



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 1025/2012¹

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 13383-1:2002 "Armourstone: Part 1: Specifications"

Additional information

Legislative reference(s)	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
EN reference(s)	EN 13383-1:2002
Status	
Other information	This is a formal objection launched by Cyprus with letters dated 28 April 2015 and 12 August 2015 against EN 13383-1:2002 the references of which have been published in the Official Journal of the European Union.

Commission contact point for this notification

GROW-CONSTRUCTION@ec.europa.eu

¹ OJ L 316, 14.11.2012, p. 12



REPUBLIC OF CYPRUS

ANNEX 'A'

MINISTRY OF TRANSPORT, COMMUNICATIONS AND WORKS

Office of the Permanent Secretary

M.T.C.W.: 5.21.24/2

28 April 2015

European Commission
DG GROW - DG Internal Market, Industry, Entrepreneurship and SME's
Single Market & Standards-European Standards

through
Permanent Representative of the Republic of Cyprus to the European Union in
Brussels

Withdrawal of European Standard EN 13383-1-2013 (Armourstone)

With reference to the above subject, kindly note the following:

2. Subsequent to completion of the five year review process, on 14th June 2013 the EN13383-1 2013 version was published in Cyprus and the 2002 version was withdrawn. As a result, the revised version 2013, was incorporated into the design and contract documents for a number of Coastal Protection Projects in Cyprus which have been proposed for EU co-financing.

The withdrawal of the standard deems the vast majority of armourstone quarried in Cyprus out of specification for use in marine projects and coastal protection works and this causes a negative impact on the implementation of these projects.

According to the 2013 version of the Standard EN 13383-1, the density of armourstone is specified by the designer during the design stage of the project (without indicating an imposed minimum value), whereas the 2002 version of the same Standard sets the minimum allowable value for the density of armourstone to $2,3t/m^3$.

3. Sometime after publication of the 2013 versions of the standards managed by TC154, an objection was received relating to procedural non conformity relating to several of the standards. The objection was sustained and the relevant standards including EN 13383-1 (2013), were withdrawn. The withdrawal of the standards was published in Cyprus on 10th January 2014.

4. Please also note that a meeting of the European Working Group CEN TC154/WG10 Armourstone was convened in April 2014 to discuss the condition of EN13383 standard to be resubmitted to the CEN process. It was unanimously agreed that alterations to the standard would only concentrate on editorial content such as font settings and improved clarity of scope. Therefore EN13383-1 when it is

eventually published will contain the proposed and agreed changes to density criterion as detailed in the 2013 version.

5. Considering the above, it is extremely important for Cyprus, to adopt a transitional period of about 18 months or until the revision process is completed and the new revised standard is implemented, during which the density of armourstone used in the projects can be determined by the designer.

6. Relevant is the attached letter received from the Chairman of TC154/WG10 Armourstone dated 13/06/2014, who understands the problem and strongly supports the Cyprus position for the adoption of a transitional period, until the final solution of the problem.

7. It should also be noted, that the available quantities of armourstone with a minimum value for the density of $2,3t/m^3$, thus satisfying the EN 13383-1 (2002), are not sufficient to satisfy the demand for the upcoming Coastal Protection Projects and Marine Works assuring sufficient and healthy competition. Furthermore, due to the fact that the available quantities of armourstone with a minimum value for the density of $2,3t/m^3$ are encountered in limited areas, the construction cost will be increased considerably due to increased haulage costs.

8. Cyprus raised the issue during the meeting of the CEN/TC 154 on 03 – 04 July 2014 in Stockholm Sweden (please find attached document CEN/TC 154 N 1143 dated June 2014 which was submitted to support the Cyprus position). To overcome the difficulty which has been created for Cyprus, several members of TC154 suggested during this meeting that Cyprus could reference prEN13383 2013 in the construction contracts in Cyprus until the publication of the new revised version of EN13383-1. The Technical Committee CEN TC154 did not object to the adoption of this suggestion (the attached document CEN/TC 154 N 1159 dated 28/08/2014 is part of the meeting Report).

9. In order to overcome the temporary difficulty which has been created for Cyprus after the withdrawal of the 2013 version of EN13383 Standard, and taking into account that Harmonised Standards are intended to facilitate trade and healthy competition and not create a barrier in the market to the use of products with a successful history of use, and considering also that the removal of the minimum density requirement has been approved at a Formal Vote of the CEN Countries, Cyprus agrees with the above mentioned proposals and therefore is intending to adopt these suggestions and hence advises the appropriate bodies of the European Commission accordingly.



