

≈50

hEN revised  
according to the  
CPR, and cited

≈90

hEN revised  
according to the  
CPR, but not cited

≈40

new hEN according  
to the CPR, but not  
cited

## STANDARDISATION REQUEST

## CONSTRUCTION PRODUCTS REGULATION



## STANDARD

EUROPEAN STANDARD

EN 10941


HC  
EL

**STANDARD**

Resilient, textile and laminate floor coverings – Essential characteristics

Rechtselastische, textile und laminierte Fußbodenbeläge – Wesentliche Eigenschaften

Rechtselastische, textile Unterbeläge und Laminatebeläge – Wesentliche Eigenschaften



Document Standardisé  
Document Standardisé  
Document Standardisé

Document Standardisé  
Document Standardisé  
Document Standardisé

EN 10941

Rechtselastische, textile Unterbeläge und Laminatebeläge – Wesentliche Eigenschaften

# Joint position paper with FIEC

## Common agreements on the need to improve standardisation

### Highlighted topics:

- Keep compulsory & voluntary characteristics approach
- Improve coordination with MS
- Consolidation of mandates
- Facilitate the creation of classes



EUROPEAN CONSTRUCTION

European Construction Industry Federation (FIEC) is the "Social Partner" representing employers in the European Sectoral Social Dialogue "Construction". FIEC represents via its 30 National Member Federations in 27 countries (24 EU & EFTA and Turkey) construction enterprises of all sizes, i.e. small and medium - sized enterprises as well as "global players", carrying out all forms of building and civil engineering activities.

Press Contact: Sue Arundale  
FIEC / Avenue Louise 225, BE-1050 Brussels  
[www.fiec.eu](http://www.fiec.eu) Transparency Register: 50221016212-42  
Tel. +32 (0)2 514 55 35 / Fax: +32 (0)2 511 02 76  
e-mail: [sue.arundale@fipec.eu](mailto:sue.arundale@fipec.eu)



Construction Products Europe (CPE) is an international non-profit making association made up of national and European associations that represent small and medium-size enterprises and world-leading companies. CPE aims to promote the European construction industry, to share information on EU legislation and standardisation and to provide input in all European construction-related initiatives.

Press Contact: Oscar Nieto  
Construction Products Europe / Bld. du Souverain 68, BE-1170 Brussels  
[www.construction-products.eu](http://www.construction-products.eu) Transparency Register: 48010783162-91  
Tel. +32 (0)2 645 52 07 / Fax: +32 (0)2 645 52 13  
e-mail: [oscar.nieto@construction-products.eu](mailto:oscar.nieto@construction-products.eu)

#### FIEC / CPE - position paper

19.04.2016

#### EUROPEAN PRODUCT STANDARDS AND THEIR RELATIONSHIP TO REGULATION (EU) N°305/2011 - CONSTRUCTION PRODUCTS REGULATION

**FIEC & CPE support** an open and transparent CEN standardisation system involving all concerned parties to develop, maintain and publish inter alia product standards, which support EU industry, not least by providing a common European technical language.

**FIEC & CPE acknowledge** that Directive 89/106/EEC (CPD) and Regulation (EU) 305/2011 (CPR) have been an important catalyst for the development of European product standards and use thereof in the construction sector;

