Economic Impacts of the Construction Products Regulation

Final report

Written by VVA Europe, the Danish Technological Institute (DTI) and the Netherlands Organisation for applied scientific research (TNO)
October 2016

VVA europe LTD

DANISH TECHNOLOGICAL INSTITUTE

TNO innovation for life

EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs
Directorate C — Industrial Transformation and Advanced Value Chains
Unit C.1 — Clean Technologies and Products

Contact: GROW-CONSTRUCTION@ec.europa.eu

European Commission
B-1049 Brussels

EUROPEAN COMMISSION

Economic Impacts of the Construction Products Regulation

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs

2016

Europe Direct is a service to help you find answers to your questions about the European Union.

Freephone number (*)**:**

00 800 6 7 8 9 10 11

(*) The information given is free, as are most calls (though some operators, phone boxes or hotels may charge you).

Luxembourg: Publications Office of the European Union, 2016

ISBN number: 978-92-79-62606-7
Doi number: 10.2873/586116

Printed in Belgium

ACRONYMS

AVCP Assessment and Verification of Constancy of Performance

CPD Council Directive 89/106/EEC of 21 December 1988 on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products

CPR 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

DoP Declaration of Performance

EAD European Assessment Document

EOTA European Organisation for Technical Assessment

ETA European Technical Assessment

EU European Union

FPC Factory Production Control

hEN Harmonised European standard

NB Notified Body

OJEU Official Journal of the European Union

PCPC Product Contact Points for Construction

SMEs Small and medium sized enterprises

TAB Technical Assessment Body

TABLE OF CONTENTS

LIST OF TABLES

LIST OF FIGURES

EXECUTIVE SUMMARY

This report outlines the methodology used and results obtained in the study carried out by VVA Europe, the Danish Technological Institute (DTI) and the Netherlands Organisation for applied scientific research (TNO) on the economic impacts of the Construction Products Regulation (CPR - Regulation (EU) No 305/2011).

In particular, an EU-wide consultation with individual construction products manufacturers and distributors as well as national and European associations representing manufacturers, distributors, professional and private end-users has been conducted to gather qualitative and quantitative information on the costs and benefits specifically stemming from the CPR.

Results of the cost evaluation indicate that construction product manufacturers across the EU28 incur regulatory costs estimated at € 2.62 billion per year to comply with CPR obligations. This accounts for approximately 0.6% of the total turnover of the construction products sector, with micro companies facing the highest costs as a share of their turnover (1.31%). A few companies reported one-off investment costs to acquire printers, production control and IT systems. Overall, only a tiny share of these administrative and substantive compliance costs are deemed to be additional costs compared to the pre-CPR situation, since most of the CPR obligations refer to requirements already in place under the CPD for products within the harmonised sphere. Distributors, whose obligations under the CPR are mainly related to checking that products bear the CE marking and are accompanied with the corresponding documentation, incur fewer costs (mainly related to external consultancy services). A majority of consulted professional end-users' associations representing e.g. architects, builders and private users did not mention any costs generated by the CPR.

Results of the benefit analysis show that the CPR did not generate cost savings for manufacturers compared with the situation before 2013, although the possibility to supply an electronic DoP has reduced the administrative burden. So far, few market opportunities (such as facilitated cross-border trade) have been created following the implementation of the CPR for manufacturers and persisting national testing requirements have been mentioned as a barrier to the realisation of a fully-fledged Single Market for construction products. On the other hand, a majority of professional end-users indicated new market opportunities and increased availability of products thanks to the CPR, along with improved provision of information and comparison of products. However, some professional end-users stated that the DoP does not include all the information needed to make a fully-informed choice between several available products due to the allegedly partial coverage of harmonised European standards. Finally, Basic Works Requirements 3 and 7 are expected to play an important role for better hygiene, health and environmental conditions as well as more sustainable construction works, generating further indirect benefits as relevant harmonised European product standards are adopted.

Potentially, costs could be further reduced and benefits further generated if:

- Art. 9(2) as well as Art. 37 and 38 were to be revised to allow for a wider interpretation and/or greater flexibility in the application of these articles;

- The withdrawal of all additional legislative and market-driven testing and certification requirements for construction products covered by hENs were to be accelerated, along with a reinforced market surveillance to further support the completion of a Single Market for construction products, therefore enhancing competition and new market opportunities for both manufacturers and distributors;

- Communication around the CPR, its scope and requirements, including the CE marking and DoP were to be increased, in order to improve the overall understanding of the CPR by all relevant stakeholders, through e.g. a dedicated or extended version of the current Commission website with information available in all EU languages;

- Member States were to be encouraged to use essential characteristics related to Basic Requirements 3 and 7, where applicable, when specifying requirements. In particular, conducting EU-wide consultation could prove essential to achieve this; and

- A study to investigate the advantages and drawbacks of harmonisation in the construction sector as a whole were to be carried out, in order to foster wider acceptance of the CPR. Such a study could also assess the extent to which the 'performance approach' under the CPR accommodates for different local conditions (climates, traditions, etc.).

1. Introduction

The present document is the **Final Report** of the study "Economic impacts of the Construction Products Regulation" which VVA Europe has carried out for the European Commission, Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs, together with the Danish Technological Institute (DTI) and the Netherlands Organisation for applied scientific research (TNO).

This report builds on the results achieved in the previous stages of the study and outlines the findings of the study, both in terms of quantitative evaluation of costs (incurred) and qualitative assessment of benefits (observed and expected) of the Construction Products Regulation (hereinafter 'CPR'). More specifically, this report describes the methodology used and results obtained throughout the study, in particular with regard to **costs** and **benefits** of the CPR (both short-to-medium and long-term benefits) along the construction products value chain.

This document is organised according to the requirements that have been laid down in the Terms of Reference and in the Proposal. Hence, this report presents the results of:

- the analysis of the procedures and obligations established under the CPR;
- the identification of the different economic actors concerned by the CPR;
- the research mapping and sizing the construction products sector;
- the quantitative evaluation of the costs resulting from the CPR;
- the qualitative assessment of actual and potential benefits stemming from the CPR; and
- the comparison of costs and benefits for each economic actor directly or indirectly concerned by the CPR.

The Final Report is thus structured as follows:

- This section summarises the context and objectives of the study and explains the progress made throughout the study.
- Section 2 specifies the methodology used to carry out the analysis;
- Section 3 describes the procedures established by the CPR;
- Section 4 presents the economic actors under the CPR and their obligations;
- Section 5 lays out the costs attributed to the implementation of the CPR for different economic actors.
- Section 6 details the results of the assessment of actual and potential benefits for different economic actors attributed to the implementation of the CPR.
- Section 7 summarises the main findings of the study with a comparison of costs and benefits and conclusions.
- Section 8 completes the analysis with suggested recommendations from the Study team to alleviate costs and further generate benefits from the CPR.

The Annexes include:

- the list of stakeholders consulted as part of this study,
- the list of economic operators, obligations and procedures under the CPR,
- the categories of costs by economic actor,
- the methodology used for and results of the first online survey carried out as part of this study to evaluate the fees applicable to the assessment and verification of constancy of performance (AVCP) systems 1, 1+, 2+ and 3,
- the methodology used for and results of the estimation of the size of the economic activity relevant to the CPR,
- the methodology used for and results of the estimation of the average turnover of construction products manufacturers by size of business, and
- the interview guides used in the stakeholder consultation.

1.1. Context of the study

EU Regulation 305/2011 laying down harmonised conditions for the marketing of construction products (Construction Products Regulation - CPR) replaced the Construction Products Directive (CPD) in 2011. According to the European Commission, the rationale behind the revision of the CPD was to:

- Respond to clarification needs in the construction sector for the operators;
- Reinforce the credibility of the system; and
- Simplify the overall system.

The new Regulation was adopted in 2011 and became fully applicable from 1 July 2013. In particular, the CPR makes CE marking mandatory for most construction products sold in EU countries, ensuring that reliable information on their performance is presented in a harmonised manner across Europe. One of the main objectives of the CPR was therefore to remove barriers to trade of construction products between Member States and in the European Economic Area.

1.2. Objectives of the study

The *Analysis of the implementation of the Construction Products Regulation* (RPA, Analysis of the Implementation of the Construction Products Regulation , 2015) reports on the costs and benefits experienced during the first two years of implementation of the CPR. Furthermore, the European Commission in its report on the implementation of the CPR dated 7 July 2016 (European Commission, 2016) discusses some of the issues also highlighted in this report. This study takes full account of and expands on these first findings to further assess the economic impacts of the regulation for different types of stakeholders. In particular, this study investigates whether:

1. the anticipated benefits presented in the study have been further translated into actual benefits; and

2. these benefits outweigh (or are likely to outweigh) the costs of the CPR.

Furthermore, this study aims to complement the "Supporting Study for the Fitness Check on the Construction Industry in the policy areas of Internal Market and Energy Efficiency" (Economisti Associati, to be published in 2016), by:

- Taking into consideration the additional impacts of the CPR along different stages of the **construction products value chain**; and
- Further assessing and comparing both **costs and benefits of the CPR**.

It should be noted that it is too early to judge the impact of the CPR on the internal market because the Regulation has not been in effect for long enough yet for impacts to materialise. Hence the question whether the CPR created or improved a real internal market for construction products is not in the scope of this study.

Based on the information collected so far, the cost-benefit analysis presented in the following sections focuses on four main economic actors of the construction products value chain: **manufacturers, distributors, professional end-users (contractors, building engineers, etc.) and private end-users**.

1.3. Progress made throughout the study

The table below summarises the different milestones of the study:

Table 1: Milestones of the study

Activity	Timeframe
Kick-off Meeting	November 2015
First round of scoping interviews with European manufacturers associations	December 2015
Inception meeting	December 2015
First online survey with technical bodies	February 2016
Interim Meeting	February 2016
Second round of interviews with individual manufacturers and distributors	March 2016
Scoping interviews with European users' associations	March-April 2016
Second online survey with individual manufacturers, distributors and end-users	April-June 2016
Third round of interviews with national associations	June-July 2016
Final round table with European manufacturers and end-users' associations and technical bodies	June 2016
Final report	July 2016

2. Methodology

This section outlines the methodological approach used to collect and analyse data on the economic impacts of the CPR. The study relies on a wide range of interviews and online surveys with manufacturers and distributors (101 responses from the first round of surveys, 38 responses from the second round of surveys and 41 interviews with individual manufacturers and distributors). Inputs from a significant number of selected national associations representing manufacturers, building material merchants, professional end-users (contractors, architects, etc.) and private consumers also fed into this analysis (36 interviews).

2.1. Data collection

Desk research constituted the first data collection strand. It aimed at gathering secondary data related to the economic impacts of the CPR. This included in particular:

- Position papers and statements published by industry organisations; and
- Previous and current analyses of the implementation and impacts of the CPR.

Interviews: The interview programme was comprehensive and covered individual companies, national associations and European associations. There were three rounds of interviews in total:

- **The first round** consisted in **5 scoping interviews** carried out at the end of 2015. These interviews laid down the basis on which the Study team further performed data collection. The main purpose of these interviews was to understand the context of the CPR. The list of European associations interviewed during this task is provided in Annex 1 (Table 1).

- **The second round** consisted in **43 interviews** with individual companies, the vast majority being manufacturers and distributors. The focus of those interviews was mainly on direct and indirect regulatory costs, detailed by obligation (e.g. acquiring hEN(s) and familiarising with standards, drawing up technical documentation, drawing up Declaration of Performance, supplying the DoP, affixing the CE marking) and type of costs (administrative burdens, substantive compliance costs, indirect costs and other costs).

Reaching individual companies throughout Europe to collect figures on costs and views on benefits proved to be a challenging task, for two main reasons:

1. This type of consultation is an unusual exercise for individual manufacturers, distributors and professional end-users, who demonstrated reluctance to share business information with third parties; and
2. Most manufacturers and distributors contacted had difficulties to provide accurate figures or estimates on incurred costs and observed benefits resulting from the CPR.

- Hence, **a third round** of **36 interviews** was initiated, targeting national associations. The rationale behind this targeted consultation was twofold: on

the one hand, collecting representative figures and opinions from the manufacturing sector to complement information collected from individual companies; and on the other hand, gathering the views of the professional end-users via their associations and trade unions, as individual end-users have little knowledge of the CPR. The list of national associations interviewed during this task is provided in Annex 1 (Tables 3, 4, 5 and 6).

- In addition, **2 scoping interviews** were performed with European users' associations (see Table 2 in Annex), to get a first overview of the impacts of the CPR on professional end-users.

Online surveys: In order to collect further feedback on the impacts of the CPR, two online surveys were designed:

- **The first online survey** targeted technical bodies, which includes Notified Bodies, TABs and EOTA**.** Notified Bodies were asked specific questions about the costs incurred by manufacturers when testing their products. The survey was very standardised and comprised broad questions in order to maximise the participation. **101 responses were received in total**.
- **The second online survey** was meant to gather further information on the costs and benefits of the CPR. The questionnaires were kept short and targeted, so as to maximise participation, and targeted at individual manufacturers, distributors and end-users. However, the response rate was very low, for the same reasons as mentioned in the second round of interviews. In total, **38 inputs** (incl. partial answers) were received.

Table 1 shows the number of survey and interview responses from individual manufacturers by type of product. The highest number of responses was received from manufacturers of other non-metallic mineral products (18 responses). This is followed by manufacturers of fabricated metal products (10 responses) and manufacturers of wood and products of wood and cork (6 responses).

Table 2: Survey and interview responses from individual manufacturers by type of product

Type of product	Chemicals and chemical products	Coke, refined petroleum products and nuclear fuel	Fabricated metal products	Mining and quarrying	Other non-metallic mineral products	Rubber and plastics products	Wood and products of wood and cork	Others
Number of responses	3	1	10	3	18	2	6	4

Final round table: The Final round table for the study "The economic impacts of the Construction Products Regulation (CPR)" was held in Brussels at the European Commission's premises on Wednesday 29 June 2016. Representatives of seven EU associations from the construction sector attended the round table, along with European Commission's representatives from the Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs as well as members of the Study team. The meeting was highly interactive and took the form of an informal discussion, with European associations commenting and providing valuable feedback on each of the

presented findings. The list of European associations present at the Final Round Table is provided in Annex 1 (Table 7).

The table summarises the different consultation activities performed in this study:

Table 3: Consultation activities performed in the study

Activity	Timeframe	Number of participants
First round of scoping interviews with European manufacturers associations	December 2015	5
First online survey	February 2016	101
Second round of interviews with individual manufacturers and distributors	March 2016	41
Scoping interviews with European users' associations	March-April 2016	2
Second online survey	April-June 2016	38
Third round of interviews with national associations	June-July 2016	36
Final round table	June 2016	7

2.2. Data analysis

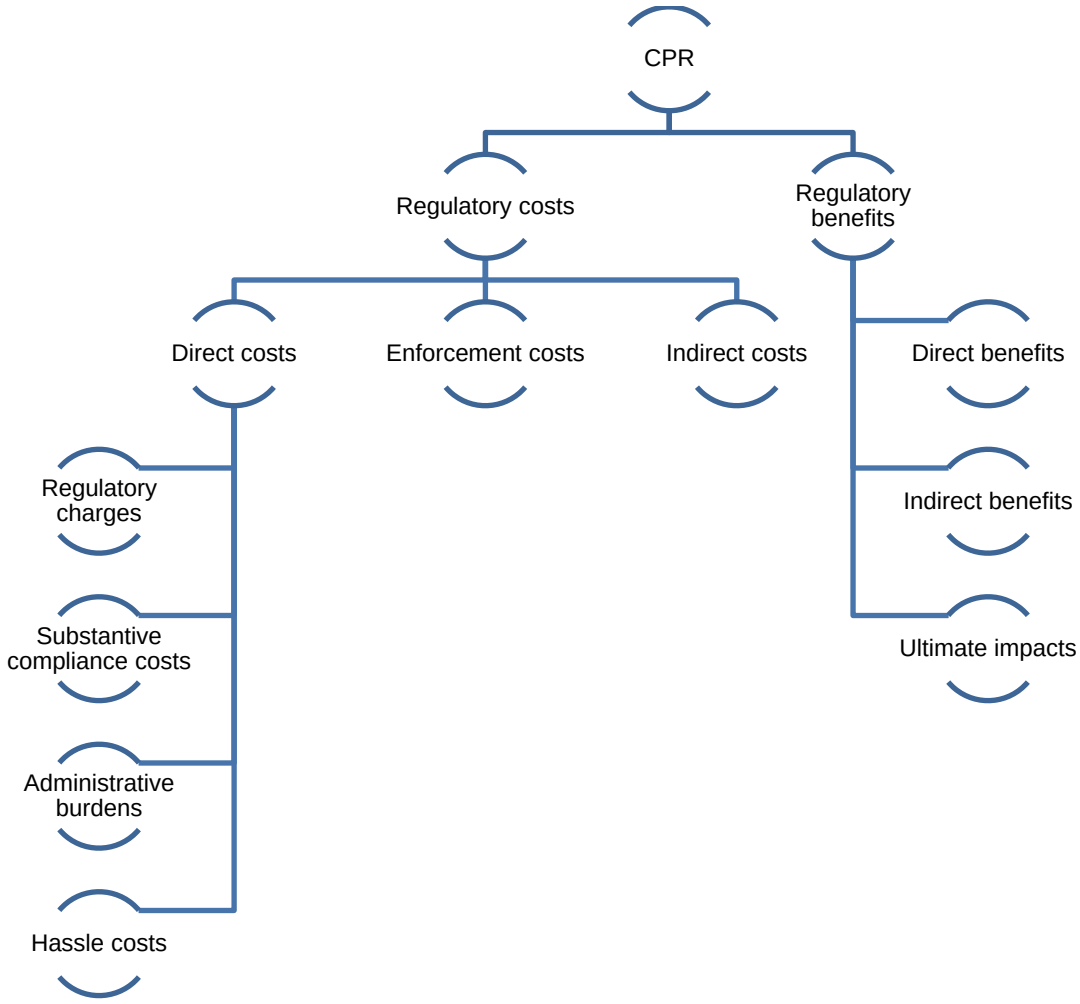
Data analysis was then completed in line with the study specifications, and consists of the following three components:

- Evaluation of costs;
- Assessment of benefits; and
- Comparative analysis of costs and benefits.

The analysis was performed for different stages of the construction products value chain. Whenever possible, insights into the costs and benefits of the CPR by geographic area are provided. Due to the limited number of construction products covered by the interviews performed, the analysis does not detail costs and benefits of the CPR by type of product manufactured. However, some qualitative information provided by national associations specifically refer to a product or class of products, and have been accordingly reported.

The analysis of economic impacts was performed in line with the European Commission's Better Regulation Toolbox (Commission, Better regulation, 2015), and in particular with Tool #51 detailing the different types of regulatory costs and benefits:

Figure 1: Tool #51: Different types of regulatory costs and benefits



The **evaluation of costs** was first carried out based on the inputs provided by the 41 individual manufacturing and distribution companies interviewed. Administrative burdens and substantive compliance costs have been calculated for micro, small, medium and large companies separately. Finally, individual calculations were scaled-up at European level to provide an estimate of the total costs incurred by manufacturers and distributors[1].

The **assessment of benefits** was carried out based on inputs provided by individual companies and national associations. As benefits are intangible in nature and more likely to materialize in the longer term, this part of the analysis is mainly qualitative.

The **comparison of costs and benefits** finally aims at providing an overview of the type and scale of the economic impacts incurred by different types of stakeholders following the implementation of the CPR. This comparison summarises the views shared by individual companies, national and European associations consulted during this study and therefore does not constitute a formal representative opinion of all European stakeholders in the construction products sector.

[1] While the interviews performed cover different Member States (11 in total), different sizes of companies (micro, small, medium and large) and different types of products, therefore representing a diverse range of manufacturing businesses in the EU, the small size of the sample providing quantitative information on the costs listed above make our results more indicative than representative.

3. Procedures established by the CPR

This section sets out the procedures laid down in the Construction Products Regulation and which may give rise to the costs and benefits investigated in this study.

3.1. Harmonised European standard – hEN

The system established in or by means of the CPR is mainly based on harmonised standards. A **harmonised standard (hEN)** is a European standard adopted by a recognised Standardisation Body in accordance with a request made by the European Commission and cited in the OJEU. In the area of construction products, the standards outline the methods and the criteria used for assessing the performance of the products in relation to their essential characteristics. If a construction product is covered by a hEN, it becomes mandatory for manufacturers to draw up a Declaration of Performance (DoP) and affix the CE marking on the product.

Harmonised standards and supporting standards referenced by the harmonised standards are always published in English, German and French. The national standardisation bodies may decide to translate and publish the standards in their own language.

Harmonised standards and supporting standards are sold by the national standardisation bodies. The price of a standard is usually in the range of 50-100€ each. Some harmonised standards include detailed descriptions of assessment methods whereas others refer to supporting standards.

When the assessment methods are found in supporting standards, manufacturers will need to buy those as well, as the supporting standards provide the assessment methods for the essential characteristics for which the performance can be declared.

3.2. Preparatory procedures

When an economic operator wishes to market a construction product, a number of preparatory steps need to be taken. Some of these steps are, in principle, necessary to comply with the CPR, but they are not directly covered by the regulation. Thus, they are in practice mandatory.

For example, the economic operator first needs to establish whether the product must be CE marked. If the product is covered by a hEN, CE marking of the product is mandatory.

In terms of costs it should be noted that established manufacturers will usually know which standards apply to their products; thus, they may not need to go through the whole procedure of searching for the applicable standard(s), acquiring the standard(s) from a national standardisation body, and familiarising themselves with the standards for each product. External consultancy services are sometimes hired to carry out parts of or all of the procedures up to drawing up the Declaration of Performance.

If the product is not covered by a harmonised European standard, the manufacturer can decide to **request a European Technical Assessment (ETA) from a Technical**

Assessment Body (TAB) in order to affix the CE marking on the product. Fulfilling customer demands for CE-marked products is a typical reason for companies wishing to apply CE marking, even when it is not mandatory. This request consists of a technical file describing the product, its foreseen use and details of the factory production control, which the manufacturer intends to apply.

When a ETA is requested, the TAB contacted first checks whether there is already a European Assessment Document (EAD) covering the product. If a EAD already exists, that EAD is used as basis for the requested ETA. In cases where a EAD does not already exist, development of the EAD is the responsibility of this TAB and EOTA.

While it is voluntary for a manufacturer to apply for a ETA, once the ETA has been issued, the manufacturer is obliged to draw up a DoP and CE-mark the product concerned.

3.3. Technical documentation

In order to prepare the DoP, technical documentation must be in place, in the form of test reports, description of constituents, production processes, etc. Such technical documentation consists of internal documents of the manufacturers and is to be made available only to notified bodies (when relevant) and competent authorities on request.

The procedures associated with drawing up the technical documentation include an **assessment** of the product's performance for each of its essential characteristics (done through testing, calculating or another appropriate method as prescribed in the relevant hEN(s) or EAD) and describing the **factory production control** (Verification of Constancy of Performance). Together these two elements constitute the **assessment and verification of constancy of performance (AVCP)** system (cf. section 3.8).

Preparation of the technical documentation is the responsibility of the manufacturer (Art. 11.1). Other economic operators are not required to draw up technical documentation but importers are required to *ensure* that the manufacturer has fulfilled his obligations with respect to drawing up the technical documentation (Art. 13.2). The obligations of distributors only relate to the documents/information accompanying the construction products – not the technical documentation forming basis for the documents accompanying the products.

3.4. Declaration of Performance (DoP)

When a construction product is covered by a hEN or a ETA has been issued for it, a **Declaration of Performance (DoP)** must be drawn up (Art. 4 of the CPR), unless the product is subject to a derogation (Art. 5, see below). Once the technical documentation is in place, the DoP must be drawn up in accordance with Art. 6, which sets the requirements for the contents, and in the format outlined in Annex III of the CPR (as amended by Commission Delegated Regulation (EU) No. 574/2014 of 15 February 2014).

A copy of the DoP for each product must be supplied either in paper form or by electronic means (typically on the manufacturer's website). The DoP must be supplied

in the language(s) required by the Member State where the product is made available (Art. 7).

As for the technical documentation, drawing up a DoP is the responsibility of the manufacturer. Importers are obliged to ensure that the manufacturer has fulfilled his obligations with respect to drawing up the DoP (Art. 13.2). Likewise, distributors are obliged to "ensure that the product is accompanied by the documents required under this Regulation" (Art. 14.2).

3.5. Derogations

Art. 5 of the CPR lays out conditions under which a manufacturer may refrain from drawing up a DoP even though the product is covered by a harmonised standard. The derogations concern products that are individually manufactured or custom-made in a non-series process; manufactured on-site; or manufactured for the purpose of officially protected construction works in a traditional manner or in a manner appropriate for heritage conservation.