Alecos Michaelides
Permanent Secretary

C.C.: - European Technical Committee CEN TC154
- European Working Group CEN TC154/WG10

ΓΧ/
GH_(Επισημ_τροπ_ΕΕ_EN13383)_03_2015



REPUBLIC OF CYPRUS
MINISTRY OF COMMUNICATIONS AND WORKS
Office of the Permanent Secretary

M.C.W.:

14 April 2015

European Commission
For the attention of the appropriate Directorate-General (DG)

through
Permanent Representative of the Republic of Cyprus to the European Union in Brussels

Withdrawal of European Standard EN 13383-1-2013 (Armourstone)

With reference to the above subject, kindly note the following:

2. Subsequent to completion of the five year review process, on 14th June 2013 the EN13383-1 2013 version was published in Cyprus and the 2002 version was withdrawn. As a result, the revised version 2013, was incorporated into the design and contract documents for a number of Coastal Protection Projects in Cyprus which have been proposed for EU co-financing.

The withdrawal of the standard deems the vast majority of armourstone quarried in Cyprus out of specification for use in marine projects and coastal protection works and this causes a negative impact on the implementation of these projects.

According to the 2013 version of the Standard EN 13383-1, the density of armourstone is specified by the designer during the design stage of the project (without indicating an imposed minimum value), whereas the 2002 version of the same Standard sets the minimum allowable value for the density of armourstone to $2,3t/m^3$.

3. Sometime after publication of the 2013 versions of the standards managed by TC154, an objection was received relating to procedural non conformity relating to several of the standards. The objection was sustained and the relevant standards including EN 13383-1 (2013), were withdrawn. The withdrawal of the standards was published in Cyprus on 10th January 2014.

4. Please also note that a meeting of the European Working Group CEN TC154/WG10 Armourstone was convened in April 2014 to discuss the condition of EN13383 standard to be resubmitted to the CEN process. It was unanimously agreed that alterations to the standard would only concentrate on editorial content such as font settings and improved clarity of scope. Therefore EN13383-1 when it is eventually published will contain the proposed and agreed changes to density criterion as detailed in the 2013 version.

5. Considering the above, it is extremely important for Cyprus, to adopt a transitional period of about 18 months or until the revision process is completed and the new revised standard is implemented, during which the density of armourstone used in the projects can be determined by the designer.

6. Relevant is the attached letter received from the Chairman of TC154/WG10 Armourstone dated 13/06/2014, who understands the problem and strongly supports the Cyprus position for the adoption of a transitional period, until the final solution of the problem.

7. It should also be noted, that the available quantities of armourstone with a minimum value for the density of $2,3t/m^3$, thus satisfying the EN 13383-1 (2002), are not sufficient to satisfy the demand for the upcoming Coastal Protection Projects and Marine Works assuring sufficient and healthy competition. Furthermore, due to the fact that the available quantities of armourstone with a minimum value for the density of $2,3t/m^3$ are encountered in limited areas, the construction cost will be increased considerably due to increased haulage costs.

8. Cyprus raised the issue during the meeting of the CEN/TC 154 on 03 – 04 July 2014 in Stockholm Sweden (please find attached document CEN/TC 154 N 1143 dated June 2014 which was submitted to support the Cyprus position). To overcome the difficulty which has been created for Cyprus, several members of TC154 suggested during this meeting that Cyprus could reference prEN13383 2013 in the construction contracts in Cyprus until the publication of the new revised version of EN13383-1. The Technical Committee CEN TC154 did not object to the adoption of this suggestion (the attached document CEN/TC 154 N 1159 dated 28/08/2014 is part of the meeting Report).

9. In order to overcome the temporary difficulty which has been created for Cyprus after the withdrawal of the 2013 version of EN13383 Standard, and taking into account that Harmonised Standards are intended to facilitate trade and healthy competition and not create a barrier in the market to the use of products with a successful history of use, and considering also that the removal of the minimum density requirement has been approved at a Formal Vote of the CEN Countries, Cyprus agrees with the above mentioned proposals and therefore is intending to adopt these suggestions and hence advises the appropriate bodies of the European Commission accordingly.