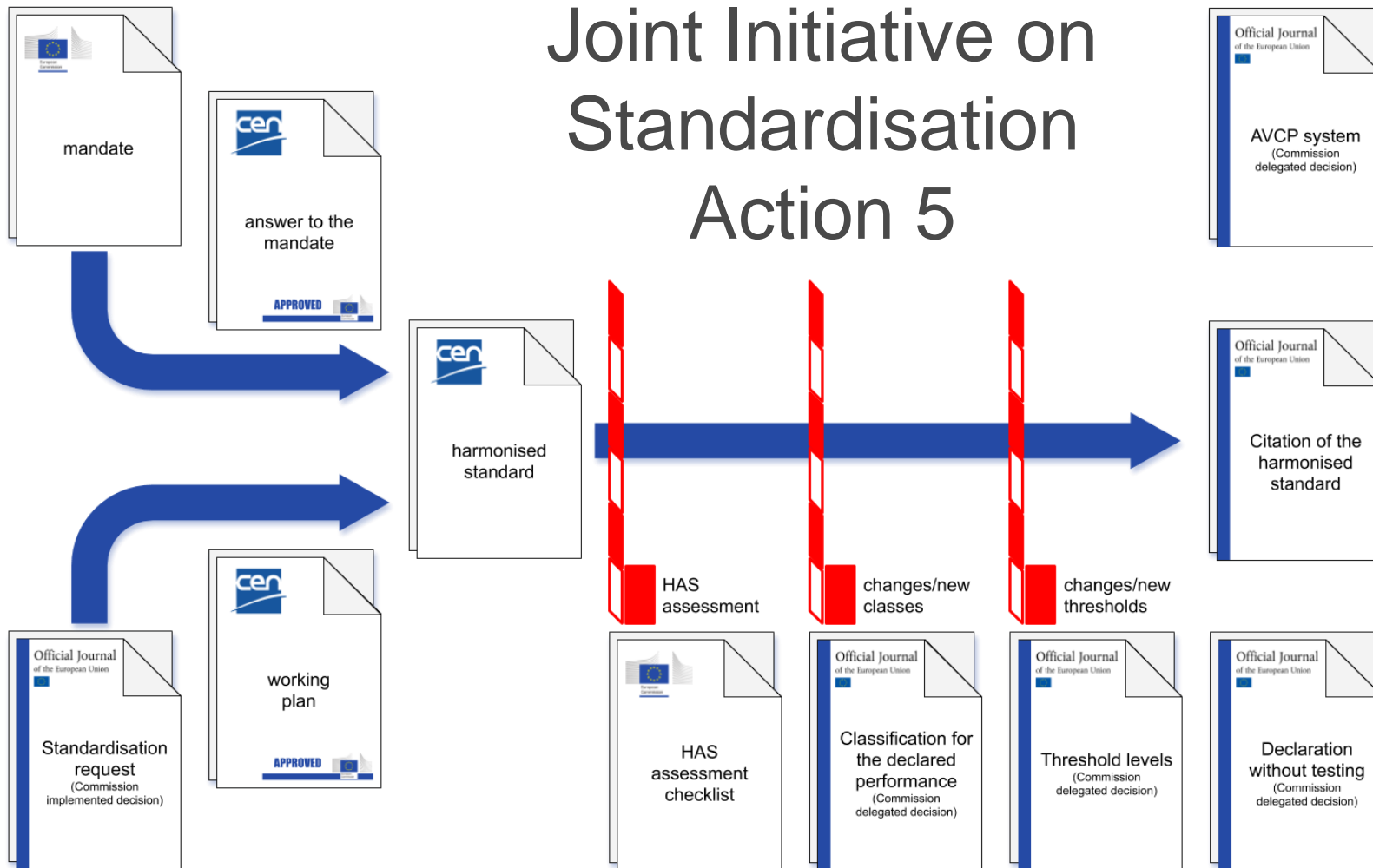
**FIEC & CPE note with concern** that CEN product standardisation in the construction sector is predominantly determined by legal necessities and the need to satisfy Regulation (EU) N° 305/2011, leading to:

- European product standards being limited to mainly addressing regulated (essential) characteristics, and not given the freedom of addressing all the product properties and characteristics stakeholders consider relevant<sup>1</sup>;
- European product standards not always being permitted to define product types on the basis of technical thresholds and technical classifications that would allow stakeholders (contractors, architects, engineers...) to easily and safely select construction products that are suitable for specific purposes<sup>2</sup>;
- users often misunderstanding Annex ZA of harmonised standards as the reference for exchanging all relevant technical product information, while in reality it only addresses essential characteristics which are presented in the context of an abstract containing the intended use(s), thereby missing "non-essential" characteristics addressed in the "voluntary" part of the standards that may be technically relevant for concrete uses;
- CEN standards making reference to Regulation (EU) N° 305/2011, even though standards in general are commonly agreed documents, the use of which is voluntary and which may be used independently of public legal requirements - moreover in non-EU, as well as EU countries;

1 The essential characteristics are determined by Member States and mandated by the European Commission and stakeholders are not always involved in this process.