If the manufacturer considers that the conditions described by Art. 5 are met, he may decide not to draw up a DoP. The manufacturer does not need any permission to apply Art. 5. However, if requested by a competent member state authority he must be able to justify his decision not to draw up a DoP. If he cannot provide a sufficient justification, the market surveillance measures described by CPR would apply.

3.6. CE marking

The **CE marking** must be affixed to those construction products for which the manufacturer has drawn up a DoP (and cannot be affixed if a DoP has not been drawn up). The requirements for the CE marking are outlined in Articles 8 and 9 of the CPR. The procedures relating to affixing the CE marking are:

1. Gathering the required information (from DoP);
2. Designing the label;
3. Printing the label;
4. Affixing the label.

Of these, steps 1 and 2 may be carried out in an integrated process, since most of the required information can be taken directly from the DoP. Steps 3 & 4 - printing and affixing the label - may also be combined depending on the product and/or its packaging (for instance, printing the CE marking directly onto the packaging, or onto the product, rather than on a separate sticker that is physically affixed to the product or its packaging).

An issue with the CE marking which is often pointed out is that most of the information required by CPR Article 9(2) to follow the CE marking is simply duplicating the information contained in the DoP, necessitating a fairly large label which may be difficult to accommodate on some products.

Affixing the CE marking is the responsibility of the manufacturer. Importers and distributors are only required to ensure that the product or packaging bears the CE marking.

3.7. Storing DoP and technical documentation

Article 11.2 requires manufacturers to keep the technical documentation and the DoP for a period of (normally) 10 years. While this may seem a simple task, the management of multiple (potentially thousands) of DoPs (and corresponding CE markings) can be a significant task. A DoP may not be changed after it has been issued. Any changes will require a new version of the DoP which must also be stored alongside the original version.

Keeping (storing) the technical documentation and the DoP for 10 years is not only required of the manufacturer. Similar obligations apply to importers and authorised representatives (Art. 12.2a for authorised representatives and Art. 13.8 for importers), but not to distributors.

3.8. Assessment and verification of constancy of performance (AVCP)

Art. 11.3 of the CPR requires manufacturers to have procedures in place to ensure that production maintains the declared performance of the products. Such procedures (generally referred to as Factory Production Control (FPC) procedures) comprise a variety of activities requiring the manufacturer to invest in establishing the system of FPC, training of personnel, acquisition and maintenance of test equipment etc.

The system(s) applied to the product will define the degree of involvement of notified bodies in AVCP. The different systems are specified in Annex V to the Regulation, which was amended by Commission Delegated Regulation (EU) No. 568/214 of 18 February 2014. The systems are shown in the table below.

Quality management and monitoring procedures are often integrated in business operations to comply with other obligations, for instance through an ISO 9001 certification. The procedures required by the CPR are therefore not necessarily *only* installed due to its legal requirements.

Table 4: AVCP systems

System type	Responsibility	Type of notified body	Tasks
System 1+	Notified Body	Product certification body	• Assessment of the performance of the construction product • Initial inspection of the manufacturing plant and FPC • Continuing surveillance, assessment and evaluation of FPC • Audit testing

	Manufacturer	-	• FPC and further testing of samples
System 1	Notified body	Product certification body	• Assessment of the performance of the construction product • Initial inspection of the manufacturing plant and FPC • Continuing surveillance, assessment and evaluation of FPC
	Manufacturer	-	• FPC and further testing of samples
System 2+	Notified body	Factory Production Control certification body	• Initial inspection of the manufacturing plant and FPC • Continuing surveillance, assessment and evaluation of FPC
	Manufacturer	-	• Assessment of the performance of the construction product • FPC • Testing of samples
System 3	Notified body	Test laboratory	• Assessment of the performance of the construction product
	Manufacturer	-	• FPC
System 4	Manufacturer	No independent involvement	• Assessment of the performance of the construction product • FPC
Note: FPC = Factory production control			

Source: (RPA, Analysis of the Implementation of the Construction Products Regulation , 2015)

3.9. Labelling

In addition to the CE marking, the products or their packaging are also required to be labelled (or to be accompanied by a separate document containing the information)

with type, batch, or serial number or another identification, and the address and single point of contact of the manufacturer (art. 11.4, 11.5).

Similarly, importers must indicate their name/trademark and contact address (art. 13.3).

As the batch, serial number or other information allowing for the identification of the product is information that changes continuously, manufacturers will often need equipment for real-time/on-line printing and affixing labels.

3.10. Providing instructions and safety information

Manufacturers are required to ensure that the product is accompanied by instructions and safety information in a language determined by the Member State concerned "which can be easily understood by users" (Art. 11.6). Thus, the choice of language is determined by the Member State in which the product is marketed. Importers (Art. 13.4) are subject to the same obligation. If the language in which the instructions and safety information is drawn up does not correspond with the requirements of the Member State concerned, the manufacturer or importer are required to translate the instructions and safety information into the appropriate language(s).

3.11. Taking corrective actions

Both manufacturers (Art. 11.7), importers (Art. 13.7) and distributors (Art. 14.4) are required to take corrective actions if a) the product performance is not, or suspected not to be, in compliance with the DoP or other requirements of the Regulation, or b) if the product presents a risk.

Corrective action taken when the product presents a risk may be considered part of normal product liability and is thus a "business as usual" action, meaning that such action would most likely have been taken also in the absence of the CPR. However, the CPR adds the specific requirement for corrective actions to bring the product and the DoP into conformity.

3.12. Cooperating with national authorities

The CPR contains the obligation for all economic operators, further to a reasoned request from a national authority, to provide the authority with the necessary information and documentation to demonstrate conformity with the DoP and compliance with the Regulation, and to cooperate with the authority on actions taken to eliminate risks posed by a construction product they have placed on the market (manufacturers Art.11.8, importers Art. 13.9, distributors Art. 14.4, authorised representatives Art. 12.2.b and c). All economic operators are further obligated by Art. 16 to identify other economic actors (suppliers and customers) on request.

3.13. Simplified procedures

Simplified procedures with respect to the assessment of the product are provided for in Articles 36, 37 and 38.

The provisions of Article 36 are widely used as it provides the manufacturer with the option to replace assessment (type-testing or type-calculation) by Appropriate Technical Documentation which demonstrates that:

a. No assessment is required because a generic value or declaration is accepted at EU level;

b. Testing (assessment) is shared with other manufacturer(s), or

c. The product is a system assembled of components which have already been assessed by their manufacturer (cascading).

The simplified procedures provided for by CPR Article 36 also existed during the CPD era and were described in Guidance Paper M as "conventionally accepted performance", "shared ITT" and "cascading ITT". The concepts were also introduced in some harmonised standards under CPD. Hence, Article 36 does not really introduce any new possibilities but provides a clearer legal basis for the already existing possibilities.

Article 37 provides for simplified procedures for micro-enterprises (option to use simplified procedures when carrying out the AVCP, provided compliance is demonstrated via Specific Technical Documentation).

Article 38 provides for Specific Technical Documentation to be used in place of the performance assessment for products which are individually manufactured or custom-made.

3.14. Compliance and market surveillance

It is the responsibility of the Member States to control whether the obligations of the CPR are met by the economic operators[2]. To that end, the Member States shall conduct market surveillance[3]. When in the course of market surveillance Member States find noncompliant products on the market they shall require the economic operators to bring the products into compliance in accordance with Art. 56 of the CPR, and the economic actors are required to cooperate with the market surveillance authorities as outlined above.

For all economic operators, failure to meet their obligations would potentially be subject to penalties in accordance with Member State legislation.

[2] For a definition of economic operators, see next chapter.

[3] Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products.

4. Economic actors under the CPR

This section describes the different economic actors along the construction products value chain, directly or indirectly impacted by the CPR.

The CPR uses the term "economic *operators*" for those immediately obligated by the CPR requirements (see below). When the term "economic *actors*" is used in this report, it is a broader term which, in addition to the "economic operators" also includes other actors such as professional users and private consumers who may be impacted by the procedures and obligations set out in Section 2.

4.1. Categories of economic operators

In line with the definitions in the horizontal legislation (cf. Decision No 768/2008/EC of the European Parliament and of the Council of 9 July 2008), **economic operators** subject to the CPR are defined in Art. 2.18 as "the manufacturer, importer, distributor, or authorised representative". Paragraphs 19 through 22 of Article 2 define the operators in more detail:

- "manufacturer" means any natural or legal person who manufactures a construction product or who has such a product designed or manufactured, and markets that product under his name or trademark;
- "distributor" means any natural or legal person in the supply chain, other than the manufacturer or the importer, who makes a construction product available on the market;
- "importer" means any natural or legal person established within the Union, who places a construction product from a third country on the Union market;
- "authorised representative" means any natural or legal person established within the European Union who has received a written mandate from a manufacturer to act on his behalf in relation to specified tasks.

As pointed out in the RPA study, "it was assumed [under the CPD] that manufacturers market their products to the end-user; whereas, in practice, a manufacturer may not know the product's destination or end-use. Hence, unlike the CPD, similarly to the horizontal legislation, the CPR defines obligations not only for the manufacturers, but also for other key economic operators, in particular importers and distributors" (RPA, Analysis of the Implementation of the Construction Products Regulation , 2015, p. 72).

In the following sections, we consider the roles and obligations of each type of economic operator, which are laid out in more detail in the overview table at the end of the chapter. We also briefly identify other economic *actors* of relevance to this study.

4.1.1. Manufacturers

The **manufacturers** have the largest number of, and the heaviest, obligations, including drawing up the technical documentation and the DoP, affixing the CE

marking, implementing the FPC system, providing instructions and safety information, as well as managing (storing) the DoPs, etc.

However, these responsibilities may also fall on economic operators who are not "manufacturers" in a traditional sense. This is implied in the definition in Art. 2 (cf. above), and stated in more detail in Art. 15: *"An importer or distributor shall be considered a manufacturer for the purposes of this Regulation and shall be subject to the obligations of a manufacturer pursuant to Article 11, where he places a product on the market under his name or trademark or modifies a construction product already placed on the market in such a way that conformity with the declaration of performance may be affected."* This Article is widely applicable, since it covers issues such as own brand labelling and manufacturers marketing the products of another manufacturer as an integrated part of their own product series, etc. In such cases, the economic operator marketing the product must assume the obligations of a manufacturer, even though he is not the original producer of the article.

Assuming the obligations of the manufacturer implies that the importer/distributor will need to have the technical documentation forming basis for the DoP and must draw up a DoP, including NB certificates when required by the applicable system of AVCP.

4.1.2. Importers

After manufacturers, **importers** are subject to the most obligations under the CPR (when they are not considered as manufacturers in the sense of Art 2 and 15).

The main obligations placed on importers relate to checking that the product is placed on the market in compliance with the CPR, i.e. to *ensure* that the manufacturer whose products he imports has drawn up technical documentation and DoP, carried out AVCP, affixed the CE marking and supplied the required documents, such as instructions and safety information.

Further importer obligations include labelling the product with the importer's registered name or trade mark and contact address; ensuring declared performance - including carrying out sample testing (if deemed appropriate) - and taking corrective actions (such as recalling the product) in case of non-conformity with the DoP, or if the product presents a risk.

The importer is also required to store the documentation and cooperate with the market surveillance authorities upon request.

4.1.3. Distributors

Like importers, **distributors** are obligated to check that the product is placed on the market in compliance with the Regulation.

However, since the distributor is by definition the second or third link in the chain after the manufacturer and (if relevant) importer, the obligations on the distributor in this connection are less comprehensive (unless he is to be considered as a manufacturer in the sense of Art 2 and 15); they are limited to ensuring that the product bears CE marking, that it is accompanied by the required documents, and is correctly labelled. Like both importers and manufacturers, distributors are also obligated to take corrective actions when necessary, and to co-operate with the national authorities on request.

4.1.4. Authorised representatives

An **authorised representative** is, as defined in Art. 2, an entity established within the EU "who has received a written mandate from a manufacturer to act on his behalf in relation to specified tasks". An example of this type of economic operator is a (sales) representative of a cooperative.

Authorised representatives have the fewest obligations of all the economic operators. The most significant aspect of the authorised representative as included in the CPR is that the authorised representative cannot draw up the technical documentation or the DoP and do the CE marking himself. However, when an authorised representative is appointed, he is obligated to store the DoP and technical documentation, and to cooperate with the national authorities upon request.

4.2. Other economic actors

In addition to the economic *operators* who are clearly defined in the CPR and have specific obligations, other economic *actors* may also be affected by the CPR – in terms of both costs and benefits.

4.2.1. Professional end-users

Professional end-users are at the end of the supply chain and represent the different types of users of the construction products, such as builders (contractors), who purchase the products and may need to store documents in case they are required to do so by their clients, and architects and designers using information on the intended use and performance of products. This report pays particular attention to professional activities which are likely to benefit from the implementation of the CPR.

4.2.2. Other economic actors

Other economic actors include a multitude of different types, such as **private users** (consumers) as purchasers of construction products for do-it-yourself activities or as owners or tenants of their habitation, sectoral associations and other representatives or associations of economic operators, laboratories and testing facilities, etc.

The Product Contact Points for Construction (PCPC) is another type of actor affected by the Regulation, as public authority units which Member States are required to establish.

Overview tables of economic operators, obligations and procedures under the CPR can be found in Annex 3.

5. Quantitative evaluation of costs

This section describes the different types of costs investigated in this study and outlines the methodology and results of the quantification of these costs at different stages of the value chain.

5.1. Typology of costs

The costs evaluated in this study are categorised following the Better Regulation Toolbox of the European Commission[4]:

5.1.1. Direct Costs

Regulatory charges

Regulatory charges refer to e.g. fees, taxes and levies.

The evaluation of the fees applicable to the activities of the AVCP systems 1, 1+, 2+ and 3 is based on a survey targeted at technical bodies, which includes Notified Bodies, TABs and EOTA. Notified Bodies were asked specific questions about the costs incurred by manufacturers when testing their products in accordance with the various AVCP systems depending on the product sector (as identified and defined in section 5). TABs were asked specific questions about the costs incurred by manufacturers applying for an ETA and the relevant timeframe for completing the procedure. Finally, EOTA was contacted to gather broader information and views on the costs and benefits to manufacturers.

The following charts summarise the results of the survey. Detailed results are provided in Annex 3.

Notified Bodies fees are influenced by a number of factors, e.g.:

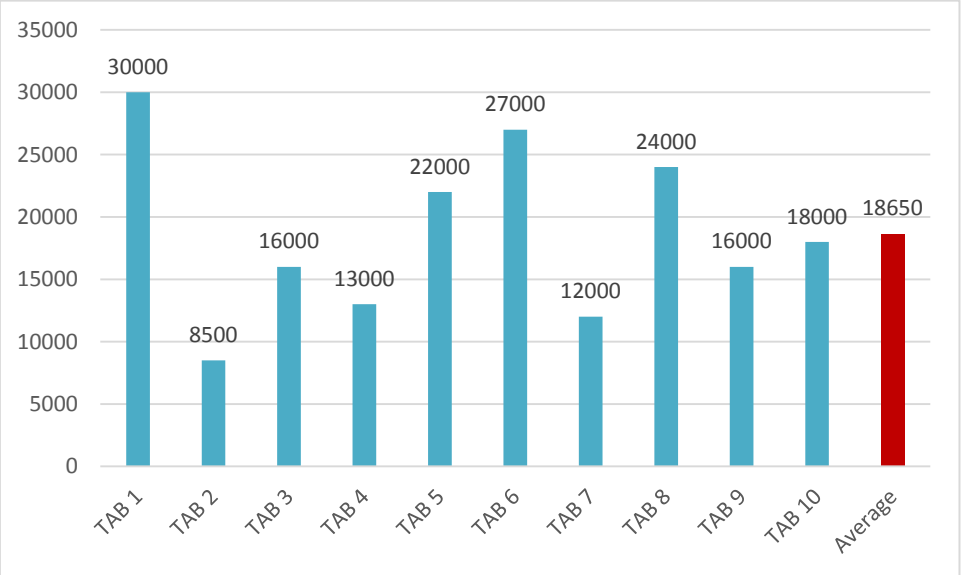
- Member state of the Notified Body,
- System of AVCP,
- Number of essential characteristics for which the performance is to be declared,
- Assessment methods.

Answers received from Notified Bodies during our consultation do not allow for any detailed analysis with regard to the influence of these individual factors.

[4] Tool #51 "Typology of costs and benefits", http://ec.europa.eu/smart-regulation/guidelines/tool_51_en.htm

The fees vary within a range from approximately €1.000 for some products in the category "wood and products of wood and cork" up to approximately €13.000 for some products in the category "chemicals and chemical products".

Figure 2: Fees charged by TABs for the ETA procedure (in €)



Source: own survey

It is important to stress that also in the case of the responses provided by TABs, they are influenced by the country in which the respondent operates, which of course contributes to determine the fee applied.

Furthermore, the price for the preparation of a European Technical Assessment is determined individually by the TAB on a case by case basis, which increases further the level of variability of this data.

Substantive compliance costs

This category of costs is the direct consequence of the need for economic operators to comply with the requirements of the CPR. Direct substantive compliance costs can broadly be defined as expenses incurred to fulfil obligations affecting the organization and/or the production process of operators.

The most important part of the costs that manufacturers (and other economic operators that are considered as manufacturers following the provisions of Art. 15) incur is related to the preparation of the technical documentation for the DoP, the procedures of the relevant AVCP system, the affixing of the CE marking. Importers, distributors and authorised representatives incur fewer costs compared with manufacturers. Based on the analysis carried out so far, it is possible to identify the following categories of substantive compliance costs:

Table 5: Categories of substantive compliance costs within the CPR

Category	Sub-category
Operational costs (OPEX)	This category includes expenses for: personnel (wages);

	raw materials;
Investment Costs	This category includes costs that can be one-off or recurrent: equipment; external costs.

Administrative burden (administrative costs)

Economic operators incur administrative burden when fulfilling the obligations stemming from the CPR to make and maintain information available to public authorities and other third parties. Administrative burden is therefore generated by the so-called "Information Obligation" (IO). Administrative burden is then translated into specific staff costs.

Hassle costs

This type of costs refers to e.g. longer processes and delays, redundant legal provisions and corruption. There has been no particular mention of hassle costs from the stakeholders consulted. However, some subsisting national testing requirements may be redundant and are even in contradiction with the CPR (Art. 8.3), as reported by some associations.

5.1.2. Indirect costs

Indirect costs are incurred by operators as a result of obligations affecting other operators at different stages of the value chain of a product and are therefore indirectly channelled by the legislation. Such costs occur e.g. in related markets and can take the form of changes in prices, in the availability and / or in the quality of goods. They can also refer to transaction costs and negative impacts such as reduced competition innovation or investment. Interviewed manufacturers did not report any indirect costs deriving from the CPR, apart from one micro company which indicated a 10% increase in material prices.

Likewise, distributors did not report any indirect costs.

A detailed list of costs generated by the CPR Information Obligations is provided in Annex 4.

5.2. Administrative and substantive compliance costs for manufacturers

Considering the type and scope of the obligations introduced by the CPR, manufacturers of construction products are expected to be those most exposed to direct regulatory costs. The methodology used to quantify the amount of costs incurred by manufacturers is based on individual interviews (to collect precise data on costs according to the obligation and type of activity) and online surveys (to get a broader view on the potential increase in costs deriving from the CPR). **34 interviews**

have been performed with manufacturers of construction products across Europe. In the case where no precise figures could be provided, estimates have been used to compensate for data gaps. Those estimates rely on the assumption that the time spent on the different CPR-related activities (e.g. drawing up the Declaration of Performance (DoP), affixing the CE marking) is similar for same-sized companies (i.e. micro, small, medium and large companies).

In order to identify the source of the compliance burden for manufacturers, costs related to complying with DoP-related obligations and CE marking-related obligations have been investigated separately. This distinction is not intended to compare CE marking-related and DoP-related costs, but to trace back the cause of compliance burdens. Therefore, time spent on and costs deriving from DoP-related activities and CE marking-related activities refer to, respectively:

Declaration of Performance:

- Drawing up the technical documentation (incl. assessing performance on each essential characteristic, drawing up the description of FPC),
- Drawing up the DoP (incl. translating the DoP if necessary),
- Supplying the DoP on paper or electronically, and
- Storing the DoP and technical documentation.

CE marking:

- Acquiring hEN(s), familiarising with standards, and
- Affixing CE marking (incl. gathering the required information (from DoP), designing the label/accompanying documents, translating in other languages if necessary, printing the label/accompanying documents and affixing the label).

Besides the activities directly related to complying with DoP and CE marking obligations specifically, other CPR-related activities have been investigated as well. This includes for instance taking corrective action in case the construction product is not in conformity with the CPR and/or is presenting a risk, providing documentation to national authorities on request, etc. Very few manufacturers have reported costs deriving from those activities.

For both the DoP and CE marking derived costs, and following the above-mentioned classification of costs, **direct administrative, direct substantive and indirect costs** have been evaluated separately. However, interviews with manufacturers have shown that indirect costs are very limited and even non-existent for most companies. Hence, those two types of costs are covered in this study through specific examples only.

Finally, a substantial aspect of the cost analysis carried out in this study is the **independent evaluation of direct regulatory costs according to the size of the manufacturing company.** As the vast majority of manufacturers of construction products are micro-companies, it is of great importance to evaluate the costs incurred by small companies compared with large, usually multi-national companies.

The results presented in the tables below correspond to an individual manufacturing company in Europe.

5.2.1. DoP: administrative and substantive compliance costs

Time spent on activities related to the technical documentation and DoP:

Interviewees were asked about the number of days specifically spent on DoP-related activities. Results are presented in the table below:

Company size	Total time spent in days (every year)[5]
Micro	*9 days (4% of one FTE)*[6]
Small	*27 days (12% of one FTE)*
Medium	*189 days (82% of one FTE)*
Large	*214 days (93% of one FTE)*

Source: own estimation

Results show that the time required to ensure compliance with DoP-related obligations increases with the size of the company. This finding can be explained by the fact that larger companies tend to

1. Produce a wider range of construction products and
2. Sell a greater volume of products and perhaps even abroad, implying more DoP to draw up and possibly to translate.

Administrative burden related to the technical documentation and DoP[7]:

Interviewees were asked about the administrative burden for complying with DoP-related obligations. Results are presented in the table below:

Company size	Administrative burden (every year)[8]
Micro	*€ 7,475*
Small	*€ 10,377*
Medium	*€ 47,045*

[5] The number of data points for estimating the time spent on DoP-related activities ranges from 2 to 7 answers.

[6] Assuming 1 FTE = 230 days/year

[7] These costs include e.g. staff hired to assess (testing, calculating, etc.) the performance on each essential characteristic, draw up the description of FPCs (Verification of Constancy of Performance) in accordance with CPR Annex V. Those costs therefore include salaries (pro rata).

[8] The number of data points for estimating the administrative burden on DoP-related activities ranges from 3 to 12 answers.

Large	*€ 54,090*

Source: own estimation

The results show that the administrative burden to ensure compliance with DoP-related obligations increases with the size of the company. If we compare those results with those presented above, we note that the increase in administrative burden between medium and large manufacturers is larger (in %) than the increase in time spent (in %), which suggests economies of scale in terms of time spent for larger companies. Reasons for such economies of scale could stem from the multi-tasking capability of staff allocated to CPR-related activities (one single employee can take care of the DoP of several products, while costs for supplying the DoP are proportional to the number of products marketed).

Substantive compliance costs related to the technical documentation and DoP[9]:

Interviewees were asked about the administrative burden for complying with DoP-related obligations. Results are presented in the table below:

Company size	**Substantive compliance costs (every year)[10]**
Micro	*Insufficient data[11]*
Small	*€ 2,829*
Medium	*€ 231*
Large	*€ 77,125*

Source: own estimation

No one-off investment has been reported in relation to the technical documentation and DoP.

The results presented in the table above show a large variation in the amount of costs depending on the size of the company, and it should be stressed that those results are based on a very limited number of feedbacks.

5.2.2. CE marking: administrative and substantive compliance costs

Time spent on activities related to the CE marking:

9 These costs include both recurring and one-off costs (e.g. purchase of equipment such as IT systems and printers) as well as external costs.

10 The number of sources for estimating the substantive compliance costs on DoP-related activities ranges from 1 to 3 answers.

11 Only one micro company reported an external cost of €10,000 to Notified Bodies.

Interviewees were asked about the number of days specifically spent on CE marking-related activities. Results are presented in the table below:

Company size	Total time spent in days per year[12]
Micro	*1 day (0.4% of one FTE)*
Small	*20 days (9% of one FTE)*
Medium	*56 days (24% of one FTE)*
Large	*75 days (32% of one FTE)*

Source: own estimation

Results show that the time required to ensure compliance with DoP-related obligations increases with the size of the company. This finding can be explained by the fact that larger companies tend to

1. Produce a wider range of construction products and
2. Sell a greater volume of products, implying more CE markings to affix.