Alecos Michaelides
Permanent Secretary
Ministry of Communications and Works

C.C.: - European Technical Committee CEN TC154
- European Working Group CEN TC154/WG10

ΓΧ/

GH_(Επιστ_προς_ΕΕ_EN13383)_03_2015



HR Wallingford

Mr Alecos Michaelides
Permanent Secretary
Ministry of Communications and Works
Acheon 28
1424 Nicosia
CYPRUS

Your ref
Our ref MCC2043
13 June 2014

Dear Mr Michaelides

Withdrawal of European Standard EN 13383-1-2013 (Armourstone)

I understand that the withdrawal, among others, of European Standard EN 13383-1-2013 (Armourstone) and the reintroduction of the 2002 version of the same standard is causing a significant problem for Cyprus. This is because the minimum allowable value for the density of armourstone to 2,3Mg/m³ in the 2002 version rules out the use in marine projects and coastal protection works of the vast majority of armourstone quarried in Cyprus. This inevitably has a negative impact on the planning public works in Cyprus particularly those planned under projects co-financed by EU Structural Funds.

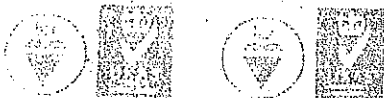
I further understand that whilst the version of EN 13383-1 –2013 was in force in Cyprus for 7 months until its withdrawal in January 2014, the Public Works Department proceeded with the design of projects based on a designer-specified density without the restriction of the previous minimum density requirement. These projects are now in jeopardy because of the present situation

The present situation is entirely artificial for Cyprus since the reasons which led to the abandonment of the minimum density requirement by TC154 and its subsequent ratification by formal vote of the member states during 2011 are still entirely valid. These reasons can be articulated as follows:

1. Rocks of density less than 2,3 Mg/m³, such as the Calcarenite found in Cyprus (density 2,1 Mg/m³), have successfully been used for the construction of coastal protection works for about 30 years before the implementation of the European Standard, without any durability and/or stability problems. A founding principle of the European Community is to encourage free trade. A European standard should therefore never create a barrier to free trade, especially not to products that have a successful history of previous use for a particular application.
2. The Working Group (WG10) Armourstone of the European Technical Committee TC154 is satisfied that the minimum density requirement should be removed, because assessment of durability is covered adequately by other durability tests, such as the water absorption screening test and the magnesium sulfate soundness test.

Cyprus also has some practical difficulties to be borne in mind:

3. The available quantities of material with a minimum density of 2,3 Mg/m³ (reef limestone), according to research which has been carried out by the relevant departments (Public Works Department, Department of Geological Survey, Mines Service), is insufficient to cover the needs for the projects.



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4. European tax payers money would be wasted by insisting on the use of the reef limestone as this is limited to 3 geographical areas of Cyprus and the road haulage costs from these locations would be significant
5. Creation of new quarries in Cyprus to meet the needs of the planned projects would have significant environmental impacts and cause major delays.

On behalf of TC154/WG10 Armourstone, I would strongly recommend the problem be solved at a national level by Cyprus by use of a transitional period, until the new revised standard is completed and implemented, during which the density of armourstone used in the projects in Cyprus can be determined by the designer. Should Cyprus decide to proceed with a formal application to CEN for a transitional period to be applied across the whole Europe, I would strongly support it as Chairman of WG10, but Cyprus should bear in mind that, given the current CEN regulations such an application has very little chance of success. On the other hand, it would appear to me that given the reasons listed above and that the technical change involved has already been ratified by a formal vote, the justification for any challenge to the proposed national transitional period by Cyprus would be very weak.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J Simm'.

Jonathan Simm
Chairman TC154/WG10 Armourstone
j.simm@hrwallingford.com
+44(0) 1491 822355

cc: Acting Director
Department of Public Works
Strovolos Avenue 165
2048 Strovolos
Nicosia
CYPRUS

NOTE

Withdrawal of European Standard EN 13383-1-2013 (Armourstone)
Documentation suggestion for resolving the problem
created for Cyprus using a transitional period

The withdrawal, among others, of European Standard EN 13383-1-2013 (Armourstone) and the reintroduction of the 2002 version (Standard EN 13383-1), which sets the minimum allowable value for the density of armourstone to $2,3\text{Mg/m}^3$, deems the vast majority of armourstone quarried in Cyprus out of specification for use in marine projects and coastal protection works.

This development has a negative impact on the planning of the Department of Public Works and the co-financing of the projects by EU Structural Funds.

2. According to the version of the Standard EN 13383-1 – 2013, which was adopted in Cyprus on 14th of June 2013 and was in force for 7 months until its withdrawal in January 2014, the density of the armourstone is specified by the designer during the design stage of the project (without indicating an imposed minimum value as was the case with the 2002 version). In view of this fact, the Public Works Department proceeded with the design of projects including the preparation of tender and technical documents based on the 2013 version of the standard. These projects have been proposed for co-financing by the Structural Funds of the European Union for the programming period 2014 – 2020 the construction of which is expected to commence before the end of the current year.