Joint position

Development and assessment of harmonised standards  
according to the CPR





## Joint Declaration

28.06.2019

**Construction products manufacturers and contractors urgently need a standardisation system that works**

Standardisation plays a crucial role for the European construction sector. It is the main pillar of the Internal Market, allows the free movement of construction products in the European Union (EU) and streamlines construction activities. This important role is acknowledged in European legislation, notably the CPR<sup>1</sup> and the European Standardisation Regulation<sup>2</sup>. Within the scope of the CPR, harmonised technical specifications, such as harmonised European product standards, define the common technical language. This has to be used by manufacturers to express the technical performance of their products. National regulators use it when necessary, to define minimum performance requirements, which ensure their required national safety levels. This common technical language also enables manufacturers, designers and contractors to exchange product information irrespective of EU borders and traditional regional or local building practices. The continuous updates, based on scientific evidence, innovation and evolving needs are done in a transparent and co-ordinated way and published in easily accessible documents. These updates are vital for the construction value chain.

Construction product manufacturers and contractors therefore rely strongly on standards that remain aligned with changing market and regulatory demands. Without up to date standards, the Internal Market for construction products could neither be achieved, nor maintained.

However, in recent years, the European standardisation system and legislation have often failed to deliver harmonised product standards in a timely manner that takes account of relevant changes in the system. This situation is not only putting the Internal Market for construction products at risk; it is also reducing efficiency in the construction sector. The result is a backlog in the citation of harmonised product standards in the Official Journal of the European Union (OJEU). This backlog, although not limited to construction products, affects the manufacturers of these products more than those of any other sector due to the mandatory nature of harmonised products standards under the CPR. The consequences of unavailable or outdated harmonised product standards include an increase of direct or indirect costs for the businesses (especially Small and Medium-sized Enterprises), for which the economic damage is not yet clear. Moreover, there is acute confusion in the market, especially when new or revised/updated standards have long since been published but have still not been cited in the OJEU. This situation is unsustainable for stakeholders using standards. Furthermore, there is not only a risk to the competitiveness of the sector, but also a risk that this dysfunctional system might force the creation of new national standardisation initiatives.

The European Commission has been undertaking a review of the CPR regulation for some time. It will shortly present a report to the European Parliament and the Council on the implementation of the Regulation on European Standardisation. **Construction product manufacturers and contractors call upon the European Institutions to co-ordinate their response to the findings in order to ensure coherence, transparency and consistency.**

Although no decisions have yet been taken with regard to any actual revision of the CPR, the construction sector needs solutions without delay. The sector cannot wait until the end of the review process. For this reason, construction products manufacturers and contractors are

# Joint declaration

We want to work together to find short-term solutions so that the internal market for construction products can function in an efficient and effective way

Joint declaration

*This draft has not been adopted or endorsed by the European Commission. Any views expressed are the preliminary views of the Commission services and may not in any circumstances be regarded as stating official position of the Commission.*



Brussels, XXXX  
[...] (2018) XXXX draft

COMMISSION IMPLEMENTING DECISION (EU) .../...

of XXXX

on a standardisation request to the European Committee for Standardisation as regards reinforcing and pre-stressing steel in support of Regulation (EU) No 305/2011 of the European Parliament and of the Council

(Text with EEA relevance)

