



**EUROPEAN COMMISSION**  
 Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs  
 Single Market Policy, Regulation and Implementation  
**Standards for Growth**

Brussels, 14.12.2015

## A Notification under Article 12 of Regulation (EU) No 1025/2012<sup>1</sup>

### Subject matter related to

<input type="checkbox"/>	Annual Union Work Programme for European standardisation (Art. 12, point a)
<input type="checkbox"/>	Possible future standardisation requests to the European standardisation organisations (Art. 12, point b)
<input checked="" type="checkbox"/>	Formal objections to harmonised standards (Art. 12, point c)
<input type="checkbox"/>	Identifications of ICT technical specifications (Art. 12, point d)
<input type="checkbox"/>	Delegated acts to modify Annexes I or III of Regulation (EU) No 1025/2012 (Art. 12, point e)

### Title of the initiative

Formal Objection against EN 13240:2001 "Roomheaters fired by solid fuel - Requirements and test methods"

### Additional information

<b>Legislative reference(s)</b>	Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC, OJ L 88, 4 April 2011
<b>EN reference(s)</b>	EN 13240:2001
<b>Status</b>	
<b>Other information</b>	This is a formal objection launched by Norway on 09 January 2015 against EN 13240:2001 the references of which have been published in the Official Journal of the European Union.

### Commission contact point for this notification

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<sup>1</sup> OJ L 316, 14.11.2012, p. 12



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Date : 2015.09.01

## Formal objections against NS-EN 13240:2001

Dear Mrs Rogalska,

In accordance with Article 18 of the Construction Product Regulation (hereafter CPR), Norway would like to raise formal objections against the following harmonised product standard:

Standard number	Standard title	Mandate	Comment
EN 13240:2001	Roomheaters fired by solid fuel - Requirements and test methods.	According to M129m combustion products shall be covered for hENs adopted on the basis of the mandate	EN 13240 does not cover particle matter emission, and is therefore not in line with M129 and BWR 3 of the CPR (ER 3 of the CPD)

This standard was developed on the basis of Mandate M129 for space heating appliances. The mandate described the relevant essential requirements of construction works and the essential characteristics of the product that should be covered by the harmonised standard. Regarding the third essential requirement of construction works (hygiene, health and the environment) both the release of dangerous substances and the emission of combustion products should have been covered by the harmonised standard.

We observe that no test method for the measurement of particle emission (PM) was developed under EN 13240:2007. Only a test method for the emission of CO<sub>2</sub> is covered by the standard. This seems to be clearly not in line with the third essential requirement as

described in the interpretative document developed under the Construction Product Directive (hereafter CPD):

*The construction work must be designed and built in such a way that it will not be a threat to the hygiene or health of the occupants or neighbours, in particular as a result of any of the following:*

- *The giving-off of toxic gas*
- *The presence of dangerous particles or gases in the air*
- *The emission of dangerous radiation*
- *Pollution or poisoning of the water or soil*
- *Faulty elimination of waste water, smoke, solid or liquid wastes*
- *The presence of damp in parts of the works or on surfaces within the works.*

EN 13240:2001 is therefore in our view not in line with the Mandate M129, and as a consequence, neither in line with the CPD, nor with the CPR, which states in Article 2:

*"The basic requirements for construction works set out in Annex I shall constitute the basis for the preparation of standardisation mandates and harmonised technical specifications."*

The fact that EN 13240:2001 is not in line with the CPD/CPR has also a collateral serious consequence: It may be impossible for some Member States (EU and EEA) to fulfil their obligations under Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe. The Directive underlines the need to combat emissions of pollutants at source and to identify and implement the most effective emission reduction measures at local, national and Community level.

As stated in the recitals of the Directive 2008/50/EC:

*Fine particulate matter (PM<sub>2,5</sub>) is responsible for significant negative impacts on human health. Further, there is as yet no identifiable threshold below which PM<sub>2,5</sub> would not pose a risk. As such, this pollutant should not be regulated in the same way as other air pollutants. The approach should aim at a general reduction of concentrations in the urban background to ensure that large sections of the population benefit from improved air quality. However, to ensure a minimum degree of health protection everywhere, that approach should be combined with a limit value, which is to be preceded in a first stage by a target value.*

Biomass combustion from room heaters fired by solid fuel leads to the presence of high concentrations of PM<sub>10</sub> in ambient air (PM) and is one of the major environmental issues in many European areas, especially during the winter season and in those areas where wood stoves and fireplaces are the main heating systems, like in Norway.

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For these reasons, Norway is of the opinion that EN 13240:2001 is not in line with the essential requirement of the CPD and the basic work requirements of the CPR. Norway would like to raise a query against EN 13240:2001, and kindly asks the Commission to start the procedure described in Article 18 of the CPR.


We thank you in advance for your assistance in this matter.

Best regards,



Janneke Solem

Deputy Director General



Mathieu Veulemans  
Senior Adviser