3. Based on the above, it is extremely important for Cyprus, to adopt a transitional period of about 18 months or until the revision process is completed and the new revised standard is implemented, during which the density of armourstone used in the projects can be determined by the designer.

4. The following reasons justify the use of a transitional period:

a) Technical reasons

- (i) Calcarenite (density of about $2,1\text{ Mg/m}^3$), has successfully been used in Cyprus for the construction of coastal protection works for about 30 years before the implementation of the European Standard, without any durability and/or stability problems.
- (ii) The Working Group (WG10) Armourstone of the European Technical Committee TC154 is satisfied that the minimum density requirement should be removed, because assessment of durability is covered adequately by other durability tests; such as the water absorption screening test and the magnesium sulphate soundness test.
- (iii) Because of (ii) above, the removal of the minimum density requirement has also been approved at a Formal Vote of the CEN countries.

(iv) The available quantities of material with a minimum density of 2,3 Mg/m³ (reef limestone), according to research which has been carried out by the relevant departments (Public Works Department, Department of Geological Survey, Mines Service), is insufficient to cover the needs for proposed and future projects.

b) Financial reasons

- (i) A founding principle of the European Community is to encourage free trade. A European standard should therefore never create a barrier to free trade, especially not to products that have a successful history of previous use for a particular application.
- (ii) Promote and encourage healthy competition and avoid monopolistic conditions.
- (iii) Avoid increasing construction cost due to haulage, as reef limestone is limited to only 3 geographical areas of Cyprus.

c) Environmental considerations

- (i) Promote more efficient utilization and exploitation of the armourstone stocks available in existing quarries.

The proposal for a transitional period should be given special consideration and is expected to be treated positively, as it is of ultimate importance for Cyprus, especially considering the current economic conditions prevailing.

5. Irrespective of the efforts to be made for the adoption of a transitional period for Cyprus, as explained in paragraphs 3 and 4 above, it is also of vital importance to continue with the efforts to accelerate the procedure for the revision of the Standards.

6. Considering the high importance of this issue and the economic implications which may arise for Cyprus, if the adoption of a transitional period cannot be implemented, it is expected that CEN and TC154, as the appropriate European Bodies, should advise Cyprus of other alternative solutions to this problem.

June 2014

Public Works Department

Ministry of Communication and Works

Nicosia - Cyprus



2014-08-28

Correction to the draft Report of the Meeting of CEN/TC 154 in Stockholm 2014 (N1147)

Dear Member,

Below comments from Cyprus to the draft report of the last meeting of CEN/TC 154. These comments have been agreed by the Chairman.

Clause 8.9:

....
Cyprus read a letter about a problem with regard to which was created for the country after the reintroduction of the minimum density requirement in EN13383 as a result of the withdrawal of the 2013 product Standard, which Cyprus considers a barrier to trade and is adversely affecting its ability to use EU structural funds in delivery of civil engineering projects in Cyprus. Alexandre Beltrao responded that CCMC sees this as a legal matter and that the European Commission needs to be consulted.

Cyprus proposed to have a transition period until the new Standards are published in which the density of the armourstone is determined by the designer. Whilst this is not within the scope of TC154 to determine, Markus Schumacher and other members of CEN TC154 from various countries suggested that the construction contracts in Cyprus could refer to the prEN13383 2013 Standards in the transitional period. There is also the possibility to reference the upcoming prEN standards. After discussion the Technical Committee CEN TC154 did not object to the adoption of the above suggestion to reference prEN13383 2013 in the construction contracts in Cyprus.

Kind Regards,

Bernd Borchert
Secretary to CEN/TC 154



REPUBLIC OF CYPRUS
MINISTRY OF INTERIOR

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12 August 2015

Mr Antti Peltomäki

Deputy Director-General of the Enterprise and Industry Directorate-General
EUROPEAN COMMISSION
DG for Internal Market, Industry, Entrepreneurship and SME's
Unit C.1 – Clean Technologies and Products
Avenue d' Auderghem 45 - 07/45
B-1049 BRUSSELS / BELGIUM

(through Permanent Representative of the Republic of Cyprus
to the European Union in Brussels)

Dear Mr Peltomäki,

Subject: Withdrawal of European Standard EN 13383-1-2013 (Armourstone)

With reference to the Ministry of Transport, Communications and Works (TCW) of Cyprus letter dated June 26, 2015 as a confirmation that the letter of April 28, 2015 represents a formal objection by Cyprus as a Member State against the harmonized standard EN 13383-1:2002/AC:2004, due to the density threshold of 2,3 Mg/m³, I would like to kindly ask you to forward the matter with extreme urgency, in order to overcome the difficulty which has been created for Cyprus.