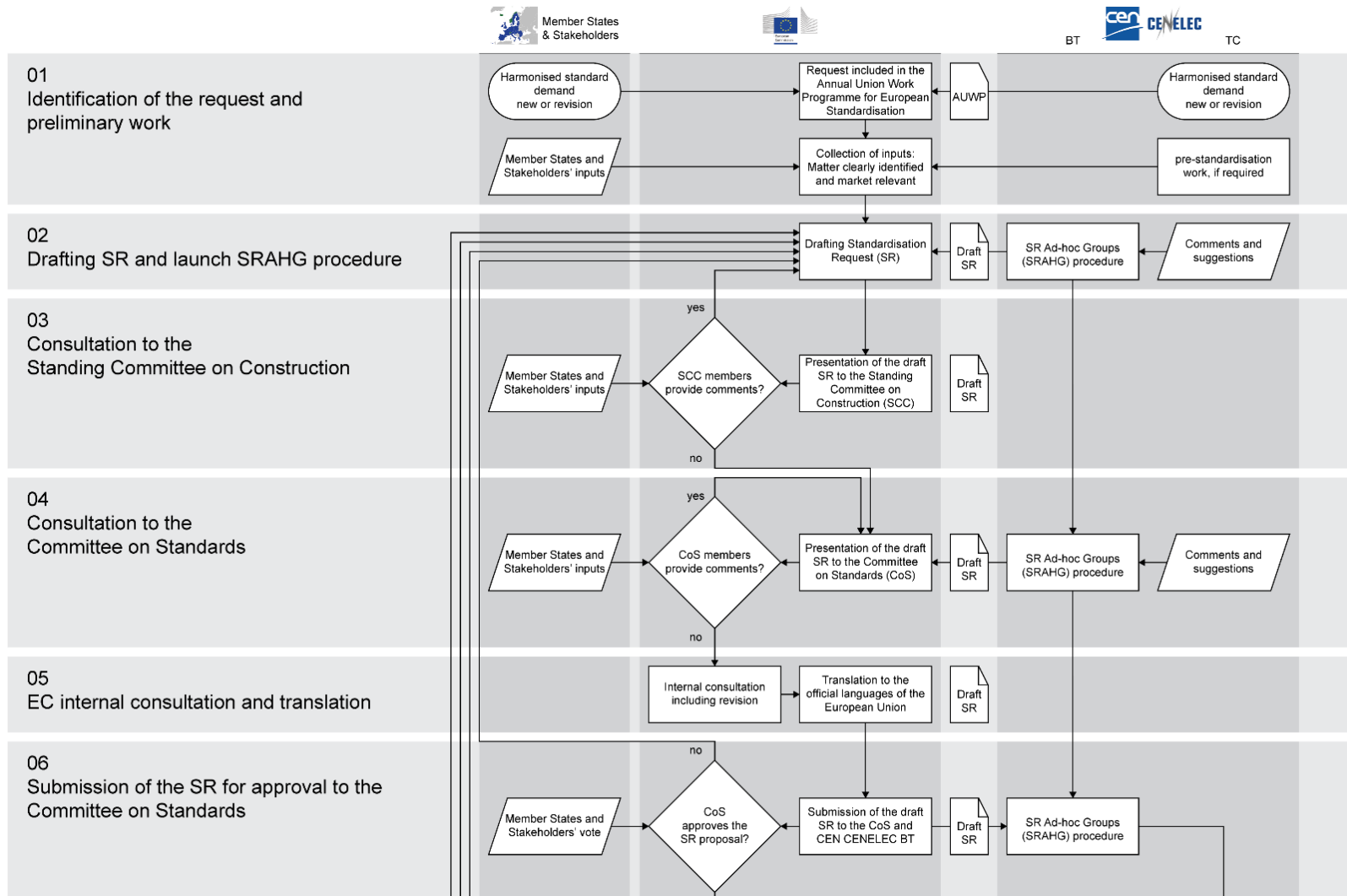
# Standardisation request

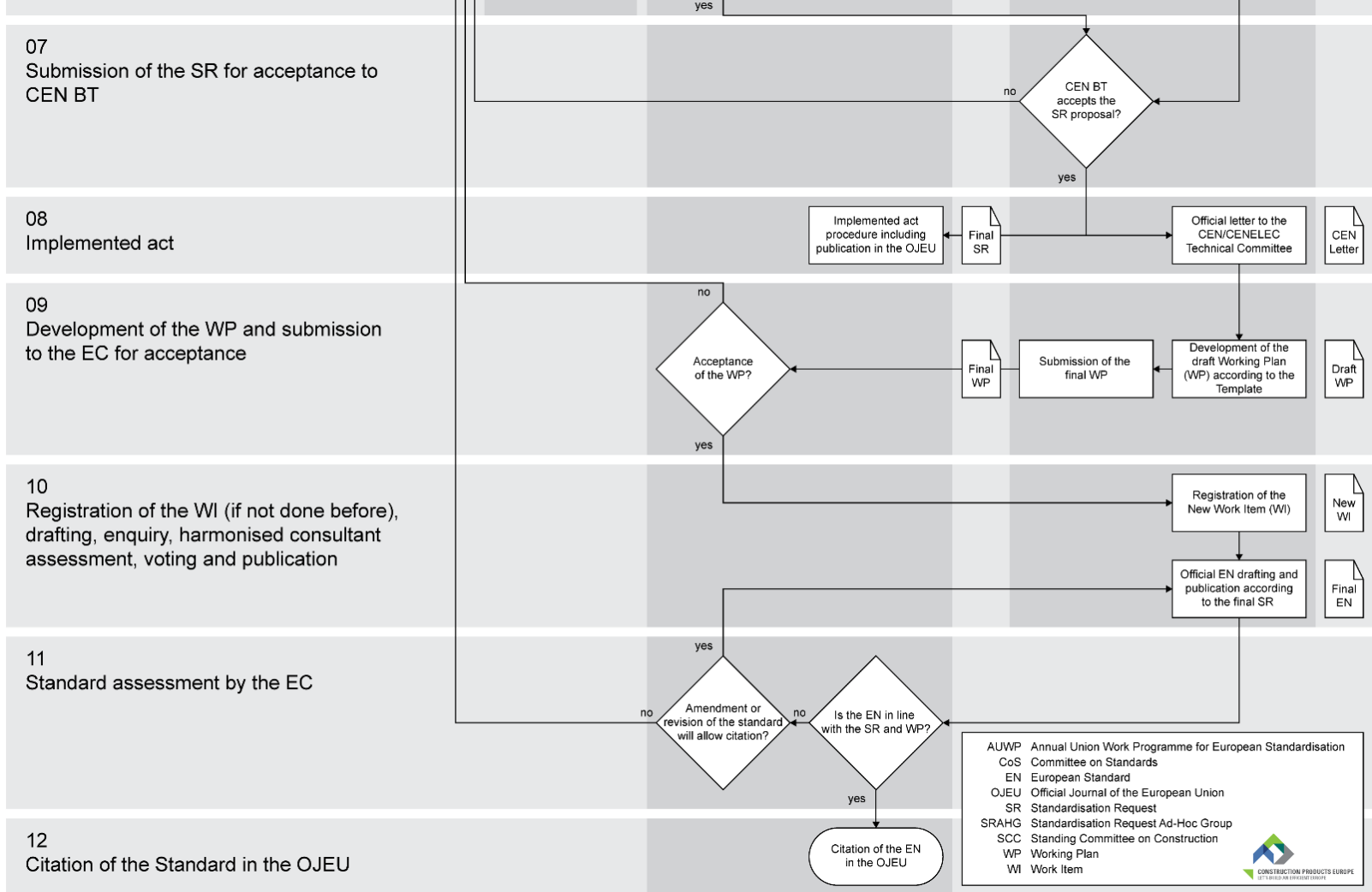
Regulatory approach according  
to a complex procedure

Transparent process

Voting by Member States  
(Committee on Standards)







**CEN**  
**WORKSHOP**  
**AGREEMENT**

**CWA 17316**

July 2018

ICS 03.120.20; 35.240.67; 91.010.01

English version

**Smart CE marking for construction products**

This CEN Workshop Agreement has been drafted and approved by a Workshop of representatives of interested parties, the constitution of which is indicated in the foreword of this Workshop Agreement.

The formal process followed by the Workshop in the development of this Workshop Agreement has been endorsed by the National Members of CEN but neither the National Members of CEN nor the CEN-CENELEC Management Centre can be held accountable for the technical content of this CEN Workshop Agreement or possible conflicts with standards or legislation.

This CEN Workshop Agreement can in no way be held as being an official standard developed by CEN and its Members.

This CEN Workshop Agreement is publicly available as a reference document from the CEN Members National Standard Bodies.

CEN members are the national standards bodies of Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, Former Yugoslav Republic of Macedonia, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey and United Kingdom.