Administrative burden related to the CE marking:

Interviewees were asked about the administrative burden for complying with CE-marking-related obligations. Results are presented in the table below:

Company size	**Administrative burden every year[13]**
Micro	*€ 675*
Small	*€ 5,424*
Medium	*€ 14,342*
Large	*€ 68,240*

The results show that the administrative burden to ensure compliance with CE-marking-related obligations increases with the size of the company. We observe here again economies of scale in terms of time spent for larger companies. Similarly to the DoP, reasons for such economies of scale could stem from the multi-tasking capability of staff allocated to CPR-related activities.

[12] The number of sources for estimating the time spent on CE marking-related activities ranges from 2 to 7 answers.

[13] The number of sources for estimating the administrative burden related to the CE marking ranges from 2 to 12 answers.

Substantive compliance costs related to the CE marking:

Interviewees were asked about the administrative burden for complying with CE marking-related obligations. Results are presented in the table below:

Company size	Substantive compliance costs (one-off costs)[14]
Micro	*Insufficient data*
Small	*€ 14*
Medium	*€ 2,339*
Large	*€ 0*

Source: own estimation

Only one small company reported equipment costs, namely the purchase of a printer for affixing the CE marking. Only two medium companies reported equipment costs, more in particular for the modification and/or installation of production control and investment in IT systems.

Company size	**Annual substantive compliance costs[15]**
Micro	*Insufficient data*
Small	*€ 2,143*
Medium	*€ 10,804*
Large	*€ 1,650*

Source: own estimation

The results presented in the table above show a large variation in the amount of costs depending on the size of the company, and it should be stressed that those results are based on a very limited number of feedbacks.

Likewise, interviewed manufacturers did not report any other investment costs than the equipment costs detailed above, apart from two medium sized companies which mentioned €1,000 and €13,500 respectively, for e.g. training purposes (i.e. external costs).

5.2.3. DoP and CE marking: total administrative burden

This section summarises the results presented previously and outlines total administrative burden at EU level.

[14] The number of sources for estimating the substantive compliance costs on DoP-related activities ranges from 1 to 3 answers.

[15] The number of sources for estimating the substantive compliance costs related to the CE marking ranges from 1 to 9 answers.

Time spent on activities related to the DoP and CE marking under the CPR[16]:

Company size	Total time spent in days per year
Micro	*10 days (4% of one FTE)*
Small	*47 days (20% of one FTE)*
Medium	*145 days (63 % of one FTE)*
Large	*289 days (126 % of one FTE)*

Source: own estimation

Those results show that time spent on DoP and CE marking-related activities increases with the size of the manufacturing company and **ranges from 0.04 FTE for micro companies to 1.26 FTE for large companies**.

Administrative burden related to the DoP and CE marking under the CPR[17]:

Company size	Total annual recurring administrative burden
Micro	*€ 8,150*
Small	*€ 15,801*
Medium	*€ 61,387*
Large	*€ 122,330*

Source: own estimation

Total administrative burden incurred by manufacturers across the EU-28 have been calculated by multiplying the costs incurred by individual companies by the total number of manufacturing companies in the EU. The size distribution of companies has been estimated as follows[18]:

Company size	Number of manufacturing companies (EU28)
Micro	*177,004*

[16] These results are slightly lower than those obtained by Economisti Associati and al. However, the difference can be partly offset if we add the time spent on other CPR-related activities (such as taking corrective action in case the construction product is not in conformity with the CPR and/or is presenting a risk and providing documentation to national authorities on request), although these additional activities have been reported as marginal.

[17] Initial-type testing is not included.

[18] Details on the business population estimates are provided in Annex.

Small	*29,544*
Medium	*6,969*
Large	*2,256*
Total	***215,773***

Source: own estimation

Total administrative burden incurred by European manufacturers of construction products to comply with the obligations related to the CE marking and DoP have been evaluated as follows:

Company size	**Total administrative burden in the EU28 (per year)**
Micro	*€ 1.44 billion*
Small	*€ 0.47 billion*
Medium	*€ 0.43 billion*
Large	*€ 0.28 billion*
Total	***€ 2.62 billion***

Source: own estimation

The total administrative burden to comply with CPR obligations related to DoP and CE marking every year has been estimated at **€ 2.62 billion[19] for European manufacturers of construction products**. This accounts for **around 0.6%[20] of the total turnover of the construction products** sector in the EU[21].

More specifically, the administrative burden generated by the CPR is more significant, in relative terms, for micro-companies than for SMEs and large companies, as indicated in the table below:

Company size	**Administrative burden/Turnover[22]**
Micro	1,31%
Small	0,49%

[19] This figure compares with the figure of € 3.1 billion obtained by Economisti Associati and al. for the total compliance administrative burden.

[20] This figure is logically lower than the one obtained by Economisti Associati (1.1%), since the administrative burden calculated here is also lower. Besides, the turnover figure used by Economisti Associati and al. (EA) on the basis of Eurostat SBS data seems to be lower than the one estimated in this study. However, the EA report does not provide details of the methodology used for estimating the turnover.

[21] More details are provided in Annex 6.

[22] Details on turnover estimates are provided in Annex 7.

Medium	0,42%
Large	0,07%

Source: own estimation

These estimates suggest some **economies of scale in compliance activities**, as the ratio administrative burden/turnover decreases with the size of the company.

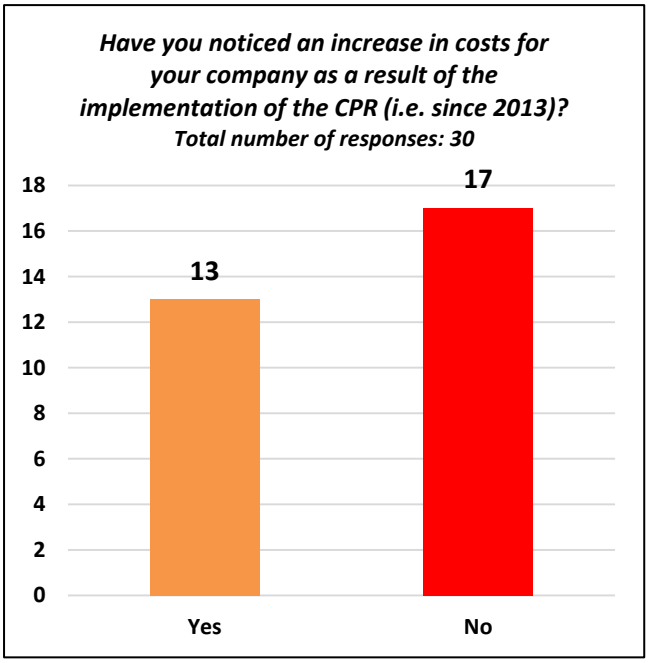
Most interestingly, the regulatory costs reportedly stemming from the obligations under the CPR do not seem to be additional costs compared to the situation prior to the implementation of the Regulation. Indeed, when manufacturers were asked whether they experienced an increase in costs as a result of the CPR, most of them answered negatively. This could be partly explained by the fact that similar kinds of compliance activities were already carried out before 2013 in the context of the Construction Products Directive (for instance with regard to the Attestation of Conformity).

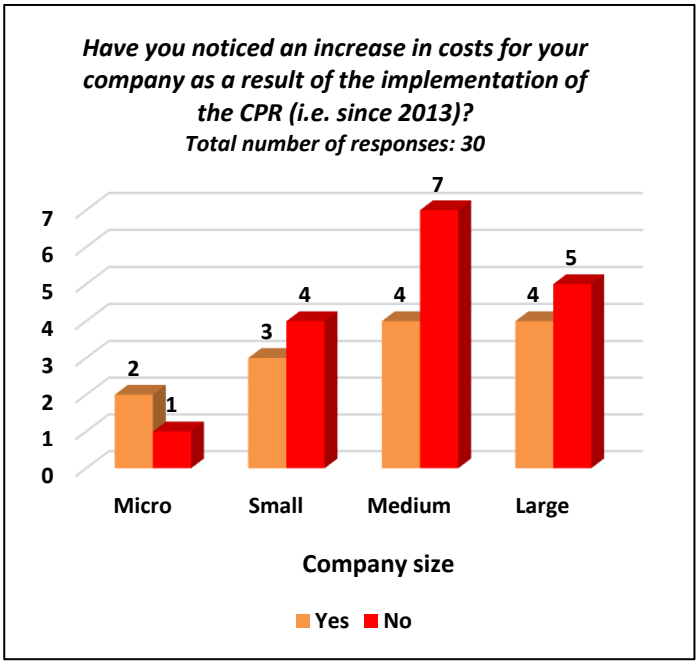
If we assign a 0% increase in costs to those companies who did not report any higher costs as a result of the CPR, **the average increase in production costs for European manufacturers of construction products compared with the pre-CPR situation is 4%**. In interpreting this figure, it is important to note however that the number of responses collected from micro and small companies is very limited and the results presented below do not aim at being representative but at providing some preliminary thoughts for discussion.

Have you noticed an increase in costs for your industry as a result of the implementation of the CPR (i.e. since 2013)?			
Yes	**No**	**% increase**	**Average**
13	17	From 1 to 50%	4%

Among the manufacturers who noticed an increase in cost, the vast majority answered that these costs were mainly of administrative nature, explaining that 'bureaucratic changes' introduced by the CPR came with additional costs. National associations representing manufacturers could not quantify the increase in costs. The main explanation provided by those who did not report any increase in costs is that the CPR does not bring any new requirement compared with the CPD as the construction products manufacturers had been applying the harmonised standards already before 2013.

Figure 3: Increase in costs between CPD and CPR, by company size





Finally, stakeholders at the final round table highlighted that **compliance costs depend largely on the types and range of products manufactured** (and therefore on the number of tests to be made) and not only on the size of the company.

5.3. Administrative and substantive compliance costs for distributors

The number of distributors who provided feedback to our consultation is more limited than manufacturers[23]. Therefore, the quantification of these costs is not as comprehensive as for manufacturers. However, examples of costs incurred by distributors are presented below, giving an overview of the type of activities performed by this type of economic actor to comply with CPR obligations.

For activities such as ensuring appropriate transport and storage conditions, storing the DoP and technical documents, providing information to national authorities, ensuring that the product bears the CE marking and is accompanied by the required documents, and dealing with corrective actions, costs range **from a few dozen Euros to some € 2,500 per activity and per year**. The largest costs were reported for consultancy services, with one small company indicating € 4,000 and another large company indicating € 50,000 for CPR-related consultancy services. The large company explained that they hired specialists in certification for administrative support and compliance certification.

The results from the consultation show that 6 out of 13 respondents did not experience any increase in costs following the implementation of the CPR. Distributors'

23 Only 13 partial contributions have been received from distributors, through online surveys or interviews.

obligations under the CPR are indeed much more limited than for manufacturers and importers (for instance, distributors do not have to store the DoP). Besides, 5 out of 13 respondents reported an increase in costs, with two of them specifying that the cost increase was limited and related to the documentation, additional personnel required and expert consultancy services. As distributors do not have any testing requirements under the CPR, regulatory costs are logically lower for them than for manufacturers.

5.4. Costs for other economic actors

Only a few professional end-users' associations reported costs attributed to the CPR. For instance, one national association indicated that contractors have not been clearly ruled out of the CE marking obligation, in line with FIEC's observation that contactors are, sometimes, wrongly required to affix a CE marking on construction products. Besides, two other national associations mentioned indirect costs generated by the CPR; the first one indicated an increase in the price of construction products, and the other one referred to costs for controlling the "quality and actual usability" of the product, as the environment is now less transparent than under the CPD era.

The study did not identify costs for private end-users. However, it could be argued that the costs of manufacturers and distributors are ultimately carried over to the end-users.

6. Assessment of the benefits

This section describes the different types of benefits investigated in this study and outlines the methodology used and results obtained for different stages of the value chain. While the costs of the CPR are more easily traceable, benefits are difficult to evaluate in quantitative terms for two reasons:

- they are intangible (e.g. increased users' trust), and
- they are more likely to materialise in the longer term (e.g. promoting the sustainable use of raw materials).

To address this shortcoming, the Study team initiated a second round of interviews with national associations to obtain a more detailed, comprehensive and representative feedback from the main economic actors in the construction sector.

This analysis aims at assessing how costs and benefits are distributed along the value chain and at anticipating whether benefits can, in future, outweigh regulatory costs. Further to the two recent studies on the CPR[24], this study targets observed and anticipated benefits for each type of economic actor separately. This approach allows for a more thorough comparison of the different impacts of the CPR along the construction products value chain.

As outlined in the methodology, the analysis of the benefits is based on the following sources:

- Primary information obtained through online surveys targeted at individual manufacturers and distributors[25];
- Primary information obtained through interviews with national associations representing manufacturers, distributors and end-users[26];
- Secondary sources, including the RPA study on the CPR published in 2015, the Economisti Associati Fitness check study on the construction industry and position papers from industry associations[27]; and
- A final round table with European associations, which took place on 29 June 2016 and whose outcomes have been integrated in this report[28].

[24] The RPA and Economisti Associati studies.

[25] A total number of 54 responses have been received through online surveys.

[26] 36 interviews have been carried out with national associations.

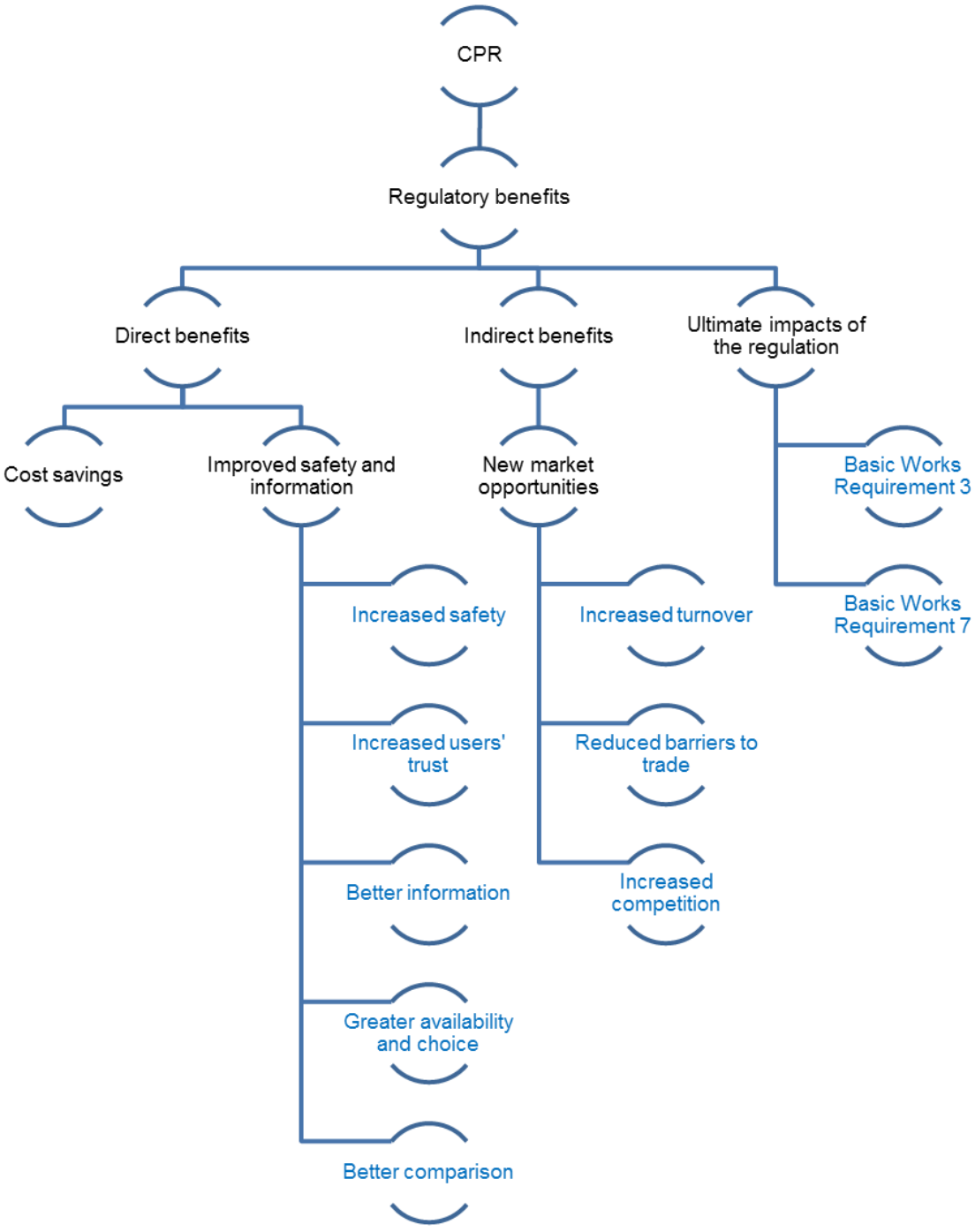
[27] For this task, the following sources have been consulted: RPA, *Analysis of the implementation of the Construction Products Regulation*, 2015; Economisti Associati, *Supporting study for the fitness check on the construction industry*, 2016; EOTA, *CPE Position Paper – Implementation of the CPR*, 2015; FIEC/CPE – Position Paper, *European Product Standards and their relationship to regulation (EU) No 305/2011 – Construction Products Regulation*, 2016; Glass for Europe, *Position Paper on the Construction Products Regulation*, 2010; EEACA, *Simpler and fair rules are needed for the marketing of construction products*, 2008; EUROPUMP, *Position Paper on Pumps/Pump Units Construction the Product Regulation (CPR)*, 2014.

[28] 7 European associations participated.

6.1. Typology of benefits

The benefits assessed in this study are categorised following the Better Regulation Toolbox of the European Commission[29]:

Figure 4 : Tool #51 "Typology of costs and benefits"



[29] Tool #51 "Typology of costs and benefits", http://ec.europa.eu/smart-regulation/guidelines/tool_51_en.htm

The benefits assessed in this study consist of:

- Cost savings for manufacturers and distributors (not included in the cost evaluation),
- New market opportunities in the Internal Market (e.g. reduction in barriers to trade and increased competition),
- Improved provision of information (including greater availability and better comparison of products) and improved safety along the value chain (including increased users' trust), and
- Improved information about the conditions for better hygiene, health and environment (Basic Works Requirement (BWR) 3 of the CPR) and Basic Works Requirement (BWR) 7 for sustainable use of natural resources long the value chain.

6.1.1. Direct benefits

Cost savings

Cost savings result from the simplification of pre-existing regulatory provisions. They relate to lower administrative, operational, equipment and external costs in comparison with the situation before 2013. For instance, cost savings are generated because the testing and certification for each national market are no longer necessary once the CE-marking is applied. Likewise, delegated acts and simplified procedures for manufacturers are considered in this study. In particular, the possibility of providing an electronic version of the DoP contributes to the reduction of the cost burden generated by the CPR. The CPR also introduces simplified procedures for specific types of tests (e.g. test sharing under Art. 36), specific types of companies (e.g. micro-enterprises under Art. 37) and specific types of products (e.g. custom-made products under Art. 38).

Improved information and safety

The CPR is expected to induce benefits in terms of improved safety and improved provision of information along the value chain. This relates to the obligation of making the information available to public authorities and third parties, drafting the DoP and affixing the CE-marking. In this case, benefits would translate into improved safety due to better communication on the technical performance of the construction products and into increased users' trust. For professional end-users, this study also considers improved information about the performances of the construction product, improved comparison of products with one another thanks to the harmonised way of declaring the performance of the product via the CE-marking and/or DoP as well as increased availability and choice of products.

6.1.2. Indirect benefits

New market opportunities

The CPR should also create new market opportunities for manufacturers and distributors. This includes benefits associated with business opportunities created or facilitated by the regulation. New market opportunities can create benefits in terms of increased turnover, reduced barriers to trade and increased competition for economic operators in the home and EU markets, thus benefitting also end-users.

6.1.3. Ultimate impacts

Finally, the harmonised European product standards (hENs) are drafted so as to contain the necessary elements (called 'essential characteristics') to assess the performance of the products for the aspects relevant to the Basic Works Requirements (BWRs) for construction works. The seven BWRs are listed in Annex I of the CPR. This study assesses the potential impacts related to the BWRs about environmental protection and sustainability.

Basic Works Requirement 3 listed in the CPR states that: "*The construction works must be designed and built in such a way that they will, throughout their life cycle, not be a threat to the hygiene or health and safety of workers, occupants or neighbours, nor have an exceedingly high impact, over their entire life cycle, on the environmental quality or on the climate during their construction, use and demolition, in particular as a result of any of the following:*

(a) the giving-off of toxic gas;

(b) the emissions of dangerous substances, volatile organic compounds (VOC), greenhouse gases or dangerous particles into indoor or outdoor air;

(c) the emission of dangerous radiation;

(d) the release of dangerous substances into ground water, marine waters, surface waters or soil;

(e) the release of dangerous substances into drinking water or substances which have an otherwise negative impact on drinking water;

(f) faulty discharge of waste water, emission of flue gases or faulty disposal of solid or liquid waste;

(g) dampness in parts of the construction works or on surfaces within the construction works."

Basic Works Requirement 7 listed in the CPR states that "*The construction works must be designed, built and demolished in such a way that the use of natural resources is sustainable and in particular ensure the following:*

(a) reuse or recyclability of the construction works, their materials and parts after demolition;

(b) durability of the construction works;

(c) use of environmentally compatible raw and secondary materials in the construction works."

More specifically, impacts related to the BWRs are expected to materialise through the introduction of essential characteristics in standards that are linked to these BWRs. Stakeholders present at the final round table in June supported the idea that Member States take a harmonised approach to the BWRs while mentioning that the ultimate impact of these requirements will depend on the way they are implemented.

6.2. Benefits for manufacturers

Benefits of the CPR for manufacturers have been investigated through online surveys and interviews with individual companies as well as through interviews with national associations. Details of the various national associations interviewed can be found in the Annex 1. Out of the 36 interviews carried out, 16 national associations represented manufacturers in the construction sector.

6.2.1. Direct regulatory benefits

Finding 1: Until now, the CPR has induced very limited cost savings for manufacturers.

During interviews, manufacturers' associations were asked whether their industry had benefited from costs savings thanks to the CE marking recognition around the EU. **None of the associations reported cost savings** as a result of the implementation of the CPR in terms of administrative tasks, operational tasks and equipment. However, when asked about the possibility to provide an electronic version of the DoP, 10 out of 16 respondents declared that this played an important role in reducing the cost burden to comply with the new regulation. Therefore, the CPR has not generated any cost savings *per se* (compared to the situation before its implementation), but the possibility to supply the DoP in electronic format has reduced the initial compliance burden (where 'initial' refers to the situation immediately after the entry into force of the CPR).

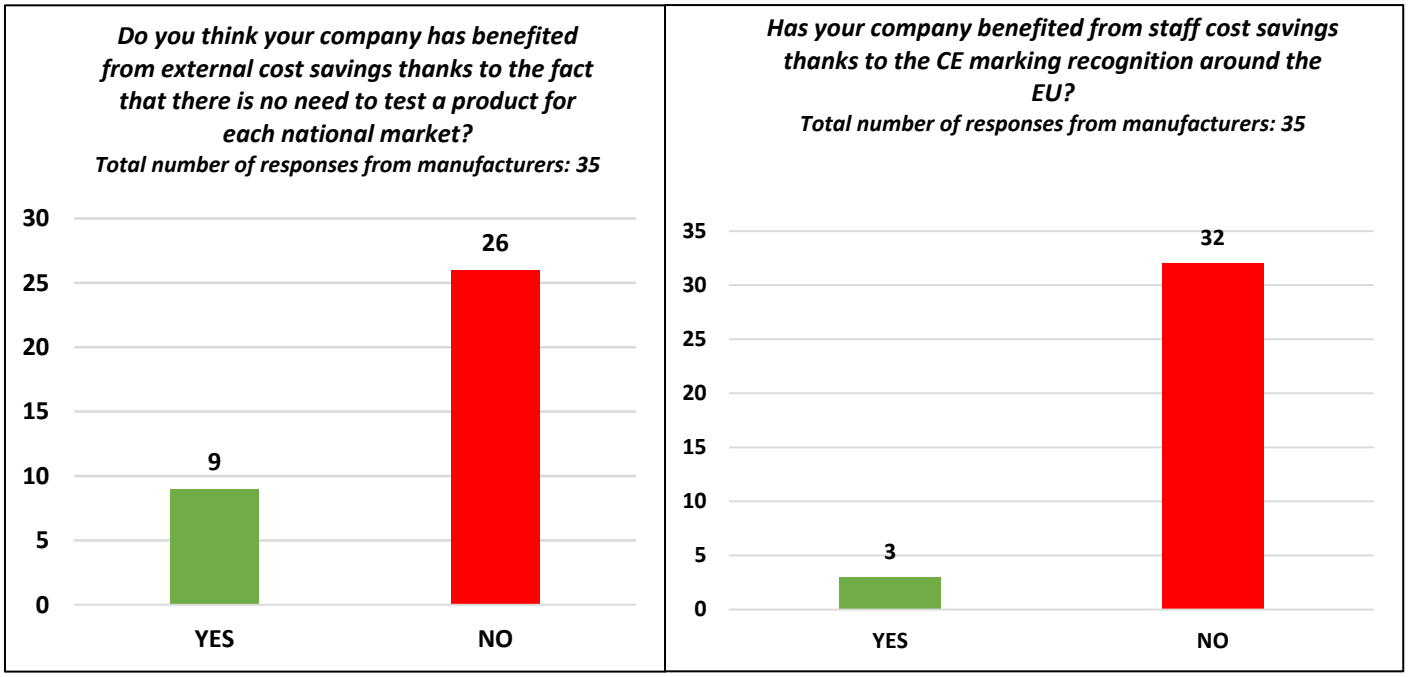
In your opinion, has your industry benefited from cost savings thanks to the CE marking recognition around the EU?