2. According to the relative correspondence forwarded to you by the Ministry of TCW, the withdrawal of EN 13383-1:2013 caused a negative impact on the implementation of projects. After the publication of the revised version 2013 in Cyprus on the 14th June 2013, its provisions were incorporated into the design and contract documents for a number of Coastal Protection Projects in Cyprus which have been proposed for EU co-financing. In particular, according to EN 13383-1:2013, the density of armourstone is specified by the designer during the design stage of the project (without indicating an imposed minimum value), whereas the 2002 version sets the minimum allowable value for the density of armourstone to 2,3 Mg/m³.

The withdrawal of the 2013 version deems the vast majority of armourstone quarried in Cyprus out of specification. The Ministry of TCW supports that the available quantities of armourstone with a minimum value of density of $2,3 \text{ Mg/m}^3$, thus satisfy the EN 13383-1 (2002), are not sufficient to satisfy the demand for the upcoming Coastal Protection Projects and Marine Works assuring sufficient and healthy competition. Also, as reported by Ministry of TCW, the fact that the available quantities of armourstone with a minimum value for the density of $2,3 \text{ Mg/m}^3$ are encountered in limited areas, the construction cost will be increased considerably due to increased haulage costs.

3. Additionally, the Ministry of TCW, has submitted to CEN/TC 154/WG10, in June 2014, a document highlighted the reasons to be considered in order to find a solution to the problem. These reasons are:

a) Technical reasons:

- (i) Calcarenite (density of about $2,1 \text{ Mg/m}^3$), has successfully been used in Cyprus for the construction of coastal protection works for about 30 years before the implementation of the European Standard, without any durability and/or stability problems;
- (ii) The Working Group (WG10) Armourstone of the European Technical Committee TC154 is satisfied that the minimum density requirement should be removed, because assessment of durability is covered adequately by other durability tests, such as water absorption screening test and the magnesium sulphate soundness test;
- (iii) **Because of (ii) above, the removal of the minimum density requirement has also been approved at a Formal Vote of the CEN countries;**
- (iv) The available quantities of material with a minimum density of $2,3 \text{ Mg/m}^3$ (reef limestone), according to research which has been carried out by the relevant departments (Public Works Department, Department of Geological Survey, Mines Service), is insufficient to cover the needs for proposed and future projects.

b) Financial reasons:

- (i) A founding principle of the European Community is to encourage free trade. A European Standard should therefore never create a barrier to free trade, especially not to products that have a successful history of previous use for a particular application;
- (ii) Promote and encourage healthy competition and avoid monopolistic conditions;
- (iii) Avoid increasing construction cost due to haulage, as reef limestone is limited to only 3 geographical areas of Cyprus.

c) Environmental considerations:

- (i) Promote more efficient utilization and exploitation of the armourstone stocks available in existing quarries.

4. The Chairman of CEN/TC 154/WG10, Mr. Jonathan Simm, in his letter to the Permanent Secretary of the Ministry of TCW on the 13 June 2014, has also added the following:

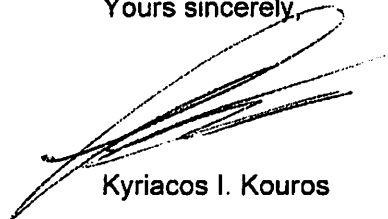
- (i) European tax payers money would be wasted by insisting on the use of the reef limestone as this is limited to 3 geographical areas of Cyprus and the road haulage costs from these locations would be significant;
- (ii) Creation of new quarries in Cyprus to meet the needs of the planned projects would have significant environmental impacts and cause major delays.

5. Attached to this letter, please find a copy of all relevant correspondence (Annex A), sent to you by the Ministry of TCW. As you have mentioned in your letter dated 11 June, 2015 Article 18 of Regulation (EU) 305/2011 provides for Member States to bring forward dissatisfaction with a harmonized standard. **It would be much appreciated if you could kindly forward the matter with extreme urgency to be discussed at the next Standing Committee on Construction, as it is of ultimate importance for Cyprus the problem to be resolved by the end of September as a number of Coastal Protection Projects and Marine Works are planned for construction in the next period.**

6. Finally, I would greatly appreciate the opportunity if you were available for a meeting, to discuss the issue in Brussels. May we suggest a meeting to be arranged before the Standing Committee Meeting, e.g. the week 7 - 11 September 2015, or based upon your availability.

7. Should you require any further clarification, please do not hesitate to contact me.

Yours sincerely,



Kyriacos I. Kouros
Head of Cyprus Delegation in SCC

cc: Permanent Secretary
Ministry of Transport, Communications and Works