EUROPEAN COMMITTEE FOR STANDARDIZATION  
COMITÉ EUROPÉEN DE NORMALISATION  
EUROPAISCHES KOMITEE FÜR NORMUNG

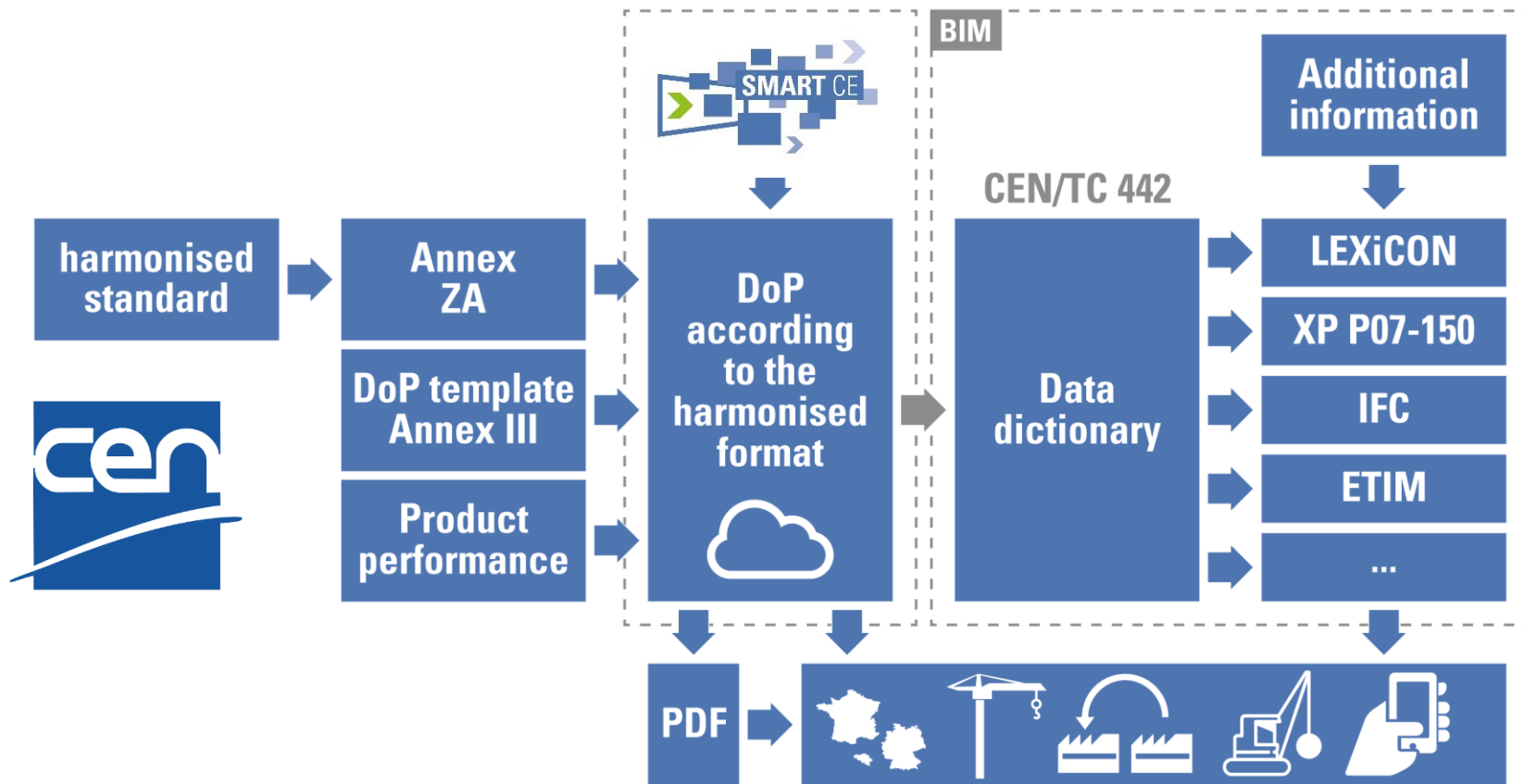
CEN-CENELEC Management Centre: Rue de la Science 23, B-1040 Brussels