	Response			
Types of cost savings	**Yes**	**No**	**Don't know**	**No answer**
Administrative tasks	0/16	**14/16**	1/16	1/16

Operational tasks	0/16	**14/16**	1/16	1/16
Equipment use and purchase	0/16	**14/16**	1/16	1/6
External services used	1/16	**13/16**	1/16	1/16
The possibility of providing an electronic version of the DoP	**10/16**	4/16	1/16	1/16

Results of the survey paint a similar picture. Out of the 35 respondents, a majority of individual manufacturers declared that they had not benefited from any staff cost savings (left-hand graph) or external cost savings (right-hand graph).

Figure 5: Finding 1 - Manufacturers' responses about staff cost and external cost savings



Analysis

The vast majority of manufacturers have not observed any cost savings because the administrative burden to comply with CPR obligations outweigh potential cost savings.

National associations raised the greater administrative burden caused by the duplication of the CE-marking and provision of the DoP, the need to hire a Notified Body for the assessment of performance and the participation in technical committees during the standardisation meetings.

As a consequence, more people are involved and this comes with additional costs. In the short term, costs to adapt to the new regulation (e.g. computer systems) are also deemed to be systematically higher than savings. Yet, manufacturers would have had to carry that burden anyway, as standards in the construction sector tend to change often, even if they had remained national.

Only one national association also reported test cost savings, as companies exporting construction products now have to do the test only once for them to be marketed in the 28 Member States.

When asked whether manufacturers in their country had used any of the simplified procedures since 2013, and if so, whether cost savings were achieved as a result of their application, a majority of 9 national associations declared that **they were not aware of companies using any of the simplified procedures** either because their products did not meet the criteria to benefit from these procedures or because manufacturers do not fully understand whether they meet the requirements to use those procedures, in particular Art. 37 for micro-enterprises. Nonetheless, 4 national associations declared that manufacturers in their country use one or several of the simplified procedures, inducing cost savings for their industry. For instance, one national association stated that:

"Art. 36 is indeed widely used. The Guidance Paper M[30] includes recommendations which had only been partially implemented with the CPD, but fully taken into consideration within the CPR, thus generating increased cost savings."

Another national association declared that:

"Art. 38 is widely used in finishing works. For enterprises having small series production, the exception granted by Art. 38 is essential. Otherwise, costs related to CE marking obligations would have been excessive, in particular for SMEs."

These comments are in line with the observations reported by the European Commission in its report on the implementation of the CPR dated 7 July 2016 (European Commission, 2016):

"To level the playing field for SMEs and micro-enterprises, the CPR provides derogations from the obligation to draw up a DoP and simplified procedures for placing construction products on the market. At the present implementation stage, experience is still limited on the practical use of most of these options, with the exception of the rules on simplified procedures concerning classification without testing, sharing and cascading".

Nonetheless, a majority of national associations pointed to **some but limited cost savings stemming from the delegated act[31] enabling manufacturers to**

[30] European Commission, GUIDANCE PAPER M (concerning Council Directive - 89/106/EEC (CPD)), *CONFORMITY ASSESSMENT UNDER THE CPD: Initial type-testing and Factory production control*, April 2005

[31] Commission Delegated Regulation (EU) No 157/2014 of 30 October 2013 on the conditions for making a declaration of performance on construction products available on a website

provide the DoP directly online. They do not refer here to the situation before 2013 (providing the DoP was not mandatory under the CPD) but to the situation after July 2013, when the CPR was just implemented (without the delegated act). As one national association noted:

"The costs of complying with the CPR would certainly have been greater if there had not been the delegated act, allowing us to put the DoP directly on our website".

The positive impacts created by the ability to provide the DoP by electronic means was already noted in the RPA study. However, it was also reported that their use and prevalence may vary by sector and type of product. Such observation was also made during the consultation carried out as part of this study.

Finding 2: Few manufacturers believe that information obligations and procedures introduced by the CPR have contributed to improved safety.

The CPR defines for example "Safety and accessibility in use" and "Safety in case of fire" as Basic Works Requirements and thereby facilitates the development of harmonised technical specifications addressing the safety issue which will allow Member States to define their requirements in a harmonised way. Other BWRs also relate to safety more generally (e.g. BWR 1 "Mechanical resistance and stability" is ultimately also linked to the safety issue). However, the CPR does not itself define safety-related requirements for construction products. The DoP may therefore enhance transparency and accessibility of safety information. It is also important to note that the notion of "safety" is very subjective and can mean the safety of the construction product, the safety of the whole construction work, as this depends also on how products are assembled and how the work is exploited and maintained or the safety on the building site, etc.

National associations were asked if, in their opinion, the construction sector benefited from increased safety thanks to the procedures and information obligations of the CPR (table 2). Out of the 16 national associations interviewed, **10 of them declared that the construction sector had not benefited from increased safety.**

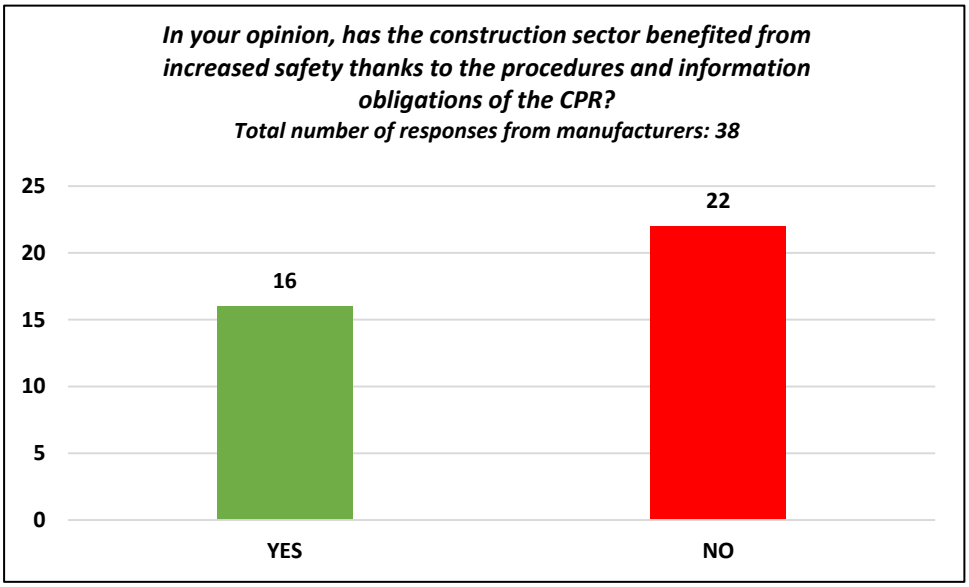
In your opinion has the construction sector benefited from increased safety thanks to the procedures and information obligations of the CPR?			
Response	**Yes**	**No**	**Don't know**
Manufacturers	3/16	**10/16**	3/16

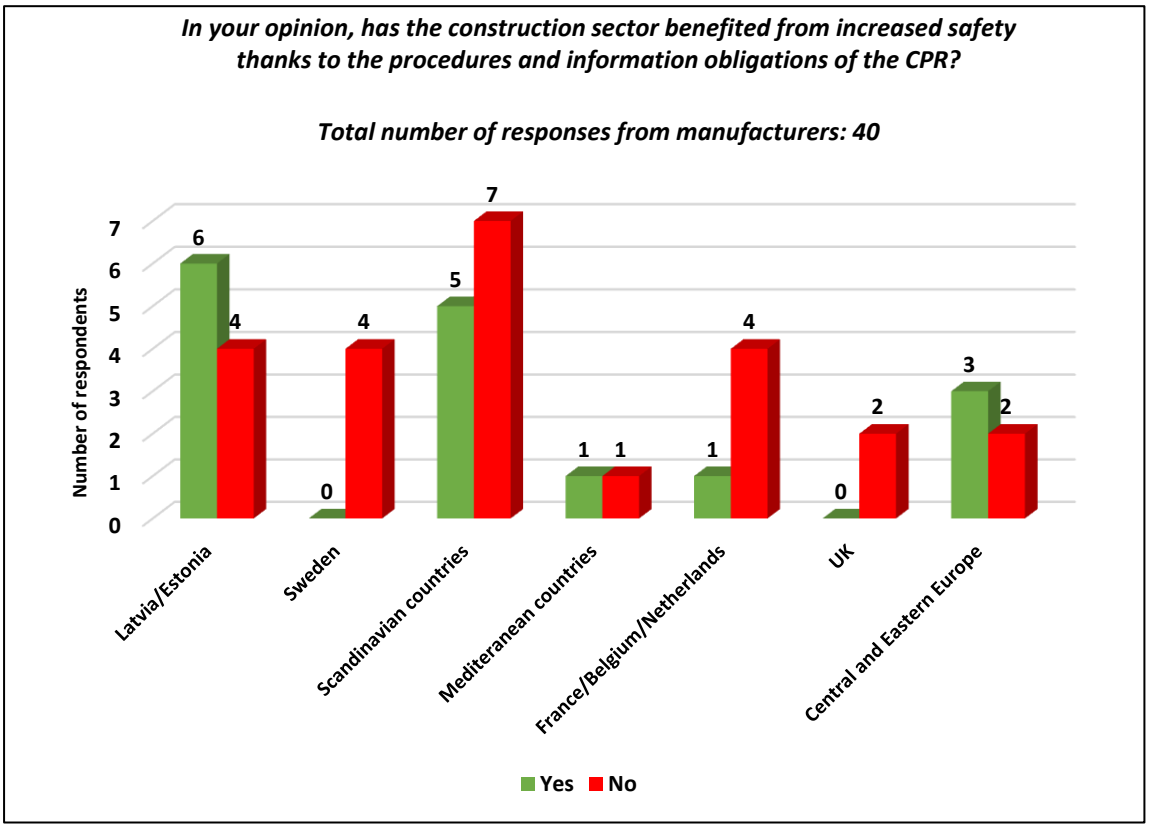
In contrast, results from the survey indicate that 16 individual manufacturers believed that the construction sector benefited from increased safety thanks to the procedures and information obligations of the CPR, even though 22 of them did not. A regional breakdown of the respondents[32] shows that a majority of yes-respondents come from Baltic, Central and Eastern European countries. The fact that these countries were less

[32] *Note:* Sweden and the UK were considered separately as the affixing of the CE-marking was not mandatory in these countries under the previous CPD.

represented in the interviews with the national associations might explain the difference in the results between national associations and individual companies.

Figures 6: Finding 2 – Manufacturers' responses about increased safety





Analysis

A majority of national associations did not observe any benefits in terms of increased safety because national safety regulations in force in their home country already prior to the CPR are 'strong'. As a result, the CPR did not produce any added value. For instance, a Swedish company stated that safety did not improve with the CPR as their national standards were already strict enough and national authorities already

requested similar procedures. Several national associations reported no benefits in terms of safety due to the lack of surveillance and policing by competent bodies. Besides, several interviewees reported unfair competition from manufacturers in other EU countries introducing products in the home market with fraudulent DoP. The DoP was often considered as not providing any guarantee with regard to the performances reported. Other respondents claimed that by defining specific standards, there is a feeling of lobbying in favour of specific producers. Therefore, as a medium-sized company pointed out, a large number of producers are not able to fulfil these requirements and are driven out of the market although their products have other important parameters and performance characteristics for the consumer.

However, the above-mentioned opinion is not shared homogeneously across all European countries. A majority of Central and Eastern European countries as well as Baltic states reported to have benefited from increased safety thanks to the procedures and information obligations of the CPR. In these countries, national regulations on construction products safety were deemed to be 'light' and, as a result, the CPR had a major impact in raising the standards. Other respondents also argued that the CPR provides better transparency and fair competition along with better security for the occupants of buildings, in particular buildings. Increased availability of information following the CPR was reported as a driver for safer construction works, provided that this information is accurate.

Participants during the final round table had mixed views on the impact of the CPR on safety, one stating that the whole information process was more transparent following the implementation of the CPR, while another raising doubts as to the added value of the regulation with regard to additional information provided. However, the importance of this issue under the CPR was stressed, as responsibility is now clearly falling on the manufacturer.

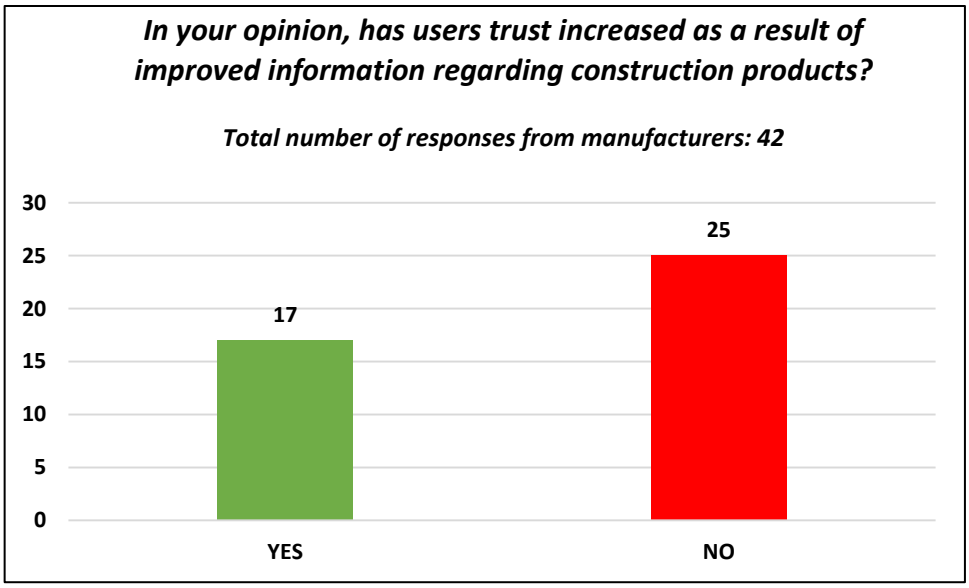
Finding 3: Few manufacturers believed in an increase in users' trust as a result of improved information regarding construction products.

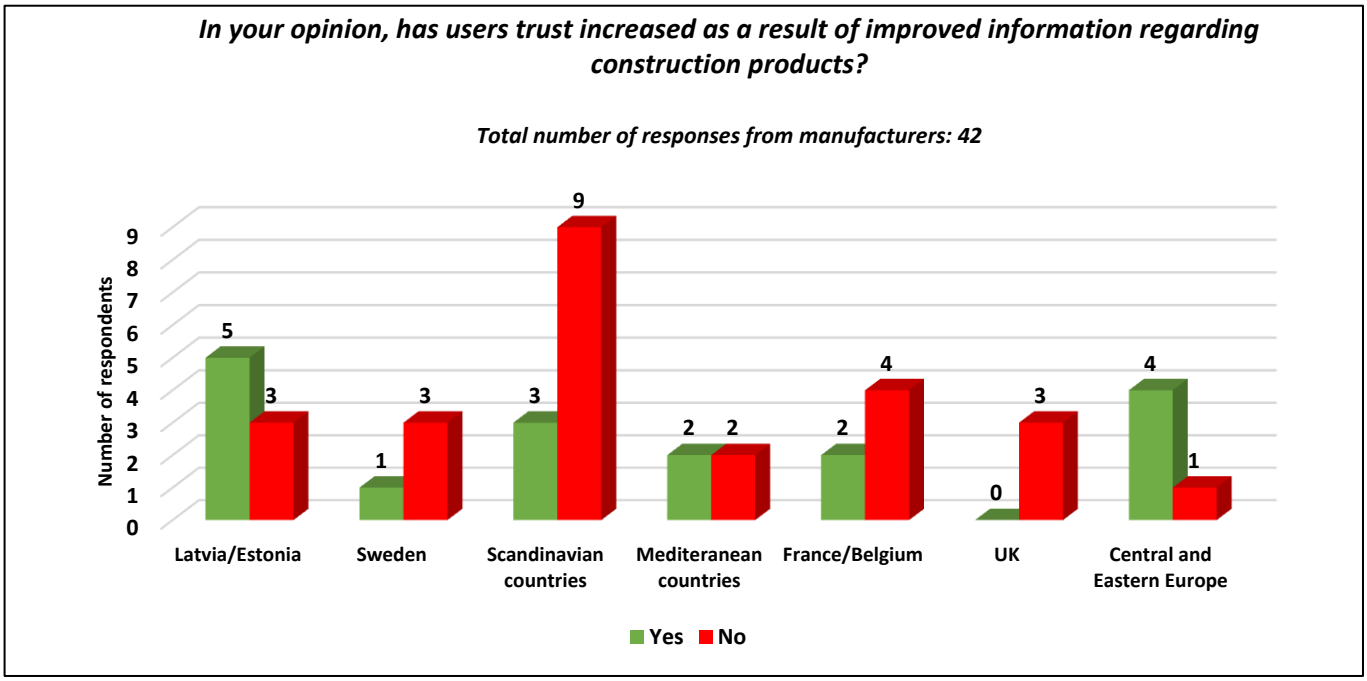
In addition, national associations were asked if, in their opinion, users' trust increased as a result of the improved information regarding construction products (table 3). **Out of the 16 interviewees, half of the national associations declared that users' trust increased with the implementation of CPR.**

In your opinion has users' trust increased as a result of improved information regarding construction products?		
Response	**Yes**	**No**
Manufacturers	8/16	8/16

Answers from the survey show that, out of the 42 respondents, 25 individual manufacturing companies said the CPR did not increase users' trust. In contrast, 17 of them argued the opposite. A detailed breakdown of the respondents shows that respondents answered differently depending on their country of origin.

Figures 7: Finding 3 - Manufacturers' responses about increased trust





Analysis

Explanations for the lack of observed increase in users' trust are similar to those provided for the impact of CPR on safety. In addition, national associations also raised the fact that an increase in users' trust could not be observed because of a lack of common understanding and knowledge of the CE-marking. An individual company believed that a transition period for companies to 'trust' the CE marking would be needed, in particular in markets with strict local standards. For instance, the general opinion in Scandinavian countries and in the UK (where CE marking was not mandatory prior to the CPR) is that consumers trust domestic companies so that the CPR does not provide them with additional quality assurance. Another national

association noted the high level of ignorance of end-users towards the CPR and meaning of CE marking, stressing the need for increased awareness of users.

For the few national associations and individual companies who observed benefits in terms of increased users' trust, they reported that, where market surveillance is deemed to be efficient, CE-marking is considered as a "serious" and trustworthy label strengthening users' trust. Other individual companies argued that for consumers which are exposed to the CE marking, they tend to have higher trust in marked products and therefore assume that they do not need to worry about anything else.

6.2.2. Indirect regulatory benefits

Finding 4*:* Until now, the CPR has provided relatively few new market opportunities to manufacturing companies.

During the interviews, national associations representing manufacturers in the construction sector were asked if, in their opinion, the CPR had opened up new market opportunities (table 4). New market opportunities refer here to three main components: increased turnover, reduced barriers to trade and increased competition. **Out of the 16 interviewees, only 7 respondents declared that they had indeed benefited from new market opportunities brought about by the CPR to their industry.**

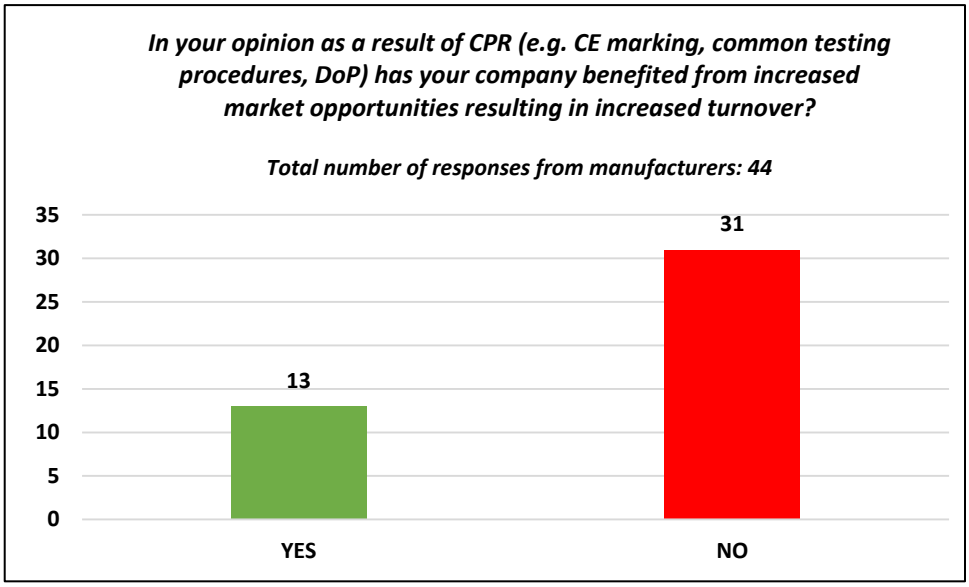
In your opinion as a result of CPR (e.g. CE marking, common testing procedures, DoP) has your industry benefited from increased market opportunities?

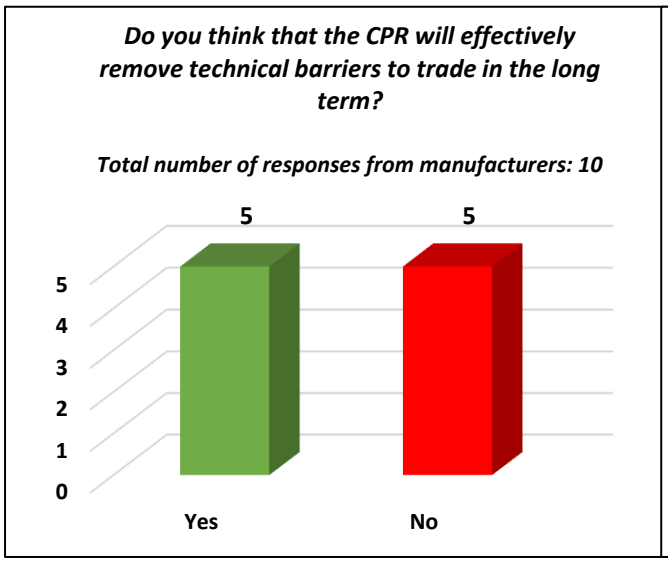
	Response	
Types of commercial opportunities	**Yes[33]**	**No**
Increased turnover	7/16	**9/16**
Reduced barriers to trade	7/16	**9/16**
Increased competition	7/16	**9/16**

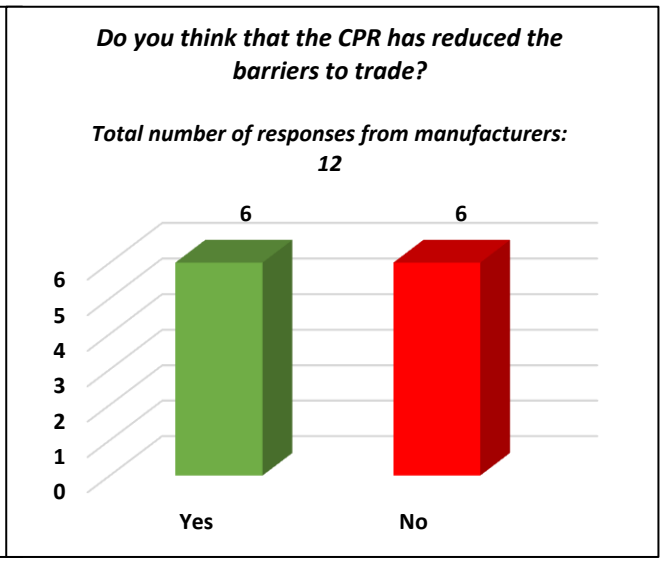
[33] Yes respondents declared that these benefits will materialise in the longer-term or that, if these benefits were to be seen, these can still be challenged by national associations of other EU countries that ask for additional tests.

Individual companies were asked the same question in the survey. **Out of the 44 respondents, 31 individual companies declared that they had not benefited from increased market opportunities**. A majority of yes-respondents are companies that export construction products to other European Member States.

Figures 8: Finding 4 – Manufacturers' responses about new market opportunities







Analysis

According to the respondents, the CPR has provided only few new market opportunities so far due to three main reasons. First, micro companies, which represent the vast majority of the construction products manufacturing industry, operate mainly on local markets and export very few products. Second, market opportunities have not been created specifically by the CPR, as the previous CPD already provided manufacturers with such opportunities, within the harmonised sphere. Finally, the ability of the manufacturer to benefit from new market opportunities will depend on the sector and logistical costs, i.e. whether or not the product can easily be transported over longer distances.

According to most of the large companies which provided feedback to our survey, the CPR **did not induce any significant change to their expansion into new markets**. For instance, a company from the UK pointed out that they were already exporting to other countries when the CPR was introduced, and the CPR did not add anything to their established reputation abroad.

Interviewed stakeholders had mixed views with regard to the ability of the CPR to reduce barriers to trade. Some stakeholders mentioned that they had benefited from reduced barriers to trade in terms of facilitated cross-border activities generated by the harmonised CE-marking. Stakeholders present at the final round table also mentioned that the CPR is a major advantage for manufacturers of innovative products not covered by any standard because an ETA giving access to the entire EU market can be in place in less than 9 months. In particular, a national association stressed the significant advantage of having a common CE-marking across the EU, indicating that customers can now turn to other markets (especially in neighbouring countries) for certain products that have long delivery times in the domestic market (e.g. concrete elements). That same association however emphasized that **persisting national testing and/or certification requirements** (despite the CPR) could often make it more difficult to trade with other EU countries, which indicates that the CPR could produce much more market opportunities in theory but its incomplete implementation prevents these opportunities to materialise:

"In theory, the CPR increases market opportunities but in practice some countries such as Germany are putting up a lot of additional requirements for products and demand further testing, which adds to the costs of manufacturers."

These additional requirements are in contradiction to Art. 8.3 of the CPR which state that "*For any construction product covered by a harmonised standard, or for which a European Technical Assessment has been issued, the CE marking shall be the only marking which attests conformity of the construction product with the declared performance in relation to the essential characteristics, covered by that harmonised standard or by the European Technical Assessment. In this respect, Member States shall not introduce any references or shall withdraw any references in national measures to a marking attesting conformity with the declared performance in relation to the essential characteristics covered by a harmonised standard other than the CE marking*". These national requirements, such as the UPEC certification in France, are not always mandatory by law but are necessary in practise to enter the national market. As one national association said, these requirements demonstrate lasting "protectionism". The current situation, as described by a national association, is that:

"Manufacturers still need to provide a complete technical catalogue of the characteristics because the CE marking is not enough".

These comments mirror the observations reported by the European Commission in its Report on the implementation of the CPR published on 7 July 2016 (European Commission, 2016):

"*Nevertheless, the use of national marks continues in several Member States against the principles of the CPR. National ex ante processes or verifications covering the harmonised area are not allowed. This is also the case of voluntary marks without any national connotation, as they unduly prevent the free movement of CE-marked construction products, for example when linked to a more demanding system of assessment and verification of constancy of performance (AVCP) imposed by building inspections or insurance companies or when linked to financial incentives*."

With regard to competition, slightly less than half of the national associations consulted reported an increase in competition on both the domestic and European construction products markets, while the others did not report any increased competition. In particular, one national association believed that competition in the construction products market is positively correlated with the number of harmonised standards issued.

Concerns about unfair competition were mentioned by several national associations, as products with **fraudulent DoPs** have been observed on the market. As one association said, "*the DoP can be easily copied*" and "*all sorts of products are arriving on the European market with non-matching DoPs. […] For instance, you can see products from Poland accompanied with a German DoP*".

In line with those observations, **insufficient market surveillance and control** was highlighted by many national associations. For instance, one national association indicated that in its country, "*inspection authorities do not take product samples, they only check the documentation*". This issue is explained in more detail below, in relation to safety.

As said during the final round table, these findings are expected to change in the future as the full implementation of the CPR is progressing and as market opportunities have only recently started to materialise.

6.2.3. The ultimate impacts of the regulation

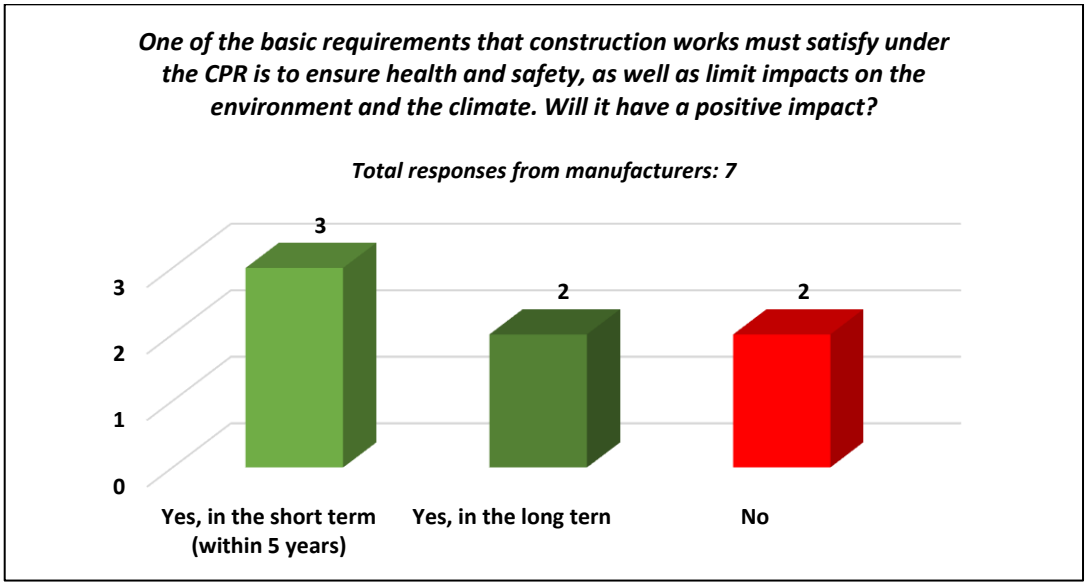
Finding 5*:* The opinion of manufacturers on the impacts related to Basic Works Requirement Nr. 3 is mixed, though a majority of manufacturers expect a positive impact.

National associations were asked about the potential impacts of BWR 3 on health and safety, as well as on the environment and climate. While 7 interviewees expected positive impacts from BWR 3 to materialise in the long-term, 6 interviewees declared not to have such expectations.

One of the basic requirements that construction works must satisfy under the CPR is to ensure health and safety, as well as limit impacts on the environment and the climate. Do you believe that this requirement will have a positive impact?				
Response	**Yes, in the LT**	**Impact still unclear**	**No**	**Don't know**
Manufacturers	**7/16**	2/16	6/16	1/16

Answers from individual companies show that, from a smaller sample of 7 respondents, a majority of them expect positive impacts from BWR 3 to materialise in the short-term (within 5 years) or in the long term.

Figure 9: Finding 5 – Manufacturers' responses about the BWR 3



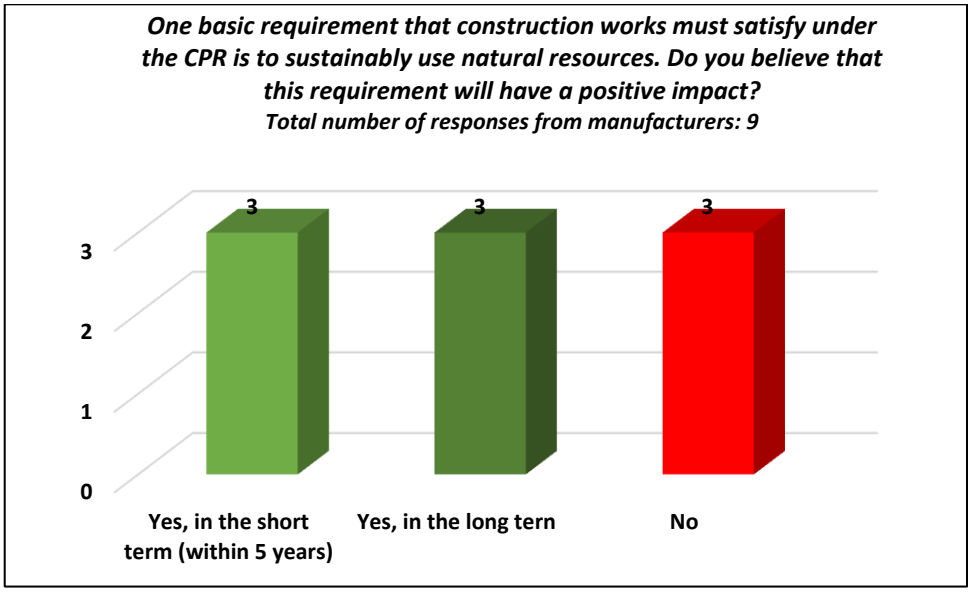
Finding 6*:* The opinion of manufacturers on the impacts related to Basic Works Requirement Nr. 7 is mixed, though a majority of manufacturers expect a positive impact in the long term.

The same question was asked to national associations though this time with reference to BWR 7. Responses are very similar to the ones reported previously, as shown in the table below:

Another basic requirement that construction works must satisfy under the CPR is to sustainably use natural resources, e.g. through recyclability and durability of the works, the type of raw materials used, etc. Do you believe that this requirement will have a positive impact?				
Response	**Yes, in the LT**	**Impact still unclear**	**No**	**Don't know**
Manufacturers	7/16	3/16	5/16	1/16

Looking at the responses from the survey, a smaller sample of 9 respondents shows that **a majority of individual manufacturers expect BWR 7 to have a positive impact in the short term (within 5 years) or in the long term.**

Figure 10: Finding 6 – Manufacturers' responses about the BWR 7



Analysis

The above BWRs are still under implementation through the gradual adoption of hENs and as a result of increasing national requirements on performance characteristics. Therefore, the answers above should be interpreted in the way stakeholders perceived or expected these to produce benefits in the future. Most national associations welcomed the fact that hENs would also cover these BWRs as they would generate benefits by eliminating products from the market that perform poorly in terms of hygiene or sustainability. In particular, life cycle analyses and Building Information Models (BIM) have been mentioned as a support to BWR 7. There are great expectations related to innovative digital methodologies for achieving improved environmental performance.

Nonetheless, various national associations also expressed concerns on their implementation and ultimate impacts. Regarding the actual implementation of BWR 7, costs to meet additional sustainability-related requirements may be greater than benefits in the short-term, especially for SMEs, because they will require further measurements and performance assessments. Harmonised and clearly specified requirements and methodologies in relation to sustainability was mentioned by national associations as a key for making BWR 7 effective, perceived as one of the most important elements of the CPR. Other national associations expect the ultimate impact of these BWRs to be minimal.

6.3. Benefits for distributors

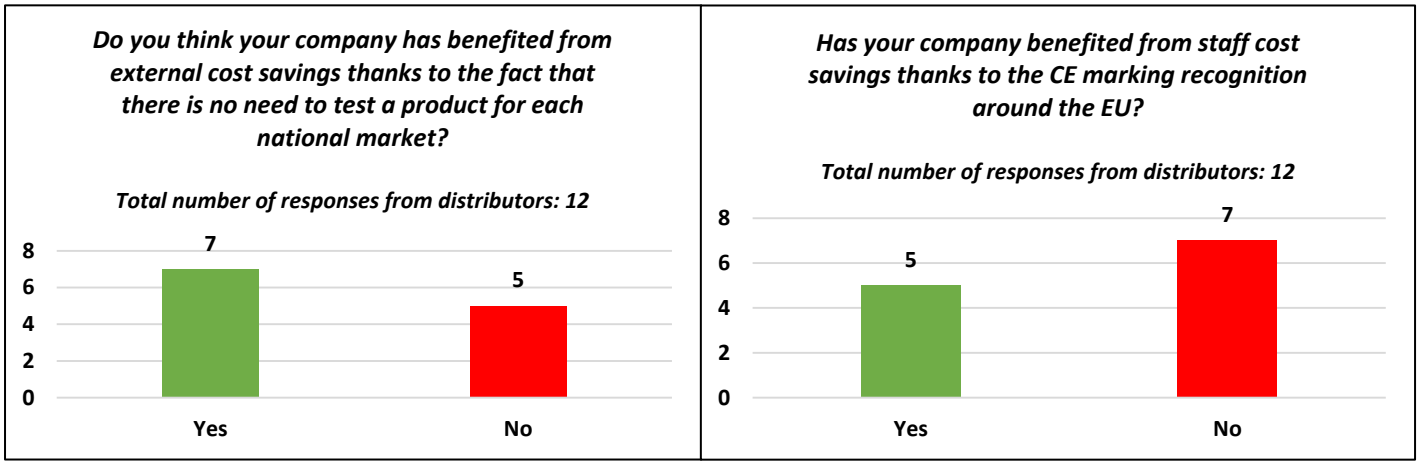
Benefits of the CPR for distributors have been investigated through surveys and interviews with individual companies and national associations.

6.3.1. Direct regulatory benefits

Finding 7: the CPR induced cost savings for around half of the consulted distributors in terms of staff cost savings and external cost savings.

Only few companies took part in the survey. Results of the surveys are shown below.

Figure 11: Finding 7 – Distributors' responses about external and staff cost savings



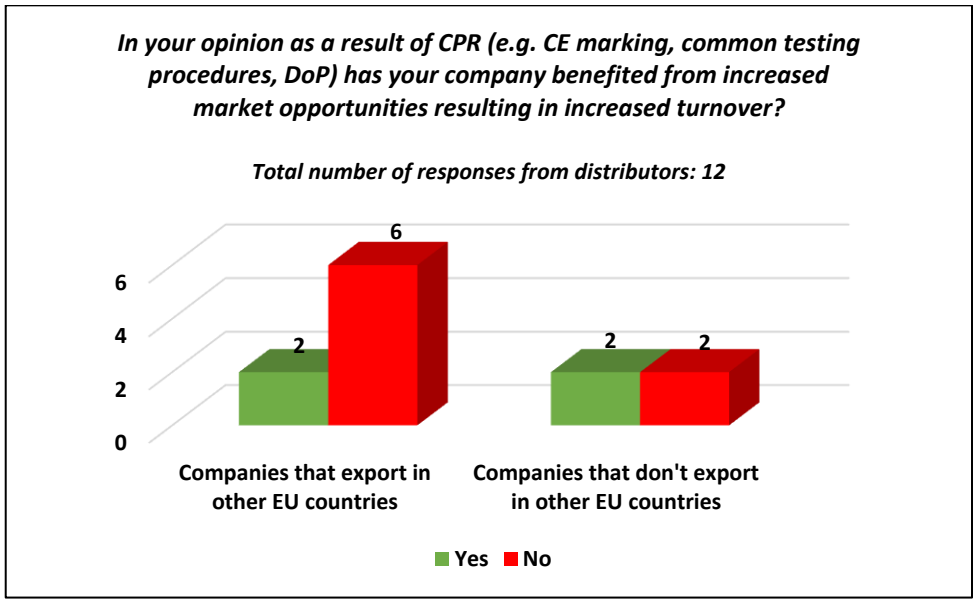
Analysis

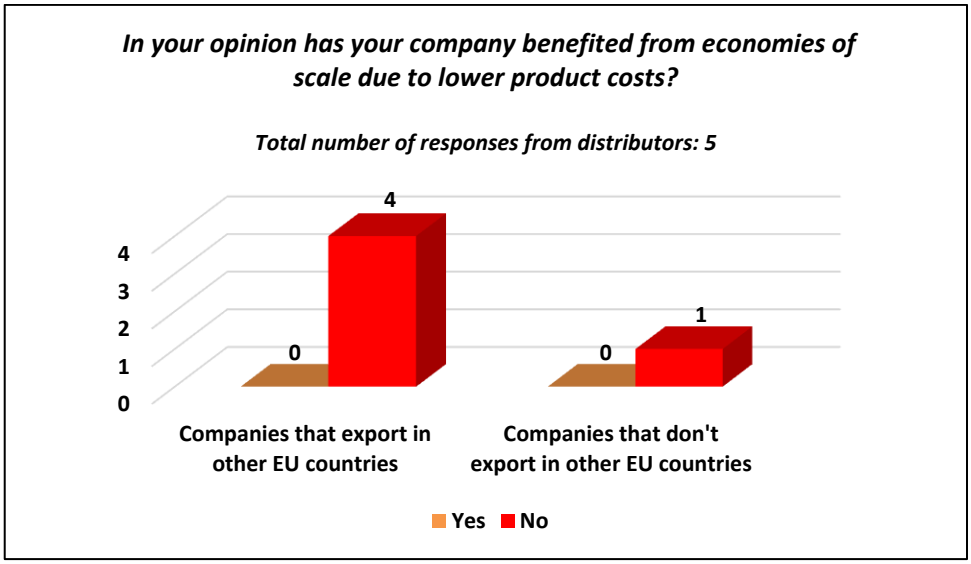
Respondents to the survey did not provide more detailed explanation for their answers. National and European associations did not cover this aspect in their feedback.

6.3.2. Indirect regulatory benefits

Finding 8: Only few distributors experienced increased market opportunities as a result of the CPR.

Figures 12: Finding 8 – Distributors' responses about increased market opportunities



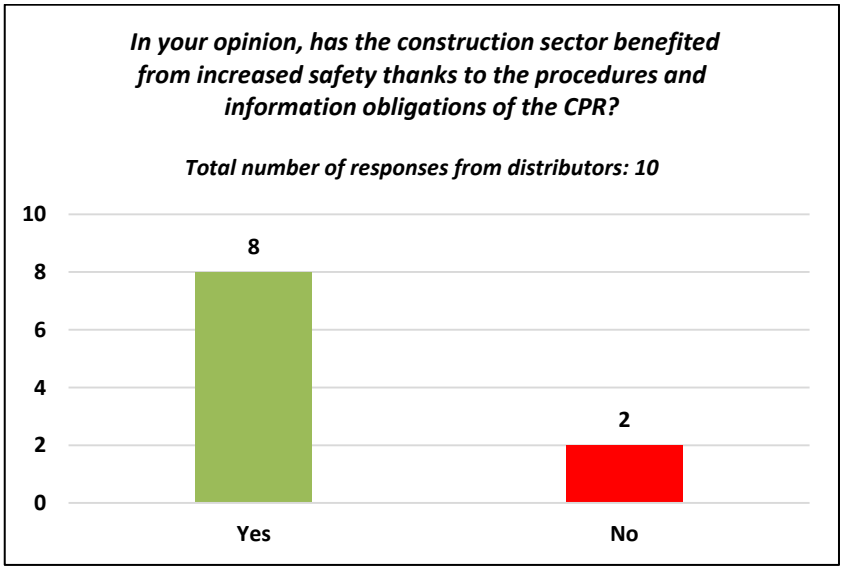


Analysis

Negative answers on increased market opportunities were collected from companies which were already exporting to other EU markets before the CPR. For instance, one large distributor from the UK explained that its business activities were already focused on the UK, Germany and France, where the norms have been well established for a long time already, so that they had to meet stricter local standards already prior to the CPR. National associations also commented on the medium-term impact of the CPR on competition as they expect smaller and less qualified manufacturers to leave the market, which would in turn reduce market fragmentation.

Finding 9: According to distributors, the CPR improves safety and provision of information.

Figure 13: Finding 9 – Distributors' responses about increased safety



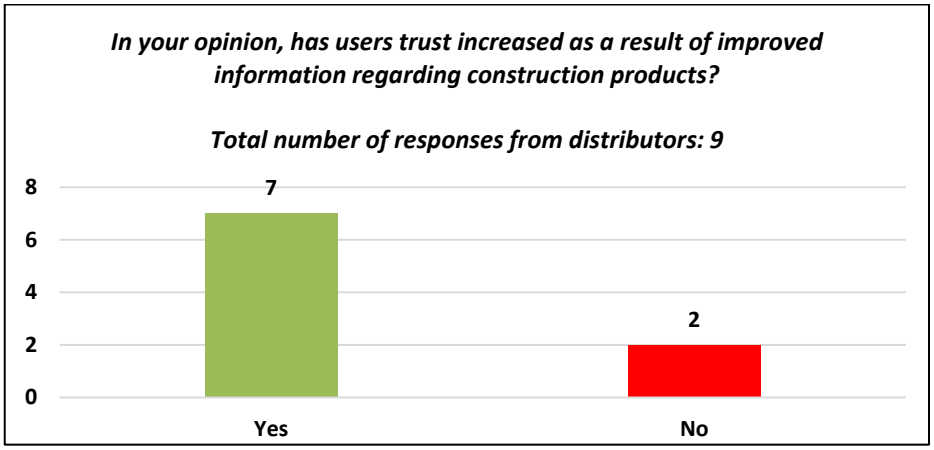
Analysis

Two of the national associations representing merchants of construction products recognised the benefits brought by the CPR. In their opinion, selling only certified products that share a common language is an important step forward, improving safety and information about the product. However, they also raised the limitations of those benefits today. The lack of sanctions for non-compliance and the poor communication along the value chain are barriers to the successful and complete materialisation of those benefits. For instance, one national association declared that:

"The problem is that communication along the value chain is poor and ends in bottlenecks, especially towards the end of the value chain at the level of consumers. In addition, market authorities fail to provide adequate surveillance and to ensure that actors comply with the CPR. For the CPR to work and for the benefits to be felt by every economic actor, we need a market that asks for it, that knows it and that controls it."

Finding 10*:* According to distributors, users' trust has increased as a result of improved information regarding construction products.

Figure 14: Finding 10 – Distributors' responses about users' trust



Analysis

Among the distributors that did observe benefits in terms of increased users' trust, the following explanations were put forward:

- The DoP has increased transparency;
- Some customers specifically ask for the CE marking which seems to make the product more reliable to them. One manufacturer from the UK said that their company took a step further and invested in a Third Party Accreditation to prove (via information easily accessible on their website) to their customers that all their goods indeed comply with the CPR.

National associations here again raised the same concerns as those highlighted in the previous finding.

6.3.3. The ultimate impact of the regulation

Only few responses have been received on the expected impact of the Basic Works Requirements 3 and 7. However, the six distributors (three micro companies and three small companies) who addressed these aspects during our consultation all believed that Basic Requirement 3 would have a positive impact, within five years (2 distributors) from the implementation of the CPR or in the longer term (4 distributors). With regard to Basic Works Requirement 7, three distributors expected a positive impact in the long term, one in the short term while the last two did not foresee any impact.

6.4. Benefits for professional end-users

Compared with manufacturers and distributors, **benefits generated by the implementation of the CPR for professional end-users are more significant** with the caveat that, according to some stakeholders, "it should be possible to complete the information required by Annex ZA in European product standards with information, in those standards, necessary for construction product users and with the reliability that reflects contractors' needs"[34]. The list of interviewed national associations representing professional end-users is indicated in the methodology (section 2). Out of the 36 interviews carried out, 15[35] interviewees represented professional end-users in the construction sector (e.g. contractors, building engineers, architects, etc.).

6.4.1. Direct regulatory benefits

Finding 11*:* Few professional end-users observed a change in price and an improvement in the availability of products.

Professional end-users were asked whether or not the CPR affected the price of construction products and their availability on the market. Out of the 14 interviewees, 8 national associations declared that they had not seen any change in price with the implementation of CPR and 9 of them did not report any change in the availability of construction products as a result of the CPR.

Do you think the CPR affects the price of construction products and their availability on the market?

[34] FIEC&CPE, Position Paper on European product standards and their relationship to regulation (EU) No. 305/2011. Available at: http://www.fiec.eu/en/cust/documentview.aspx?UID=64ea00a5-eac8-45a4-bf73-1f4e09c4b138

[35] Only 14 replies have been used for the summary tables, as one could not answer the questions and provided only general comments on the economic impacts of the CPR.

Response	Yes (decrease)	Yes (increase)	No	No answer
Price	1/14	2/14	**8/14**	3/14
Availability	0/14	3/14	**9/14**	2/14

Analysis

A higher number of professional end-users did not observe any impact of the CPR on the price or availability of construction products. In contrast to distributors and manufacturers, professional end-users tend to see fewer opportunities simply because they will not go abroad to find products. Contractors highlighted that while the access to products has improved, this does not mean that their usability has as well. Instead contractors often need to ask for additional performance information in order to be able to use the product, which impacts on the availability of products to use as a whole.