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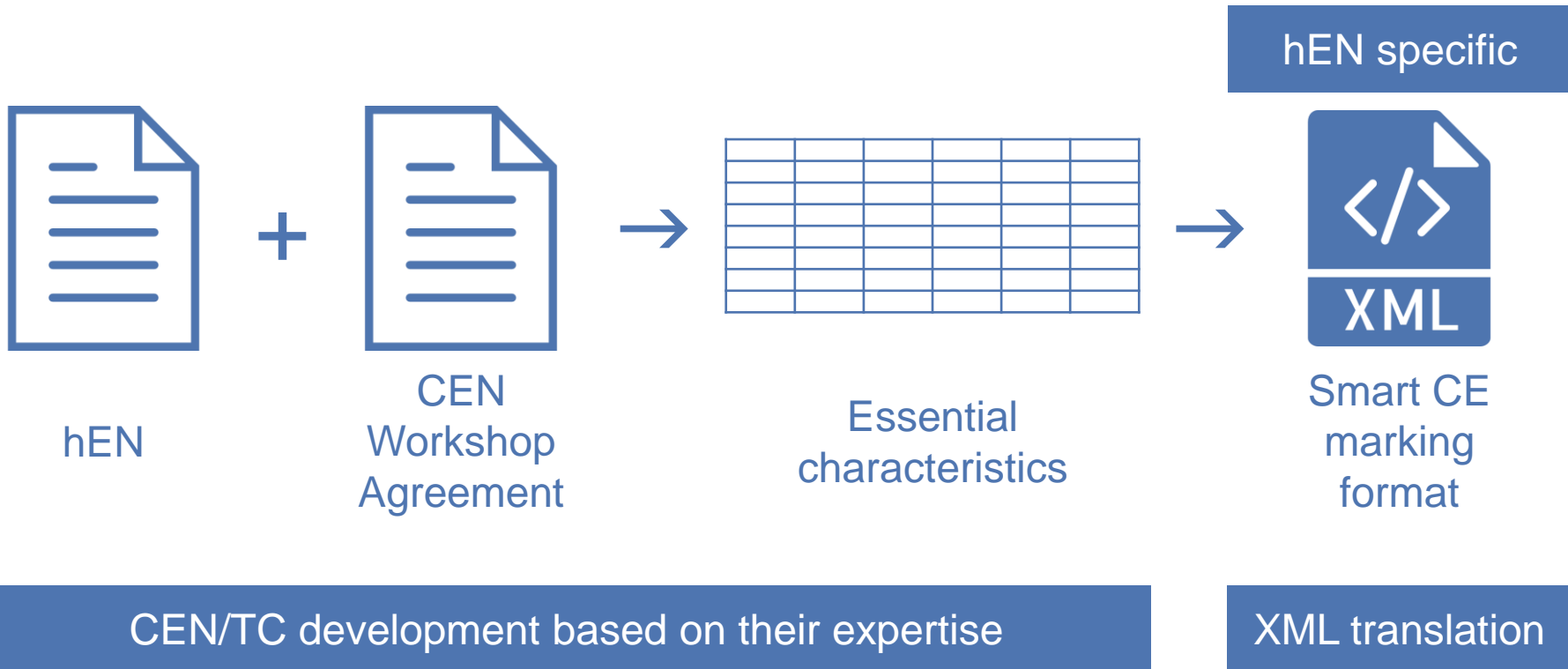
# Smart CE marking

Published and available  
Ready to be implemented by  
product CEN/TC  
No conflict with regulatory  
provisions

Document available online



# CEN Workshop Agreement



# Manufacturer

hEN specific



Smart CE  
marking  
format

+



Declaration of  
performance  
information



XML DoP



Smart CE  
marking  
document



XML DoP  
available online

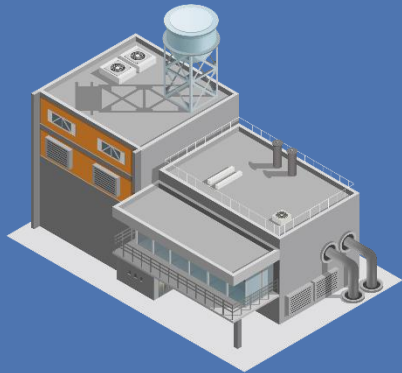
Manufacturer



Compute readable  
manufacturer's DoP is online  
and CE marking in the product  
includes a link to the file



DoP recipients can download  
the DoP and work with  
the information using  
their IT devices



# Future of the CPR

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Solve implementation issues

Solve and prevent discussions  
with Member States

Improve technical specifications  
development

Keep legal consistency





## ON ANNEX I OF THE CPR



DANISH  
TECHNOLOGICAL  
INSTITUTE

**16. For each of the following Basic Work Requirements (BWRs), or aspects thereof, please specify whether you believe it should be excluded from the European legislation on construction products.**

(Reducing the scope of the BWRs could be a way to reduce the problem of exhaustiveness at EU level, but might on the other hand increase problems with national legislation)