Also, national associations who observed an increase in the availability of products or an impact on the price had a "smaller" construction sector.

Finding 12: the CPR improves safety and provision of information for professional end-users.

Professional end-users were asked whether or not they benefited from increased safety thanks to the procedures and information obligations of the CPR; whether users' trust had increased; whether they considered that end-users and consumers were better informed about the performances of the construction product; and if the fact that such products can freely circulate in the internal market gave them the impression that there could be more choice for such products on the market. A higher number of interviewees declared that **the CPR provided benefits in terms of improved safety, users' trust, information and choice of products**.

Improved safety, user's trust, information and choice of products			
Response	**Yes**	**No**	**No answer**
Safety	**7/14**	5/14	2/14
Users' trust	**7/14**	5/14	2/14
Better information	**9/14**	3/14	2/14
More choice	**10/14**	2/14	2/14

Analysis

A majority of professional end-users' associations (incl. green building councils and contractors' associations) considered that the **CPR provided them with a label of**

"guarantee", "reassurance" and "comfort". A national association even mentioned that, to the best of its knowledge, problems with construction products were reported only with those products that did not follow the CPR procedures.

The extent of such benefits however depends on the "strictness" of the safety regulations already in force. In particular, contractors raised concerns that the DoP does not declare everything that is needed for an end-user to make a choice between several available products due to the only partial coverage of Harmonised European standards. This was confirmed by another national association which reported that in some cases, the CE-marking would not provide enough information as additional information were often asked by end-users regarding some specific characteristics of the product (e.g. viscosity). These findings coincide with some views of "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"[36].

Finding 13: The CPR has and/or will improve the comparability of products for professional end-users in the short/medium term.

Professional end-users were asked whether they were able to better compare products with one another when confronted with a choice. Out of the 14 interviewees, a majority of 9 national associations confirmed that **the harmonised way of declaring the performance of the product via the CE marking improved the comparability of products**.

In your opinion, does the harmonised way of declaring the performance of the product via the CE marking and/or DoP allow you to better compare products with one another when confronted with a choice?			
Response	**Yes**	**No**	**No answer**
Professional end-users	**9/14**	3/14	2/14

Analysis

Explanations provided by national associations centre on the fact that the DoP and/or CE-marking helps professional end-users to make an informed decision and they use them as an additional tool to compare construction products. Two interviewees said that, while this benefit had not materialised yet, it is likely to occur in the longer term as standards and harmonized practices have not been fully implemented yet and there is still a certain degree of uncertainty and lack of understanding in the market. Indeed, the successful comparison of products will depend on whether professional end-users are familiar with the CE-marking or not.

[36] FIEC&CPE, Position Paper on European product standards and their relationship to regulation (EU) No. 305/2011. Available at: http://www.fiec.eu/en/cust/documentview.aspx?UID=64ea00a5-eac8-45a4-bf73-1f4e09c4b138

Nonetheless, contractors raised the issue that, most of the time, they were not able to benefit from an improved comparability of the products because the level of information provided by the DoP and/or CE-marking was not sufficient for their needs.

European associations added that these results also depend on the type of product and on how often the DoP is actually downloaded.

6.4.2. Indirect regulatory benefits

Finding 14*:* the CPR provides more market opportunities for most professional end-users.

Professional end-users were asked whether they had benefited from increased market opportunities as a result of CPR. Market opportunities were here mainly understood as increased or facilitated cross-border business. As illustrated in the table below, answers were mixed, even though a small majority of professional end-users declared to have benefited from increased market opportunities either in the short or in the long term.

In your opinion as a result of CPR (e.g. CE marking, common testing procedures, DoP) have professional end-users benefited from increased market opportunities?

Types of commercial opportunities	Response			
	Yes		No	No answer
	ST	LT		
Increased turnover	3/14	5/14	4/14	2/14
Reduced barriers to trade	4/14	4/14	4/14	2/14
Increased competition	2/14	8/14	2/14	2/14

Analysis

Explanations provided by end-users are similar to those of manufacturers. As market opportunities have still not fully materialised yet, some professional end-users expect these to materialise in the longer term. It should be noted that in our consultation, architects and contractors did not see any increase in market opportunities. In particular, and while acknowledging that CPR has facilitated the access to other markets, contractors still experience difficulties to use all the products available because of, according to them, the only partial coverage of harmonised European

standards and the logistical costs, which vary for every product. The information provided in the DoP is reportedly insufficient for contractors to use the product.

6.4.3. The ultimate impact of the regulation

Finding 15*:* The CPR has not yet contributed to better hygiene, health and environment conditions in construction works (Basic Works Requirement 3) nor to more sustainable use of natural resources (Basic Works Requirement 7), however it is expected to do so in the longer term.

Professional end-users were asked whether they expected positive impacts of the BWR 3 and 7. For both BWRs, 9 out of the 13 national association interviewed declared that they expected these benefits to materialise in the long term.

One of the basic requirements that construction works must satisfy under the CPR is to ensure health and safety, as well as limit impacts on the environment and the climate. Do you believe that this requirement will have a positive impact?				
Response	**Yes**		**No**	**Difficult to evaluate**
	In the ST	**In the LT**		
Professional end-users	1/14	**10/14**	0/14	3/14

Another basic requirement that construction works must satisfy under the CPR is to sustainably use natural resources, e.g. through recyclability and durability of the works, the type of raw materials used, etc. Do you believe that this requirement will have a positive impact?				
Response	**Yes**		**No**	**Difficult to evaluate**
	In the ST	**In the LT**		
Professional end-users	1/14	**10/13**	0/14	3/14

Analysis

As already explained in the sections reporting the opinion of manufacturers and distributors, these elements of the CPR are still under implementation and as such the opinion provided by professional end-users can only be interpreted as expectations or perceptions. Overall professional end-users found it particularly difficult to comment on the proper impact of these requirements because these touch upon benefits that are intangible (such as sustainability, health and hygiene) and are therefore difficult to

evaluate at this early point in time. It was admitted that **the impact of Basic Works Requirements 3 and 7 depends largely on the context for both material production (upstream) and product assembly (downstream)**, which are not subject to these requirements. One of the national associations noted that Basic Works Requirement 7 is expected to positively contribute to the durability of construction products but it is also less likely to materialise in terms of sustainability of natural resources and recyclability. Furthermore, additional requirements concerning the traceability of the exploitation of construction works will be essential to unleash the potential for improved sustainability and durability. In this respect, digital modelling might play a key role.

6.5. Benefits for other economic actors

Finding 16: Besides professional end-users, private consumers are also expected to benefit indirectly from the CPR, thanks to increased competition in the market for construction products (lower prices, increased availability of products) and increased safety, as well as the potential positive impact of hENs covering essential characteristics related to the Basic Works Requirements 3 and 7.

Analysis

Consumer associations have very little knowledge of the legislation in the construction products sector, so it was difficult to gather their feedback on the CPR. However, one national association provided valuable comments on standardisation in the construction sector. This association stated that "from a consumer standpoint, more standardization should contribute to better safety, better prices, better availability of goods". However, consumers are usually not aware of the CE marking for construction materials and make their purchase decisions based on professional advice. According to that same association, "the decisive parameter is that such a marking scheme is operational, understandable, and well-communicated to consumers and other users". In that sense, the CE marking lacks visibility. Hence, effective market surveillance and enforcement are essential to compensate for the lack of consumers' awareness about the value and meaning of the CE marking.

Finally, one manufacturers' association also mentioned the potential benefits of the CPR for consumers buying construction materials in retail stores (e.g. insulation panels), stressing that the CE marking has real added value if and only if private individuals understand the "CE marking language".

7. Conclusions

Based on the results of the analysis presented in the previous sections, the table below offers a comparison of the economic impacts of the CPR (in absolute terms, not relatively to the CPD) for the four types of economic actors covered in this study: manufacturers, distributors, professional and private end-users.

The extent of the impacts is translated into "-" (no impact), "+" (limited impact) and "++" (significant impact). By combining both quantitative and qualitative elements, those ratings aim at reflecting the overall effect of each cost and benefit as expressed by stakeholders during the consultation, in an objective and aggregate manner. It should be noted, however, that impacts cannot individually be compared with each other and that summing up the "+" and "++" to achieve overall conclusions on the impacts of the CPR would be too simplistic.

Table 6: Costs and benefits of the CPR along the value chain

	Costs					Benefits			
	Administrative burden	Substantive compliance costs	Indirect/ other direct costs	Costs savings (staff/ external)	New market opportunities	Increased safety	Increased users' trust	Health, hygiene & environment (BWR 3)	Sustainability (BWR 7)
Manufacturers	++	+	-	-	+	+	+	+ (in the S/LT)	+ (in the S/LT)
Distributors	+	-	+	+	-	+	+	++ (in the LT)	+ (in the LT)
Professional end-users	n/a(*)	n/a (*)	n/a	n/a	+	+	+	++ (in the LT)	++ (in the LT)
Private consumers	n/a	n/a	n/a	n/a	n/a	+	+	+ (in the LT)	+ (in the LT)

Note:

- in the ST (resp. LT) = expected to materialise in the short-term (resp. long-term).
- n/a = not applicable
- (*) contractors are reportedly facing costs for affixing the CE marking and supplying the DoP, although they are in principle not subject to the CPR.

This study has highlighted some direct and indirect regulatory costs incurred by different economic actors along the construction products value chain specifically caused by the CPR. However, it also identifies actual and potential benefits along this same value chain, some of which expected to materialise in the longer term with the introduction of relevant essential characteristics in harmonised standards. Further details are provided below, by economic actor.

Manufacturers are facing relatively significant annual administrative burden and, to a lesser degree, substantive compliance costs[37] to comply with the CPR.

In particular, the time spent on DoP and CE marking-related activities ranges from 0.04 FTE for micro-companies to about 1.3 FTE for large companies. Total annual administrative burden to comply with CPR obligations related to the DoP and CE marking has been estimated at € 2.62 billion at EU level. This accounts for around 0.6% of the total turnover of the construction products sector in the EU[38]. This share is decreasing with the size of the manufacturing company, ranging from about 1.3% for micro-companies to about 0.1% for large companies. Some businesses also reported recurring substantive compliance costs, significant in particular for medium and large companies. Only a few companies indicated one-off investment costs to purchase equipment. Overall, the *increase* in total direct administrative burden and substantive compliance costs specifically generated by the CPR compared to the situation before 2013 is reportedly limited.

Furthermore, manufacturers did not observe any noteworthy benefits in terms of cost savings, but they reported limited benefits in terms of new market opportunities as well as improved information on safety and users' trust, depending on the national regulatory set-up in place prior to the CPR. The possibility to provide an electronic version of the DoP has also played an important role in reducing the costs to comply with the new regulation. Benefits could further materialise in the longer term if all additional legislative and market-driven testing and certification requirements were to disappear, therefore supporting a fully Single European Market for construction products.

As **distributors** have fewer obligations than manufacturers under the CPR, they also incur fewer costs, despite some external costs for consultancy services. Some distributors also reported some external cost savings thanks to the fact that there is no need to test a product for each national market. Distributors consulted as part of this study did not report any new market opportunities generated by the CPR. However, and as mentioned above, benefits could further materialise in the longer term with the completion of a border-free market for construction products at EU level.

For **professional end-users**, no specific costs were reported, except for contractors. A majority of professional end-users declared to have benefited from market opportunities and increased availability of products. In addition, the interviews showed that the CPR had no noteworthy impact on the price of construction products. Most importantly, the CPR was deemed to improve the provision of information and comparison of products, even though concerns were raised as to the CE marking not being recognised or accepted as a sufficient testing and/or certification in some countries, or on the contrary being mistakenly considered as a quality label by some users. Some stakeholders felt that the DoP does not declare all the specifications needed for an end-user to make a fully-informed choice between several available products due to the allegedly partial coverage of harmonised European standards. Finally, Basic Works Requirements 3 and 7 are expected to be essential for better hygiene, health and environmental conditions as well as more sustainable construction works.

For **private consumers** the study did not identify any direct costs. Besides, private consumers have also been mentioned as indirect beneficiaries of the CPR thanks in

[37] Few quantitative information has been collected for substantive compliance costs.

[38] More details are provided in Annex 6.

particular to increased trust and safety. However, there is a need for better communication around the meaning of the CE marking and DoP for them to make full use of the information provided.

Finally, it is important to note that the feedback received through the consultation is mixed and that no single consensual opinion could be identified. While costs have been evaluated in quantitative terms, benefits have been assessed in qualitative terms, since they are largely intangible in nature. Therefore, it is important to consider the above results with due care.

8. Outlook

This section presents the consultants' outlook on some of the issues raised in this study. It builds on the conclusions presented above and details some proposals to further reduce the costs and generate the benefits analysed in this study. It also builds on several observations made in the European Commission report on the implementation of the CPR dated 7 July 2016 (European Commission, 2016).

8.1. Reducing costs for manufacturers and distributors

An obvious potential for reducing the costs for manufacturers would be to avoid the duplication of information following the CE marking (see Finding 1). Art. 9(2) requires the CE marking to be followed by information already available in the DoP. As the CE marking information also includes a reference to the DoP, it seems superfluous to repeat the same information with the CE marking. In particular, it is well-known that for products manufactured in a continuous production line process, it may be a challenge to keep the information on product labels synchronised with the information on the DoPs. Moreover, the duplication of information requires larger and more expensive labels.

An additional benefit of not requiring the duplication of information (and consequently less information included) could be a reduction of cases where the CE marking cannot be affixed to the product itself or to a label attached to it. However, as experience has shown that Member States tend to apply a rather strict interpretation of Art. 9(2), a change of that article may be necessary to avoid the duplication of information.

As reported in Section 6.2.1, the majority of manufacturers interviewed had not used any of the simplified procedures (Art. 37, 38 and, to a lesser extent, 36 of the CPR) since 2013 and therefore could not benefit from such cost savings. This observation has also been made in the European Commission Report on the Implementation of the CPR (European Commission, 2016). According to the manufacturer associations consulted as part of this study, one of the main reasons behind the limited use of certain simplified procedures is that manufacturers do not understand whether they meet the requirements to use these and therefore carry out the default testing procedures to ensure full compliance with the CPR. In particular, a wider use of **Art. 37** (simplified procedures for micro-companies) would potentially enable further cost savings for micro companies, currently facing the highest compliance burden as a share of their turnover (estimated at 1.3% of turnover on average). It should be recognised that with the current formulation of articles 37 and 38, it is rather difficult for manufacturers to fulfil the prerequisites for applying those two articles. Micro-enterprises would, in most cases, have very limited resources to conduct their own testing and to develop their own assessment methods. This will, irrespective of any clarification, limit the practical use of Article 37. Equally, the use of **Art. 38** (products individually manufactured or custom-made in a non-series process), may be limited because it may be a very demanding task for manufacturers to develop their own equivalent assessment methods. Hence, it seems likely that clarifications on art. 37 and 38 will not significantly increase the practical use of these articles. These issues should be further discussed in the technical platform, being meetings arranged by the European Commission, as proposed by the European Commission Report on the Implementation of the CPR, mentioned above.

Art. 36 of the CPR seems to be more understandable for manufacturers and no particular need for clarification has been identified.

As distributors reported only limited costs generated by the CPR, the potential for reducing the costs incurred by distributors seems equally limited. However, and as the main source of costs reported by distributors are external consultancy services regarding the new requirements, information (campaigns) aimed specifically at distributors may reduce the distributors' need for consultancy.

8.2. Increasing market opportunities for manufacturers and distributors

As reported by several manufacturer associations, national testing, certification and approval requirements coexist with the CPR in some Member States, therefore hindering cross-border trade and the realisation of a true Single Market for construction products in Europe. Supporting the full implementation of the CPR and **accelerating the withdrawal of all additional legislative and market-driven testing and certification requirements** for construction products covered by hENs would allow manufacturers, and smaller manufacturers in particular, to sell their products across Europe with no additional testing and certification costs. A wider use of the common technical language provided by the harmonised technical specifications would provide a more harmonised, simplified and cost-effective framework for all economic operators. At the same time, improving communication around the meaning of the CE marking would help both professional and private users to accept the CE marking as a 'self-sufficient' label and to stop requesting national marks and testing/certification and thereby avoid creating a market for national marks.

In addition, increasing **market surveillance** to ensure the validity of the DoPs accompanying the products, including those from outside Europe, would allow for fairer competition as well as increased safety and user trust. In 2015, the RPA study (RPA, Analysis of the implementation of the Construction Products Regulation, 2015) already reported that many stakeholders observed inadequate surveillance and asked for more sample testing of products against the declared performances. Furthermore, it stated that: "*it is felt that appropriate enforcement actions are currently not being undertaken with regard to restricting or prohibiting the movement of non-compliant construction products from entering the EU market. At best, this indicates a lack of visible enforcement action (which has a deterrent benefit) and, at worst, suggests that insufficient action is currently being taken in terms of market surveillance in some Member States*" (RPA, 2015, p. 198). However, as one national association noted, "*effective market control depends on availability of laboratories, knowledge, and resources*" and Member States cannot necessarily afford enhanced market surveillance. Likewise, a position paper by FIEC & CPE (FIEC&CPE, 2016) emphasises that inspectors often do not focus their efforts on the actual performance of products but only pay attention to document verification. In addition, technical rules to verify and assess the declarations and CE marking on products are not harmonised at EU level. Therefore, **increasing the support to the coordination of the market surveillance conducted by Member States** would allow for a level-playing field for all construction product manufacturers operating in the EU.

Finally, increased **support for the economic operators wishing to carry out business in other EU Member States** would further generate market opportunities. Such support could take the form of improving the dissemination of information on the **levels of performance to be achieved** in all EU Member States, i.e. communicating on these performance requirements through the PCPCs or a dedicated website

consolidating the information provided by the PCPCs product by product, **providing assistance to manufacturers** on the actual conditions for use of construction products in the Member States. For instance, support to manufacturers on the actual market requirements in the Member States should supplement the information on the regulatory requirements provided by the PCPCs. There should be systematic reporting to the Commission and the Member States about any difficulties and barriers manufacturers face when trading cross-border.

For distributors, increased market opportunities will depend on the actual use of the common technical language allowing them as well as their clients to choose construction products on the basis of their declared performance. Hence, more information provided to distributors about the common technical language might make new market opportunities more visible.

8.3. Improving understanding, user trust and safety

Overall, increased and improved **communication around the CPR, its scope and requirements, including the CE marking and DoP**, would allow for an increased understanding from all actors along the value chain, including end-users. In addition, the meaning of the CE marking is still very much unclear for many actors along the value chain, from distributors to end-users. Many of the consulted stakeholders reported confusion and misunderstanding around the meaning of the CE marking, e.g. with regard to information supposedly provided by the CE marking and DoP on the quality of the product. Raising public awareness and understanding on the DoP and CE marking would enable distributors and end-users to make more informed purchase and use decisions. In particular, a better understanding of the obligations imposed by the CPR would enable distributors to save on consultancy services. Likewise, more explanations on the harmonised technical language could be provided to end-users (builders/contractors) and specifiers (architects and consulting engineers).

Access to such information is crucial, and a **dedicated or extended version of the current Commission website with information available in all EU languages** could prove valuable to increase understanding, and subsequently trust in the CE marking and DoP. Likewise, additional information campaigns as those initiated by the European Commission between 2012 and 2015[39] could also prove valuable to reach out to a wider range of stakeholders and provide more detailed information on the procedures, including simplified procedures.

8.4. Supporting the implementation of Basic Works Requirements 3 and 7

Once harmonised assessment methods for the essential characteristics related to BWRs 3 and 7 have been included in the harmonised technical specifications, **Member States should be encouraged to use those essential characteristics, where applicable, when specifying requirements.** That would support a more rapid and effective transition of the construction products sector towards increased sustainability

[39] June 2012 conference, 2014 video and 2015 brochure ('EC marking of construction products — step by step', http://ec.europa.eu/DocsRoom/documents?tags=ce-guide)

and safety, and better hygiene and health. The European Commission could organise an **EU-wide consultation** targeted to authorities and other stakeholders involved in the construction sector to share their needs and expectations with regard to the environmental and safety aspects of the construction sector. In addition, organising **workshops with national and European associations** representing the aforementioned professions in order to further discuss and exchange around policy development and best practises in these areas could further speed up the transition, at national and European level, towards a more sustainable construction industry.

8.5. Increase the overall acceptance of the CPR

More generally, clearly identifying the benefits and weighing them against some of the obvious drawbacks of harmonisation in the construction products sector would support wider acceptance of the CPR as an instrument facilitating cross-border trade and increasing competition in the sector. Alternatively, it would help the European Commission refocus policy proposals around the harmonisation of key elements only. Therefore, stakeholder discussions at the aforementioned technical platform and possibly a study **to investigate the advantages and drawbacks of harmonisation in the construction sector as a whole** could contribute to this. Results from our consultation have not singled out any scepticism regarding the harmonisation of testing, certification and marking requirements of construction products.

Taking into account local conditions and "local preferences" has been highlighted by professional end-user associations as indispensable when drafting new legislation in the construction sector. Therefore, a discussion and/or study assessing **to what extent the 'performance approach' under the CPR accommodates for different local conditions** (climates, traditions, etc.) could help to shape the definition of essential characteristics and harmonised standards and increase their usability.

BIBLIOGRAPHY

(n.d.).

Commission, E. (2011). *REGULATION (EU) No 305/2011, Art 13.2.*

Commission, E. (2011). *REGULATION (EU) No 305/2011, Art. 11.1 .*

Commission, E. (2015, May). *Better regulation*. Retrieved from TOOL #51: TYPOLOGY OF COSTS AND BENEFITS: http://ec.europa.eu/smart-regulation/guidelines/tool_51_en.htm

Commission, E. (9 March 2011). *REGULATION (EU) No 305/2011 .*

EAACA. (2008). *Position paper on CPR: Simpler and fair rules are needed for the marketing of construction products .*

EAACA. (2008). *Simpler and fair rules are needed for the marketing of construction products.*

Economisti Associati. (to be published in 2016). *Supporting Study for the Fitness Check on the Construction Industry in the policy areas of Internal Market and Energy Efficienc.*

European Commission. (2016). *Report from the Commission on the implementation of Regulation (EU) No 305/2011 - COM(2016) 445 final.*

FIEC&CPE. (2016). *MARKET SURVEILLANCE WITHIN THE FRAMEWORK OF REGULATION (EU) N° 305/2011 - CONSTRUCTION PRODUCTS REGULATION.*

RPA. (2015). *Analysis of the implementation of the Construction Products Regulation.*

RPA. (2015). *Analysis of the Implementation of the Construction Products Regulation .*

Annex 1 – List of interviewees

European associations interviewed during the first round of interviews (scoping interviews):

Table 7: European manufacturer associations

Name
Construction Products Europe
European Aluminium
Association of the European Adhesive & Sealant Industry (FEICA)
Glass of Europe
Precast Concrete BIBM

European associations interviewed for additional scoping interviews:

Table 8: European end-users' associations

Name
FIEC – European Construction Industry Federation
EBC - European Builders Confederation

National associations interviewed during the third round of interviews:

Table 9: National associations representing manufacturers

Country	Name
FR	Association des Industries de Matériaux, Produits, Composants
FR	Syndicat National des Entreprises du Second d'oeuvre
BE	Groupement des Producteurs Belges de Matériaux de Construction
BE	Fédération de l'industrie du béton préfabriqué
NL	NVTB Dutch Association for Construction Supply
UK	British Precast Concrete Federation

UK	BRE and Stone Federation GB
UK	Construction Products Association
SE	Byggmaterialindustrierna (Association of Swedish construction products industries)
AT	Austrian Association for Building Materials & Ceramic Industries
DK	Danish Association of Concrete Element Manufacturers
ES	Asociacion Nacional de la Industria del Prefabricado de Hormigon
ES	Asociación Española de Fabricantes de Azulejos y Pavimentos Cerámicos
HU	Hungarian Cement Concrete and Lime Association
IT	Confindustria Ceramica
RO	The Association of the Construction Products Manufacturers of Romania

Table 10: National associations representing distributors

Country	Name
BE	Fédération des négociants en matériaux de construction (FEMA)
IT	National Association of Construction Materials Distributors (FEDERCOMATED)
SE	The Association of Swedish Building Materials Merchants

Table 11: National associations representing end-users

Country	Name
UK	Chartered Institute of Architectural Technologists
HU	National Federation of Hungarian Contractors (ÉVOSZ)
LV	Latvian Builders Association
FR	Fédération Nationale des Travaux Publics
IE	The Society of Chartered Surveyors Ireland
BE	Individual architect

BE	Individual architect
BE	Confédération Construction
ES	Spain Green Building Council
DE	Hauptverband der Deutschen Bauindustrie e.V.
GR	Panhellenic association of engineers contractors of public works
SE	The Swedish Construction Federation
IT	Green Building Council Italia
FI	Confederation of Finnish Construction Industries
LT	Lithuanian Builders Association

Table 12: National associations representing consumers

Country	Name
DE	BFW Bundesverband Freier Immobilien- und Wohnungsunternehmen e.V.
DK	Parcelhusejernes Landsforening

European associations that attended the Final Round Table held on 29 June 2016 were:

Table 13: European associations present at the Final round table

Name
European Construction Industry Federation (FIEC)
PU-Europe
European Aluminium
European Builders Confederation
EPPA-Profiles
European Federation of the Precast Concrete Industry (BIBM)
European Organisation for Technical Assessment

In addition, 41 interviews have been performed with individual manufacturers and distributors.

Annex 2 - Economic operators, obligations and procedures under the CPR

Table 14: Summary table of obligations and procedures assigned to manufacturers by the CPR

CPR article	Obligation	Description (incl. CPR excerpt where relevant)	Procedure	Sub-procedures, if any
(Not CPR article)	Screening to see if product is covered by a harmonised standard (hEN)	Checking whether the product is covered by one or more hENs, i.e. whether CE marking is compulsory	Screening OJ or NANDO for applicable hENs/checking scope of hENs using search tool in CEN website	
(Not CPR article)	Compulsory CE marking: Acquiring hEN(s) and familiarising with standards	If CE marking is compulsory: Acquiring hEN(s) applicable to the product (standards must be purchased from standardisation bodies) and familiarising with CPR and with relevant standards	Acquiring and familiarising with standards	1) Acquiring standards, 2) Familiarising with CPR and standards (not legal obligations but necessary to comply with CPR)
Art. 26 and Annex II	Non-compulsory CE marking: Requesting a European Technical Assessment (ETA)	If CE marking is not compulsory (product not covered by standards), manufacturer can decide to request an ETA in order to be able to use CE marking on the product. "When a manufacturer makes a request for a European Technical Assessment to any TAB for a construction product, ...the manufacturer shall submit to the responsible TAB a technical file describing the product, its use as foreseen by the manufacturer and details of the factory production control the manufacturer intends to apply."	Requesting ETA from TAB	Submitting technical file
11.1	Drawing up technical documentation	11.1 Manufacturers shall, as the basis for the declaration of performance, draw up technical documentation describing all the relevant elements related to the required system of assessment and verification of constancy of performance.	Drawing up technical documentation	1) Assessment (e.g. testing, calculating, etc.) of performance on each essential characteristic; 2) drawing up description of FPC (Verification of Constancy of Performance) in accordance with CPR Annex V. Cooperation with

CPR article	Obligation	Description (incl. CPR excerpt where relevant)	Procedure	Sub-procedures, if any
				Notified Body/bodies when relevant.
4 and 6	Drawing up a Declaration of performance	Art. 4: When a construction product is covered by a harmonised standard or conforms to a European Technical Assessment which has been issued for it, the manufacturer shall draw up a declaration of performance when such a product is placed on the market. Art. 6: content of the DoP.	Drawing up a DoP	1) Drawing up DoP on the basis of the technical documentation etc. 2) translating DoP to all the languages required by MS where the product is marketed
7	Supplying DoP	Art. 7.1 A copy of the DoP of each product shall be supplied either in paper form or by electronic means (more details in Art. 7 and delegated regulation (EU) No. 157/2014).	Supplying DoP on paper or electronically	
8 and 9	Affixing CE marking	Art 8.2 The CE marking shall be affixed to those construction products for which the manufacturer has drawn up a declaration of performance in accordance with Articles 4 and 6. If a declaration of performance has not been drawn up by the manufacturer in accordance with Articles 4 and 6, the CE marking shall not be affixed. 9.1 The CE marking shall be affixed visibly, legibly and indelibly to the construction product or to a label attached to it. Where this is not possible or not warranted on account of the nature of the product, it shall be affixed to the packaging or to the accompanying documents. 9.2. The CE marking shall be followed by the two last digits of the year in which it was first affixed, the name and the registered address of the manufacturer, or the identifying mark allowing identification of	Affixing CE marking	1) Gathering the required information (from DoP); 2) Designing the label/accompanying documents; 3) Printing the label/accompanying documents; 4) affixing the label

CPR article	Obligation	Description (incl. CPR excerpt where relevant)	Procedure	Sub-procedures, if any
		the name and address of the manufacturer easily and without any ambiguity, the unique identification code of the product-type, the reference number of the declaration of performance, the level or class of the performance declared, the reference to the harmonised technical specification applied, the identification number of the notified body, if applicable, and the intended use as laid down in the harmonised technical specification applied. 9.3. The CE marking shall be affixed before the construction product is placed on the market. It may be followed by a pictogram or any other mark notably indicating a special risk or use.		
11.2, and 12.2	Storing Declaration of performance and technical documentation	11.2 Manufacturers shall keep the technical documentation and the declaration of performance for a period of 10 years after the construction product has been placed on the market. (unless period amended by Commission)	Storing DoP and technical documentation	Storing DoP and technical documentation; management of DoPs incl. different versions
11.3	Ensuring declared performance/Assessment and Verification of Constancy of Performance	11.3 Manufacturers shall ensure that procedures are in place to ensure that series production maintains the declared performance. Changes in the product-type and in the applicable harmonised technical specifications shall be adequately taken into account. Manufacturers shall, where deemed appropriate with regard to ensuring the accuracy, reliability and stability of the declared performance of a construction product, carry out sample testing of construction products placed or made available on the market, investigate, and, if necessary, keep a register of complaints, of non-conforming products and of product recalls, and keep distributors informed of any such monitoring.	Implementing procedures (specified in technical documentation) to ensure that production maintains declared performance	1) establishing the system of FPC; 2) training of personnel, acquisition and maintenance of test equipment etc.

CPR article	Obligation	Description (incl. CPR excerpt where relevant)	Procedure	Sub-procedures, if any
11.4, 11.5	Labelling of construction products	11.4. Manufacturers shall ensure that their construction products bear a type, batch or serial number or any other element allowing their identification, or, where the size or nature of the product does not allow it, that the required information is provided on the packaging or in a document accompanying the construction product. 11.5. Manufacturers shall indicate on the construction product or, where that is not possible, on its packaging or in a document accompanying it, their name, registered trade name or registered trade mark and their contact address. The address shall indicate a single point at which the manufacturer can be contacted.	Labelling construction products with type, batch or serial number; address and single point of contact	
11.6	Providing instructions and safety information	11.6. When making a construction product available on the market, manufacturers shall ensure that the product is accompanied by instructions and safety information in a language determined by the Member State concerned which can be easily understood by users.	Drawing up and providing instructions and safety information	1) Drawing up instructions and safety information; 2) translation (if relevant); 3) printing
11.7	Taking corrective actions	11.7. Manufacturers who consider or have reason to believe that a construction product which they have placed on the market is not in conformity with the declaration of performance or not in compliance with other applicable requirements in this Regulation, shall immediately take the necessary corrective measures to bring that construction product into conformity, or, if appropriate, to withdraw or recall it. Furthermore, where the product presents a risk, manufacturers shall immediately inform the competent national authorities of the Member States in which they made the construction product available to that effect, giving details, in	Taking corrective action in case of product not in conformity with DoP/CPR, or product presenting a risk.	

CPR article	Obligation	Description (incl. CPR excerpt where relevant)	Procedure	Sub-procedures, if any
		particular, of the non-compliance and of any corrective measures taken.		
11.8	Providing documentation to national authorities on request	11.8. Manufacturers shall, further to a reasoned request from a competent national authority, provide it with all the information and documentation necessary to demonstrate the conformity of the construction product with the declaration of performance and compliance with other applicable requirements in this Regulation, in a language which can be easily understood by that authority. They shall cooperate with that authority, at its request, on any action taken to eliminate the risks posed by construction products which they have placed on the market.	Providing documentation to national authorities on request	
5	Derogations from drawing up DoP	1) Product is individually manufactured or custom made in non-series process; 2) manufactured on-site; 3) manufactured for officially protected construction works in a traditional manner or for heritage conservation	Assessing applicability of Art. 5 and deciding whether or not to apply it (if applicable)	
36	Simplified procedures - voluntary	In determining the product-type, a manufacturer may replace type-testing or type-calculation by Appropriate Technical Documentation demonstrating that a number of conditions are fulfilled	Drawing up Appropriate Technical Documentation and cost of NB in case of AVCP system 1 and 1+	
37	Simplified procedures - voluntary	Simplified procedure for micro-enterprises	Drawing up Specific Technical documentation	
38	Simplified procedures - voluntary	Simplified procedure for construction products covered by a harmonised standard and which are individually manufactured or custom-made in	Drawing up Specific Technical documentation and cost of NB in case of AVCP system 1 and	

CPR article	Obligation	Description (incl. CPR excerpt where relevant)	Procedure	Sub-procedures, if any
		a non-series process in response to a specific order	1+	

Table 15: Summary table of obligations and procedures assigned to importers (when not considered as a manufacturer) by the CPR

CPR article	Obligation	Description (incl. CPR excerpt where relevant)	Procedure	Sub-procedures, if any
13.1 and 13.2	Checking compliance with CPR	13.1. Importers shall place on the Union market only construction products which are compliant with the applicable requirements of this Regulation. 13.2. Before placing a construction product on the market, importers shall ensure that the assessment and the verification of constancy of performance has been carried out by the manufacturer. They shall ensure that the manufacturer has drawn up the technical documentation referred to in the second subparagraph of Article 11(1) and the declaration of performance in accordance with Articles 4 and 6. They shall also ensure that the product, where required, bears the CE marking, that the product is accompanied by the required documents and that the manufacturer has complied with the requirements set out in Article 11(4) and (5).	Checking that the product is placed on the market in compliance with the CPR	1) Ensuring that manufacturer has carried out AVCP; 2) Ensuring that manufacturer has drawn up technical documentation and DoP; 3) Ensuring that product bears CE marking and is accompanied by the required documents
13.3	Labelling of construction products	Same obligation as specified in Art. 11.5 for manufacturers)	Labelling construction products with registered name/trade mark and contact address	
13.4	Providing instructions and safety information	Same obligation as specified in Art. 11.6 for manufacturers.	Ensuring that product is accompanied by instructions and safety information	
13.5	Ensuring appropriate storage and transport	13.5. Importers shall ensure that, while a construction product is under their responsibility, storage or transport conditions do not jeopardise its conformity	Ensuring appropriate storage and transport conditions	

CPR article	Obligation	Description (incl. CPR excerpt where relevant)	Procedure	Sub-procedures, if any
	conditions	with the declaration of performance and compliance with other applicable requirements in this Regulation.		
13.6	Ensuring declared performance	Same obligation as specified in 2nd paragraph of Art. 11.3 for manufacturers.	Ensuring declared performance (sample testing) and keeping register	1) when appropriate, carry out sample testing; 2) if necessary, keep register of complaints, non-conforming products and product recall and keep distributors informed
13.7	Taking corrective actions	Same obligation as specified in Art. 11.7 for manufacturers.	Taking corrective action in case of product not in conformity with DoP/CPR (including information to clients), or product presenting a risk.	
13.8	Storing Declaration of performance and technical documentation	13.8. Importers shall, for the period referred to in Article 11(2), keep a copy of the declaration of performance at the disposal of the market surveillance authorities and ensure that the technical documentation is made available to those authorities, upon request.	Storing Declaration of performance and technical documentation	
13.9	Providing documentation to and cooperating with national authorities on request	Same obligation as specified in Art. 11.8 for manufacturers)	Providing documentation to and cooperating with national authorities on request	

Table 16: Summary table of obligations and procedures assigned to distributors (when not considered as a manufacturer) by the CPR

CPR article	Obligation	Description (incl. CPR excerpt where relevant)	Procedure	Sub-procedures, if any

CPR article	Obligation	Description (incl. CPR excerpt where relevant)	Procedure	Sub-procedures, if any
14.2	Checking compliance with CPR	14.2. Before making a construction product available on the market distributors shall ensure that the product, where required, bears the CE marking and is accompanied by the documents required under this Regulation and by instructions and safety information in a language determined by the Member State concerned which can be easily understood by users. Distributors shall also ensure that the manufacturer and the importer have complied with the requirements set out in Article 11(4) and (5) and Article 13(3) respectively.	Checking that the product is placed on the market in compliance with the CPR	1) Ensuring that product bears CE marking; 2) Ensuring that product is accompanied by documents required by CPR; 3) Ensure that product is correctly labelled with information on manufacturer and importer
14.2 and 14.4	Taking corrective actions	14.2, second subparagraph. Where a distributor considers or has reason to believe that a construction product is not in conformity with the declaration of performance or not in compliance with other applicable requirements in this Regulation, the distributor shall not make the product available on the market until it conforms to the accompanying declaration of performance and it complies with the other applicable requirements in this Regulation or until the declaration of performance is corrected. Furthermore, where the product presents a risk, the distributor shall inform the manufacturer or the importer thereof, and the market surveillance authorities. Art. 14.4 furthermore specifies the same obligation with respect to corrective measures and informing authorities as that specified in Articles 11.7 for manufacturers and 13.7 for importers.	Taking corrective action in case of product not in conformity with DoP/CPR, or product presenting a risk.	1) withhold product until it conforms with DoP and CPR; 2) taking necessary corrective measures (including information to clients); 3) informing manufacturer/importer and market surveillance authorities of products representing a risk
14.3	Ensuring appropriate storage and transport	Same obligation as specified in Art. 13.5 for importers.	Ensuring appropriate storage and transport conditions	

CPR article	Obligation	Description (incl. CPR excerpt where relevant)	Procedure	Sub-procedures, if any
	conditions			
14.4	Providing documentation to and cooperating with national authorities on request	Same obligation as specified in Art. 11.8 for manufacturers and 13.9 for importers.	Providing documentation to and cooperating with national authorities on request	

Table 17: Summary table of obligations and procedures assigned to authorised representatives by the CPR

CPR article	Obligation	Description (incl. CPR excerpt where relevant)	Procedure	Sub-procedures, if any
12.2	Storing Declaration of performance and technical documentation	12.2(a) keep the declaration of performance and the technical documentation at the disposal of national surveillance authorities for the period referred to in Article 11(2)	Storing Declaration of performance and technical documentation	
12.2	Providing documentation to and cooperating with national authorities on request	12.2(b) further to a reasoned request from a competent national authority, provide that authority with all the information and documentation necessary to demonstrate the conformity of the construction product with the declaration of performance and compliance with other applicable requirements in this Regulation; 12.2(c) cooperate with the competent national authorities, at their request, on any action taken to eliminate the risks posed by construction products covered by the mandate of the authorised representative. The obligation is similar but not identical to Art. 11.8 for manufacturers, 13.9 for importers and 14.4 for distributors)	Providing documentation to and cooperating with national authorities on request	

Annex 3 - Categories of costs by economic actor

Economic operators must comply with different obligations under the CPR, depending on the type of economic operator. It is possible to assign different costs to each type of economic operator depending on the relevant obligations. Table 8 presents a preliminary identification of the costs and benefits by obligation and economic operator, as well as potential costs for other economic actors (users).

Table 18: Costs generated by the obligations of the CPR by economic actor

Obligation	Costs generated	Recurrence
Manufacturers		
Screening to see if product is covered by a harmonised standard (hEN)	This obligation translates in staff costs, with personnel needed for screening the OJ or NANDO for applicable hENs, while at the same time checking the scope of hENs using the search tool in the CEN website.	One off
Compulsory CE marking: Acquiring hEN(s) and familiarising with standards	Acquiring the necessary standards translates into external costs for manufacturers that need to buy them. They also incur staff costs in order to familiarise with these standards.	Every 3-5 years
Non-compulsory CE marking: Requesting a European Technical Assessment (ETA)	The process of requesting an ETA imposes costs on manufacturers in terms of staff costs for submitting the technical file to the TAB, as well as in terms of external costs due to the fees that TABs apply for the request of an ETA.	One off
Drawing up technical documentation	For systems 1, 1+, 2+ and 3 in order to draw up the technical documentation, manufacturers need first to request a NB for an AVCP, which translates into external costs and raw materials costs. They then need to draw up the description of the FPC (Verification of Constancy of Performance) in accordance with CPR Annex V, which translates in staff costs.	One off
Drawing up a Declaration of performance	Drawing up DoP on the basis of the technical documentation entails expenses for the personnel involved, as well as external costs in case manufacturers need to translate the DoP into all the languages required by the MSs where the product is placed on the market.	One off
Supplying DoP	The obligation of supplying the DoP with the products placed on the market translates into administrative staff costs and material costs.	Recurrent (for every product sold)

Obligation	Costs generated	Recurrence
Affixing CE marking	The obligation of affixing the CE marking to all the construction products placed on the market impose different costs on manufacturers. First of all, they need to gather the required information from the DoP, design the label and the accompanying documents, which generate administrative staff costs; the CE marking and the documents must then be printed, which entails the need of purchasing a specific printer and/or affixing machine, generating equipment costs, or to acquire external printing services, generating external costs. Finally affixing the label on the products entails staff costs.	Recurrent (for every product sold)
Storing Declaration of performance and technical documentation	Storing the DoP and the technical documentation and the management of the various versions of the DoPs drawn up generate administrative staff costs for manufacturers.	One off
Ensuring declared performance/Assessment and Verification of Constancy of Performance	In order to ensure the declared performance, manufacturers need to implement procedures specified in the DoP by establishing the system of FPC, which generate staff costs. Furthermore, the relevant necessary training of the personnel involved and the acquisition and maintenance of test equipment generate raw materials and external costs.	Recurrent
Labelling of construction products	Staff costs are generated for labelling the products with type, batch or serial number, address and single point of contact. Also equipment costs for the necessary equipment, or external costs, are generated.	Recurrent (for every product sold)
Providing instructions and safety information	Providing instruction and safety information translate into different activities. In particular manufacturers need to draw up the documents and translate them if needed. These actions generate costs in terms of administrative staff costs and external costs for printing the documentation.	Recurrent
Taking corrective actions	Manufacturers who consider that a product which they have placed on the market is not in conformity with the DoP have to take corrective measures to bring that construction product into conformity, or, if appropriate, to withdraw or recall it. Furthermore, they need to inform the competent national authorities of the Member States in which they made the construction product available. This translates in staff costs for the personnel needed to assess the conformity of the products. External legal costs might be generated as well.	Recurrent (when necessary)
Providing documentation to national authorities on request	Upon request, manufacturers have to provide national authorities with all the information and documentation necessary to demonstrate the conformity of the construction product with the DoP, which generate administrative staff costs.	Upon request

Obligation	Costs generated	Recurrence
Derogations from drawing up DoP	A derogation to the obligation of drawing up the DoP is applied in case the product is either individually manufactured or custom made in non-series process, or manufactured on-site, manufactured for officially protected construction works in a traditional manner, or for heritage conservation. Staff costs are generated by assessing the applicability of this possibility.	One off
Importers		
Checking compliance with CPR	Importers have to ensure that the manufacturer has carried out AVCP, has drawn up technical documentation and DoP and that product bears CE marking and is accompanied by the required documents. This activity generates administrative staff costs to check the compliance to the obligations of the CPR.	Recurrent (for every product sold)
Labelling of construction products	Staff costs are generated for labelling the products with registered name, trade mark and contact address. Besides, equipment costs and/or external costs are generated.	Recurrent (for every product sold)
Providing instructions and safety information	Administrative staff costs are generated by checking that the product is accompanied by instructions and safety information.	Recurrent (for every product sold)
Ensuring appropriate storage and transport conditions	Importers are obliged to ensure appropriate storage and transport conditions, which can translate into costs for the personnel involved in the storage management, as well as external costs and equipment if needed.	Recurrent (for every product sold)
Ensuring declared performance	Importers are asked to carry out sample testing when appropriate, which translates into external costs for the laboratory and staff costs for the personnel involved. They also need to keep a register of complaints, non-conforming products and product recall and keep distributors informed, which generate administrative staff costs.	Recurrent (for every product sold)
Taking corrective actions	Importers need to take corrective measures to bring that construction product into conformity with the DoP, to withdraw or recall it if appropriate. Furthermore, they need to inform the competent national authorities of the Member States in which they made the construction product available. This translates into staff costs for the personnel needed to assess the conformity of the products. External legal costs might be generated as well.	Recurrent (when necessary)
Storing Declaration of performance and technical documentation	Storing the DoP and the technical documentation and the management of the various versions of the DoPs drawn up generate administrative staff costs for importers.	Recurrent (for every product sold)

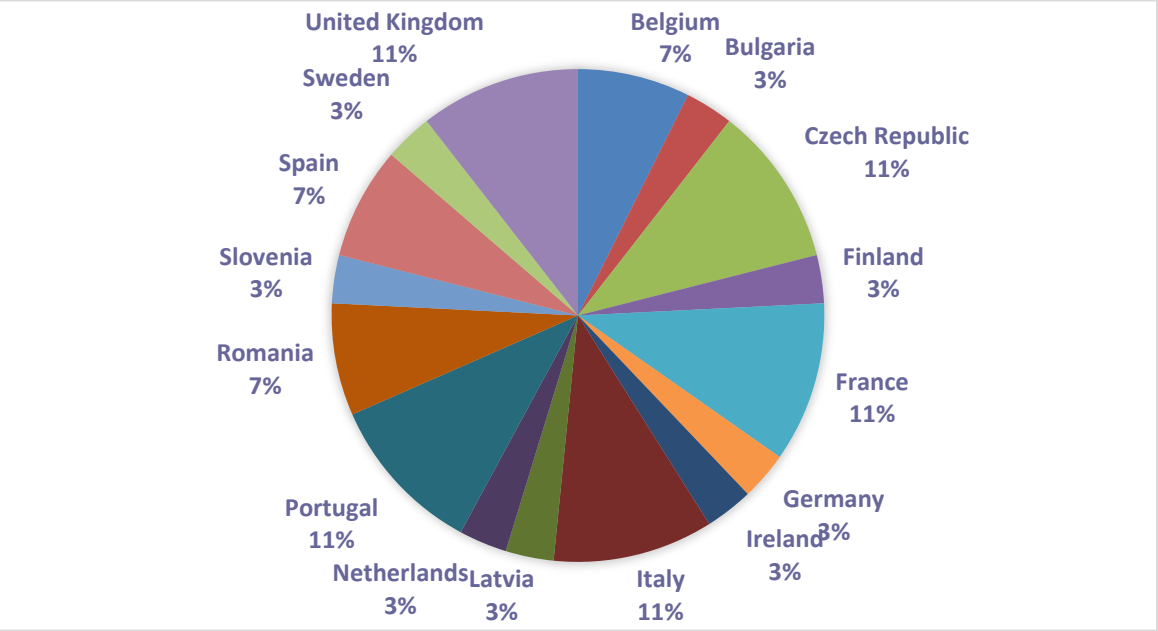
Obligation	Costs generated	Recurrence
Providing documentation to and cooperating with national authorities on request	Upon request, importers have to provide national authorities with all the information and documentation necessary to demonstrate the conformity of the construction product with the DoP, which generate administrative staff costs.	Upon request
Distributors		
Checking compliance with CPR	Distributors have to ensure that the product bears the CE marking, is accompanied by the required documents and correctly labelled with information on the manufacturer and the importer. This activity generates administrative staff costs to check the compliance with the obligations of the CPR.	Recurrent (for every product sold)
Taking corrective actions	Distributors have to withhold a product until it conforms with the DoP in case of need and inform the manufacturer/importer and market surveillance authorities of products representing a risk. This translates into administrative staff costs generated to assess the conformity of the product to the DoP and CPR. External legal costs might be generated as well.	Recurrent (when necessary)
Ensuring appropriate storage and transport conditions	Distributors are obliged to ensure appropriate storage and transport conditions, which can translate into costs for the personnel involved in the storage management, as well as external costs and equipment.	Recurrent (for every product sold)
Providing documentation to and cooperating with national authorities on request	Upon request, distributors have to provide national authorities with all the information and documentation necessary to demonstrate the conformity of the construction product with the DoP, which generate administrative staff costs.	Upon request
Authorised representatives		
Storing Declaration of performance and technical documentation	Authorised representatives have to keep the DoP and the technical documentation at the disposal of national surveillance authorities, which translates into administrative staff costs.	Recurrent (for every product sold)
Providing documentation to and cooperating with national authorities on request	Upon request, authorised representatives have to provide national authorities with all the information and documentation necessary to demonstrate the conformity of the construction product with the DoP, which generate administrative staff costs.	Upon request
Professional and private users		
N/A	Users can incur staff costs when checking that products are dutifully marked and have all the necessary information related to performance characteristics, as well as for storing the documentation.	Recurrent (for every product sold)

Annex 4 - Fees applicable to the activities of the AVCP systems 1, 1+, 2+ and 3

Results of the first online survey

In terms of general participation in the survey, 101 responses have been received from the stakeholders contacted. Figure 5 presents the breakdown by country of the responses received.