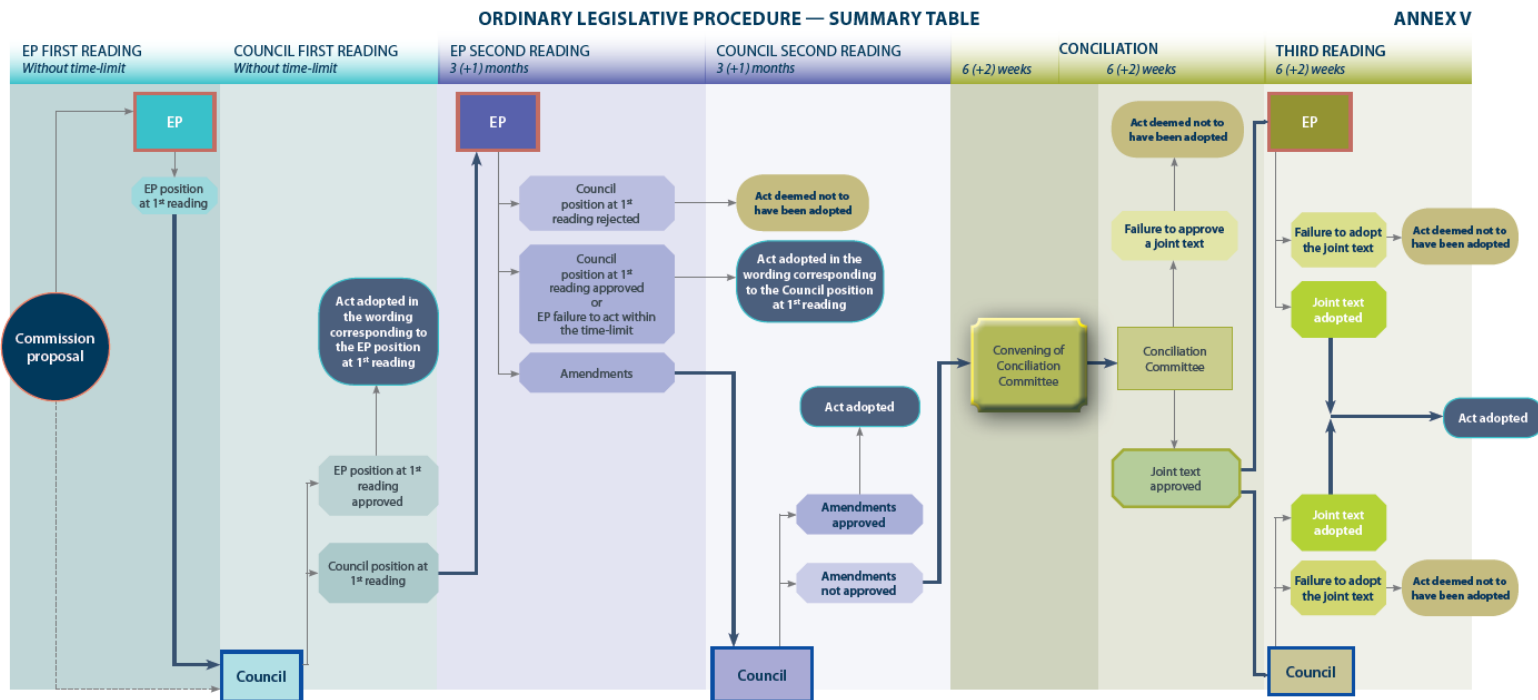
	Yes	No	No opinion
1. Mechanical resistance and stability	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Safety in case of fire	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Sustainable use of natural resources	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. Protection against noise	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. <i>Hygiene, health and the environment:</i>			
5.a Hygiene	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5.b Health	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5.c The environment	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. <i>Safety and accessibility in use:</i>			
6.a Safety in use	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6.b accessibility in use	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7. <i>Energy economy and heat retention:</i>			
7.a Energy economy	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7.b Heat retention	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

If you wish so, you can explain briefly the reason for your choices above:

Consultation launched by the EC to collect feedback for their proposal about the future of the CPR

[illegible][illegible]

# Legislative procedure



2020

Guide ordinary legislative procedure

30  
YEARS  
ANNIVERSARY



**CONSTRUCTION PRODUCTS EUROPE**

LET'S BUILD AN EFFICIENT EUROPE

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Technical Director

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push button and wait  
for signal opposite

**WAIT**