Figure 15: Breakdown by country of responses to the first online survey



Among these, 90% were Notified Bodies, with one response from EOTA and 10% Technical Assessment Bodies.

We have asked the participants to provide information regarding the fees they apply to manufacturers of construction products for carrying out the activities of the AVCP systems 1, 1+, 2+ and 3. The various systems have different costs for economic operators as they are structured in different procedures and activities to carry out, with a different involvement of the notified body for each system, as shown in the table below.

Table 19: Activities of Notified Bodies under the AVCP systems

Task	System 1+	System 1	System 2+	System 3	System 4
Initial Inspection	x	x	x		
Continuous surveillance	x	x	x		
Assessment of performance	x	x		x	
Audit Testing	x				

Construction products with an AVCP system 4 do not require testing by a Notified Body or external laboratory. However, external laboratories are employed when a manufacturer is unable to conduct the necessary tests internally.

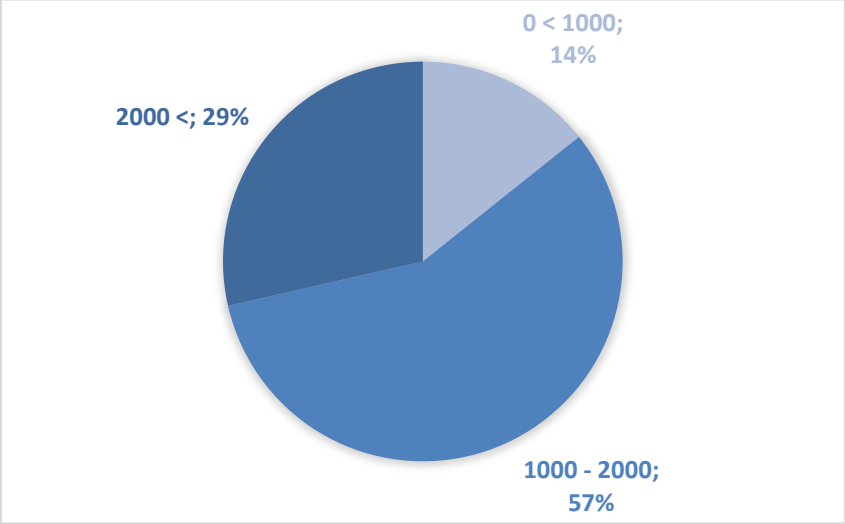
The survey questions were structured by AVCP system and repeated for each product sector (as defined in section 5):

- Wood and products of wood and cork
- Coke, refined petroleum products and nuclear fuel
- Chemicals and chemical products
- Rubber and plastics products
- Other non-metallic mineral products
- Basic metals
- Fabricated metal products

It is important to note that the value of the fees applied by Notified Bodies is influenced not only by the type of AVCP system the product falls in, but also on the country in which the Notified Body operates. In some countries these fees are much higher than in others.

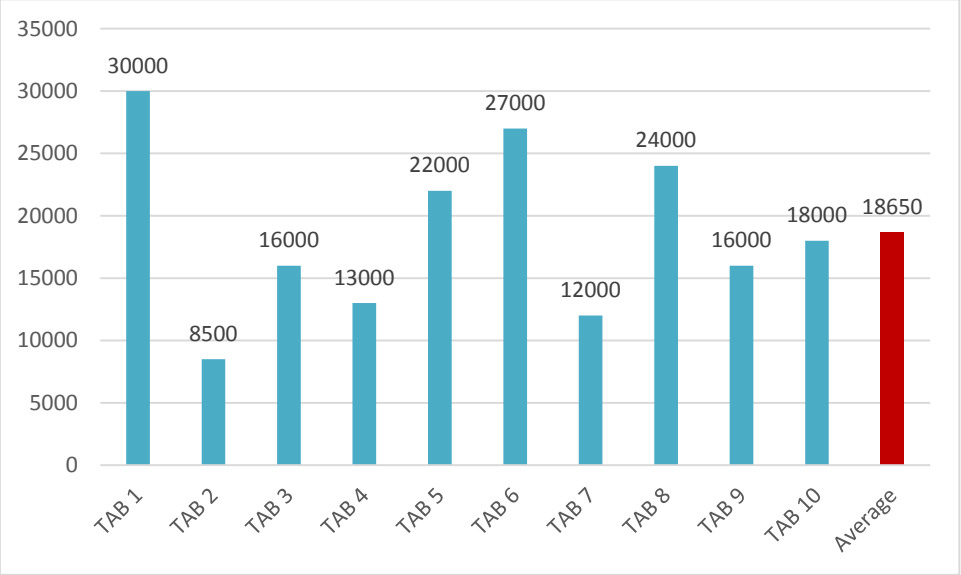
Notified Bodies have also been asked how much in average manufacturers spend on the activities concerning the design and implementation of FPC's. More than half of the respondents stated that manufacturers spend between 1000 € and 2000 €. 29% of responses presented values above 2000 €, while only 14% stated that the costs for FPC systems are lower than 1000 € (figure 13).

Figure 16: Average costs for manufacturers associated to Factory Production Control systems (FPCs) (€)



With regard to the fees associated to the request for a European Technical Assessment, the responses are reported in Figure 14.

Figure 17: Fees charged by TABs for the ETA procedure (€)



It is important to stress that also in the case of the responses provided by TABs, they are influenced by the country in which the respondent operates, which of course contributes to determine the fee applied.

Furthermore, the price for the preparation of a European Technical Assessment is determined individually by the TAB on a case by case basis, which increases further the level of variability of this data.

In terms of amount of time needed, respondent TABs stated that in average economic operators need between 12 and 18 months to complete the request of a European Assessment Document.

The survey included also a question regarding the amount of time needed for a company from the beginning of the activities of an AVCP until its completion. It emerged that in average the assessment of the performances of a product can be carried out by companies, together with Notified Bodies for the required activities, in between 1 and 2.5 months, depending on the specific standards that a product must meet in order to comply with the CPR.

The data gathered through the first online survey complements the information obtained from the interviews with the economic actors and contributes to populate the economic model for the CBA presented in section 6 of the present report.

Annex 5 - Estimating the size of the economic activity relevant to the CPR

The product areas covering the entirety of the construction products sector span a wide variety of different product categories and sub-sectors and there is currently no single statistical measure for the sector in order to design an economic model for the cost benefit analysis and to carry out the analysis itself, the size and value of the construction products sector in the EU must be estimated.

The estimate is based on the combined sum of production value of an assessed list of products in the PRODCOM database. In identifying the products to be included in the estimate, we rely on a list of 4-digit NACE codes, provided by the Construction Products Association, as well as the team's own judgement on which products within these NACE-codes should be included in the overall estimation.

The following equation is used in the calculation:

$$Value\ of\ CPR \cong \sum Production\ Value_{ij}$$

Where *i* denotes the 8-digit product category defined in the PRODCOM database, and *j* denotes the reporting EU country. A list of *i* (the combined list of PRODCOM product codes included in the calculation) is provided in Annex 1.

Table 9 shows the results of the initial results of the estimate.

Table 20: Estimated total values of construction products, by sector, EU28 (Bottom-up)

Sector (ISIC Rev. 3.1)	Total sum Production Values
C10T14: Mining and quarrying	19.375.2
C17T19: Textiles, textile products, leather and footwear	5.100,1
C20: Wood and products of wood and cork	20.892,8
C23: Coke, refined petroleum products and nuclear fuel	82.480,6
C24: Chemicals and chemical products	47.206,0
C25: Rubber and plastics products	72.184,4
C26: Other non-metallic mineral products	98.780,9
C27: Basic metals	27.284,4
C28: Fabricated metal products	44.755,2

Total, mill. EUR	**418.060**

As shown in the table, the total estimated turnover of these sectors combined amounts to around 418 billion EUR in 2013. By comparison, the total turnover of the construction sector as a whole in the EU28 area was 1.545,5 billion EUR in 2012[40]. Tables 9 and 10 show the results and distributions of each calculation.

It should be noted that the calculated figures are based on an assessment of which product categories at NACE-4 level could belong to the construction products sector. Thus it can only be a rough estimate which may not reflect the exact economic values of construction products being manufactured in the EU28. For instance, producers engage in other activities besides production (installation, repair and maintenance, finishing etc.) that contribute to turnover[41].

In order to calculate the effect of CPR, an assessment of the size distribution of companies within the affected sectors has been carried out and is shown in the table below.[42]

Table 21: Size distributions of firms by number of employees with input to the construction sector, percentages

Large	Medium	Small	Micro	Total no. of firms
2,256	6,969	29,544	177,004	**215,772**

Source: Own calculations based on OECD I/O (input/output) tables for input to the construction sector

[40] Eurostat, Industry and Construction statistics – short-term indicators, 2012

[41] http://ec.europa.eu/eurostat/statistics-explained/index.php/PRODCOM_survey_on_ production_of_manufactured_goods

[42] It should be noted that data on the distribution of companies by size is only available at Eurostat SBS, NACE 3-digits level and that the data concerns input to the construction products sector which also includes products that are not construction products.

Annex 6 - Estimating average turnover for CP manufacturers, by size class, for cost-evaluation

In order to evaluate the costs of complying with the CPR for micro-, small-, medium- and large companies in *relative* terms, average turnover by size of business has been estimated.

The estimate is calculated using OECD.STAT[43] and based on average turnover by size class from the available 20 EU MS supplying the OECD with regular statistical information. The countries included in the calculation are: *Austria, Belgium, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Italy, Latvia, Luxembourg, Netherlands, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom.*

Table 22: Average turnover for CP manufacturers by size class

SIZE CATEGORY (NR. OF EMPLOYEES):	MICRO 0-9	SMALL 10-49	MEDIUM 50-249	LARGE +250	TOTAL
Average Turnover, ISIC 4, C10-33 Manufacturing	€ 964.814,96	€ 5.031.521,98	€ 22.671.422,16	€ 277.149.176,92	€ 4.246.456,46

Since the above figures include manufacturing industries that operate with much higher turnovers than construction products manufacturers (e.g. automobiles, pharmaceuticals), figures have been multiplied by a suitable 'adjustment' factor (ratio) representing lower turnover levels. The following equation summarises the methodology used to estimate the average turnover of construction products manufacturers:

$$Average\ Turnover\ of\ CP\ firm_s = \frac{\sum Manufacturing\ turnover_{c,s}}{\sum Manufacturing\ firms_{c,s}} * \frac{Average\ CP\ company\ turnover}{Average\ manufacturing\ turnover}$$

So that the average turnover of a construction products firm of a particular size is calculated as the sum of turnovers for all same-sized manufacturing firms, where *s* denotes the size-category, *c* the country in question, divided by the sum of same-sized manufacturing companies, multiplied by a 'construction product' ratio, calculated as the average construction products firm turnover[44] turnover (regardless of size class) divided by the average manufacturing firm turnover (regardless of size class) derived from the previous calculation. The resulting ratio is 2.75 / 4.25.

[43] http://stats.oecd.org/; SDBS Structural Business Statistics, Isic Rev. 4; 10_33 Manufacturing

[44] Calculated as 2.75 million EUR pr. company, with information from: http://www.constructionproducts.org.uk/about-us/our-industry/

Results of the estimation are indicated in the table below.

Table 23: Results of the cost/average turnover estimation

SIZE CATEGORY (NR. OF EMPLOYEES):	**MICRO 0-9**	**SMALL 10-49**	**MEDIUM 50-249**	**LARGE +250**
Average Turn-over, ISIC 4, C10-33 Manufacturing	€ 964,815	€ 5,031,522	€ 22,671,422	€ 277,149,177
Calculated average CP turn-over (2.75 / 4.25 ratio)	€ 624,292	€ 3,255,691	€ 14,669,744	€ 179,331,820
Total annual administrative burden*	€ 8,150	€ 15,801	€ 61,387	€ 122,330
Cost-% of average turnover	1,31%	0,49%	0,42%	0,07%

** from interviews and survey*

Annex 7 – Interview guides

Manufacturers' associations

European Commission

DG for Internal Market, Industry, Entrepreneurship and SMEs

Economic Impacts of the Construction Products Regulation

Data collection interview guide: Manufacturers' associations

PRELIMINARY QUESTIONS

Name of Participant: …
Organisation name: …
Position in the organisation: …

Your organisation represents:
Manufacturers of construction products

Which type(s) of industry does your organisation represent?
Manufacturers of Wood and products of wood and cork
Manufacturers of Mining and quarrying
Manufacturers of Textiles, textile products, leather and footwear
Manufacturers of Coke, refined petroleum products and nuclear fuel
Manufacturers of Chemicals and chemical products
Manufacturers of Rubber and plastics products
Manufacturers of Other non-metallic mineral products
Manufacturers of Basic metals
Manufacturers of Fabricated metal products

How many European countries does your organisation represent?
…

COSTS

1. Have you noticed an increase in costs for your industry as a result of the implementation of the CPR (i.e. since 2013)?

If yes:

- Can you please estimate this increase (in %)?

- What type of cost experienced the highest increase in order for your industry to comply with the CPR obligations?
    - **Administrative** (e.g. drawing up the Declaration of Performance, affixing the CE marking, providing documentation to national authorities)
    - **Operational** (e.g. familiarising with the technical information of the hEN standards, assessing the performance on each essential characteristic, drawing up the description of factory production control system)
    - **Equipment** (e.g. purchasing equipment to assess the performance on each essential characteristic, purchasing equipment to carry out the system of Factory Production Control, purchasing equipment to print and affix the CE marking)
    - **External services** (e.g. hiring a Notified Body for the assessment of performance on each essential characteristic, training of personnel)
    - **Other type of cost**: please specify.
- Which CPR obligation(s) induce the highest costs for your industry (in % if possible)? Please explain.

BENEFITS

2. Has your industry benefitted from cost savings as a result of the CPR (compared to the situation before 2013, when the Construction Products Directive was in place) with regard to:
    - The possibility of providing an electronic version of the Declaration of Performance (including online)
    - Administrative tasks
    - Operational tasks
    - Equipment use and purchase
    - External services used
    - Other: please specify.

If yes:

- Can you please estimate the overall % of costs saved?
- Which obligation has induced the highest cost savings? Please explain.

If no:

- Do you think that your industry will benefit from cost savings in the long term?

3. Has your industry benefited from increased market opportunities through the implementation of the CPR, thus resulting in increased turnover? For instance, increased or facilitated cross-border business? Please explain.
   If not (yet), do you see an opportunity for your industry in the future?

4. Do you think that the CPR has reduced the barriers to trade?
   If not, do you think that the CPR will effectively remove technical barriers to trade in the long term?

5. Do you think that the CPR will increase competition in your home market as well as in the European market in the long term?

6. In your opinion, does the construction sector as a whole (or your branch of the construction sector) benefit from increased safety as a result of the procedures and information obligations of the CPR? In particular with regard to:
    - Safety of the manufactured construction product?
    - Safety of the finalised construction work?

   Please explain.

7. In your opinion, has users' trust in construction products increased as a result of improved information regarding construction products?
   Please explain.

8. The CPR introduces the harmonisation of the simplified procedures for specific types of tests (e.g. test-sharing under Art. 36), specific types of companies (e.g. microenterprises under Art. 37) and specific types of products (e.g. custom-made products under Art.38).

   Have the manufacturers that you represent reported any of the following procedures since 2013?
    - Declaring values directly based on the harmonised product standard;
    - Applying results of tests conducted/obtained by other manufacturers (shared Initial Type Test);
    - Applying test results provided by your component supplier (cascading Initial Type Test);
    - Simplified procedures for micro-enterprises (Art. 37);
    - Simplified procedures for manufacturers of individually manufactured or custom-made products in a non-series process (Art. 38).

- Do you believe that costs savings were achieved as a result of the application of these simplified procedures?
  Please explain

Harmonised European product standards (hEN) require tests of the main performance characteristics of products in order to satisfy seven Basic Requirements for construction works. The Basic Requirements are listed in the Annex I of the CPR.

Basic Works Requirement nr. 3 states that "*The construction works must be designed and built in such a way that they will, throughout their life cycle, not be a threat to the hygiene or health and safety of workers, occupants or neighbours, nor have an exceedingly high impact, over their entire life cycle, on the environmental quality or on the climate during their construction, use and demolition*."

9. Do you believe that Basic Works Requirement 3 will have a positive impact in the short and/or long term?
   Please explain.

Harmonised European product standards (hEN) require tests of the main performance characteristics of products in order to satisfy seven Basic Requirements for construction works. The Basic Requirements are listed in the Annex I of the CPR.

Basic Works Requirement nr. 7 states that "*The construction works must be designed, built and demolished in such a way that the use of natural resources is sustainable and in particular ensure the following:*
(a) reuse or recyclability of the construction works, their materials and parts after demolition;
(b) durability of the construction works;
(c) use of environmentally compatible raw and secondary materials in the construction works."

10. Do you believe that Basic Works Requirement 7 will have a positive impact in the short and/or long term?
    Please explain.

CONCLUSION

11. How would you compare the costs and benefits of the CPR until now, and in the long term?

    - Costs significantly higher than benefits
    - Costs slightly higher than benefits
    - Costs equal to benefits
    - Benefits slightly higher than costs
    - Benefits significantly higher than costs

    Please explain.

12. What would suggest to alleviate the compliance burden for manufacturers?

13. What would you suggest to further generate potential benefits?

Distributors' associations

European Commission

DG for Internal Market, Industry, Entrepreneurship and SMEs

Economic Impacts of the Construction Products Regulation

Data collection interview guide: distributors and merchants of building materials

VVA europe LTD

DANISH TECHNOLOGICAL INSTITUTE

TNO innovation for life

PRELIMINARY QUESTIONS

Name of respondent: …
Organisation/company name: …
Position in the organisation/company: …

Your organisation/company represents/is:
Distributors
Building material merchants
Other - please specify:

How many European countries does your organisation represent? / How many European countries are you exporting to?
…

GENERAL COMMENTS

1. Do you think the CPR affects the price of construction products?

If yes:

- How (increase/decrease) and please briefly explain why.

2. Do you think the CPR affects the availability of construction products?

If yes:

- How (increase/decrease) and please briefly explain why.

3. Do you think the CPR affects the quality of construction products?

If yes:

- How (increase/decrease) and please briefly explain why.

COSTS

4. Did you encounter any costs following the implementation of the CPR (since July 2013)?

BENEFITS

5. Have you/the members of your organisation benefited from increased market opportunities as a result of the CE marking recognition around the EU? For instance, increased or facilitated cross-border business?

   If not, do you see an opportunity for your organisation/company in the future?

6. Do you think that the CPR has reduced barriers to trade?
   If not, do you think that the CPR will effectively remove technical barriers to trade in the long term?

7. Do you think that the CPR will increase competition in your home market as well as in the European market in the long term?

8. Would you consider that professional end-users (e.g. contractors) and private consumers are better informed about the performances of the product as a result of the obligation by the manufacturer of the construction product to test and declare such performances?

9. In your opinion, does the harmonised way of declaring the performance of the product via the CE marking and/or DoP allow you to better compare products with one other when confronted with a choice?

10. Does the fact that such products can freely circulate in the internal market when CE marked give you the impression that there could be more choice for such products in the market, also from products manufactured outside your country?

11. In your opinion, has users' trust increased as a result of improved information with regard to:
    - the construction product itself?
    - the construction work as a whole?

Harmonised European product standards (hEN) require tests of the main performance characteristics of products in order to satisfy seven Basic Requirements for construction works. The Basic Requirements are listed in the Annex I of the CPR.

Basic Requirement nr. 3 states that "*The construction works must be designed and built in such a way that they will, throughout their life cycle, not be a threat to the hygiene or health and safety of workers, occupants or neighbours, nor have an exceedingly high impact, over their entire life cycle, on the environmental quality or on the climate during their construction, use and demolition*."

12. Do you believe Basic Requirement 3 will have a positive impact in the short and/or long term?
    Please explain.

Basic Requirement nr. 7 states that "*The construction works must be designed, built and demolished in such a way that the use of natural resources is sustainable and in particular ensure the following:*
(a) reuse or recyclability of the construction works, their materials and parts after demolition;
(b) durability of the construction works;
(c) use of environmentally compatible raw and secondary materials in the construction works."

13. Do you believe Basic Requirement 7 will have a positive impact in the short and/or long term?
    Please explain.

CONCLUSION

14. How would you compare the costs and benefits of the CPR **until now**, and in the **long term**?

    - Costs significantly higher than benefits
    - Costs slightly higher than benefits
    - Costs equal to benefits
    - Benefits slightly higher than costs
    - Benefits significantly higher than costs

    Please explain.

15. What would you suggest to reduce the costs incurred by your profession (if any)?

16. What would you suggest to further generate benefits?

Professional and private end-users' associations

European Commission

DG for Internal Market, Industry, Entrepreneurship and SMEs

Economic Impacts of the Construction Products Regulation

Data collection interview guide: End-users' associations

VVA europe LTD

DANISH TECHNOLOGICAL INSTITUTE

TNO innovation for life

PRELIMINARY QUESTIONS

Name of Participant: …
Organisation name: …
Position in the organisation: …

Your organisation represents:

Professional end-users (e.g. architects, masons)
Consumers
Environmental associations

How many European countries does your organisation represent?
…

GENERAL COMMENTS

1. Do you think the CPR affects the price of construction products?

If yes:

- How (increase/decrease) and please briefly explain why.

2. Do you think the CPR affects the availability of construction products?

If yes:

- How (increase/decrease) and please briefly explain why.

3. Do you think the CPR affects the quality of construction products?

If yes:

- How (increase/decrease) and please briefly explain why.

BENEFITS

4. *Question for professional users only*: Have you/the members of your organisation benefited from increased market opportunities as a result of the CE marking recognition around the EU? For instance, increased or facilitated cross-border business?
   If not, do you see an opportunity for your organisation/members of your organisation in the future?

5. *Question for professional users only*: Do you think that the CPR has reduced barriers to trade?
   If not, do you think that the CPR will effectively remove technical barriers to trade in the long term?

6. *Question for professional users only*: Do you think that the CPR will increase competition in your home market as well as in the European market in the long term?

7. Would you consider that end-users and consumers are better informed about the performances of the product as a result of the obligation by the manufacturer of the construction product to test and declare such performances?
   Please explain.

8. In your opinion, does the harmonised way of declaring the performance of the product via the CE marking and/or DoP allow you to better compare products with one other when confronted with a choice? Please explain.

9. Does the fact that such products can freely circulate in the internal market when CE marked give you the impression that there could be more choice for such products in the market, also from products manufactured outside your country? Please explain.

10. In your opinion, have you as a user of construction products benefited from increased safety thanks to the procedures and information obligations of the CPR? Please explain.

11. In your opinion, has users' trust increased as a result of improved information regarding construction products?
    Please explain.

Harmonised European product standards (hEN) require tests of the main performance characteristics of products in order to satisfy seven Basic Requirements for construction works. The Basic Requirements are listed in the Annex I of the CPR.

Basic Requirement nr. 3 states that "*The construction works must be designed and built in such a way that they will, throughout their life cycle, not be a threat to the hygiene or health and safety of workers, occupants or neighbours, nor have an exceedingly high impact, over their entire life cycle, on the environmental quality or on the climate during their construction, use and demolition*."

12. Do you believe Basic Requirement 3 will have a positive impact in the short and/or long term?
    Please explain.

Harmonised European product standards (hEN) require tests of the main performance characteristics of products in order to satisfy seven Basic Requirements for construction works. The Basic Requirements are listed in the Annex I of the CPR.

Basic Requirement nr. 7 states that "*The construction works must be designed, built and demolished in such a way that the use of natural resources is sustainable and in particular ensure the following:*
(a) reuse or recyclability of the construction works, their materials and parts after demolition;
(b) durability of the construction works;
(c) use of environmentally compatible raw and secondary materials in the construction works."

13. Do you believe Basic Requirement 7 will have a positive impact in the short and/or long term?
    Please explain.

CONCLUSION

14. How would you compare the costs and benefits of the CPR **until now**, and in the **long term**?

    - Costs significantly higher than benefits
    - Costs slightly higher than benefits
    - Costs equal to benefits
    - Benefits slightly higher than costs
    - Benefits significantly higher than costs

    Please explain.

15. Did you encounter any costs following the implementation of the CPR (July 2013)?

16. What would you suggest to further generate potential benefits?

ET-04-16-898-EN-N

10.2873/586116