

## Summary of the first Technical Platform, 12 October 2016

### Standardisation under the CPR

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*The CPR Technical Platforms are a series of meetings organised as a follow-up to the Report on the implementation of the CPR adopted on 07.07.2016 ([COM/2016/0445 final](#)).*

*They are organised by the services of the EU Commission (DG Internal Market, Industry, Entrepreneurship and SMEs, Directorate Industrial Transformation and Advanced Value Chains - Unit Clean Technologies and Products).*

*The CPR Technical Platforms aim at providing an opportunity for interested stakeholders to present their views and have informal discussions on specific issues relating to the CPR implementation and the legislative framework applicable to construction products.*

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The discussion focussed on three main topics: the scope of the CPR-based harmonisation, the mandatory nature of harmonised standards and their exhaustiveness.

#### Views expressed by stakeholders:

##### 1. Scope of CPR based harmonisation

###### 1.1 More or fewer construction products covered by harmonised standards?

- If the CPR does not meet the needs of stakeholders, problems should first be solved within the current scope (e.g harmonised standards complete/up to date).
- Users see that some products are CE marked while others are not and this may cause confusion.
- Some products are CE marked under other EU legislation. How could this be explained to the consumer (as well as the various reporting requirements)?
- The "paperwork" to meet different EU legislations, national regulatory and consumer needs should be harmonised.
- CPR should cover all construction products and if any are excluded there should be clear criteria for this.
- What is the role of harmonised standards, to fulfil national legislation or to meet manufacturers' needs? Conflicts may arise between these aims.
- Manufacturers need to see a benefit in the harmonised route.
- A preliminary analysis would be required, based on market needs, before any new mandates were considered.

### 1.2 More or fewer topics than those covered by the 7 Basic Works Requirements (BWRs)?

- Harmonised standards deal with products' characteristics whereas basic works requirements deal with works (i.e. they allow the establishing of a particular structure, but they do not cover all characteristics, for example local rules for colours); therefore, BWRs should not be seen as a prescriptive list of what should be included in harmonised standards or not.
- Basic works requirements are exhaustive and should remain so, but Member States should not be expected to implement them all.
- Harmonised standards should reply to stakeholders' needs rather than be limited to Annex I.
- How relevant and useful are harmonised standards from a business point of view?

### 1.3 More or fewer details in harmonised standards?

- The performance of a product only matters once it has been installed. If this issue is not addressed, Member States will regulate the installation and *de facto* also the performance of products.
- The needs of end-users should be considered, including for example Member States and architects.
- The main issue is the quality of harmonised standards.
- In principle, harmonised standards could include anything as long as stakeholders all agree.

### 1.4 More flexibility?

- More classes and thresholds are required for some products.
- Article 19 of the CPR mentions cases where a product is not fully covered by a harmonised standard, which means that standards can be incomplete.
- More flexibility might lead to additional confusion.

## 2. Voluntary or mandatory harmonised standards?

- To provide effective access to the whole EU market, Member States should not be allowed to add additional, national regulations.
- CPR conflicts with standardisation regulation 1025/2012 (mandatory harmonised standards/annex ZA).
- The REFIT platform opinion seems unacceptable and unclear. It should include a concrete proposal to permit the full consequences to be analysed in actual practice.
- Citation in the Official Journal of the EU does not make the harmonised standard mandatory in its entirety.

### 3. Exhaustiveness of harmonised standards

- CPR does not mention exhaustiveness at all.
- No harmonised standard can be exhaustive or if it can, then only for a specific period (state of the art).
- Exhaustiveness, as used by the European Court of Justice, applies to the CPR/CPD (harmonisation), not to standards;
- How could the internal market be opened to innovative products if standards were exhaustive?
- Harmonised standards include mandatory characteristics but also other substantial characteristics that could be useful to manufacturers/users even if not mandatory.
- What about the margin left for countries to set their own regulations on safety, for example?
- Is "exhaustiveness" a relevant issue or only an abstract concept?

### 4. Other topics

- Standardisation has proven to be more effective for the internal market than mutual recognition; but standardisation as defined by the CPR may not be the best solution.
- Part of the problem is mandates' poor quality; high quality drafting at mandate stage is the first main challenge.
- Making standards available in all languages has been requested by the European Parliament and the European Ombudsman.
- Article 27.1 regarding the use of delegated acts for introducing classes and thresholds is interpreted too strictly: "the Commission may adopt", not shall – this possibility is in line with the amendment of mandates.
- If harmonised standards include voluntary sections, limits could be established there.
- Regarding harmonised standards concerned with classes and thresholds, the delegated acts are not an appropriate solution.
- Need to clarify the interpretation of Article 27.5 giving permission to CEN "on a basis of a revised mandate".
- Regarding the EC review of candidate standards, there is a need to clarify urgently the application of Art 17.3 on the assessment of performance in relation to essential characteristics.

## Participants -----

Austrian Institute of Construction Engineering, AT  
BIBM Bureau International du Béton Manufacturé/European Federation of the Precast Concrete Industry  
BMUB Bundesministerium für Umwelt, Naturschutz, Bau und Reaktorsicherheit, DE  
BMWFW Bundesministerium für Wissenschaft, Forschung und Wirtschaft, AT  
Boverket - The National Board of Housing, Building and Planning, SE  
BRE Buildings Research Establishment Ltd for UK DCLG, UK  
CEMBUREAU European Cement Association  
CEN Consultant  
CEN TC 165 WG 41  
CEN-CENELEC  
Centexbel Centre d'expertise et d'innovation pour l'industrie textile, BE  
Confederation of Finnish Construction Industries/Member of FIEC, FI  
CPE Construction Products Europe  
Czech Office for Standards, Metrology and Testing, CZ  
Danish Transport and Construction Agency, DK  
Deutsches Institut für Bautechnik, DE  
EBC-SBS European Builders Confederation  
ECSPA European Calcium Silicate Producers Association  
Efectis France - GNB-CPR, FR  
EMO European Mortar Industry Organisation  
EOTA European Organisation for Technical Assessment  
Euralarm European electronic fire and security industry  
Eurogypsum European manufacturers of gypsum products  
European Confederation of Woodworking Industries - CEI-Bois  
European Union Road Federation  
EuroWindow European window, door and facade manufacturers  
Federal Office for Buildings and Logistics, CH  
FEICA Association of the European Adhesive and Sealant Industry  
FIEC European Construction Industry Federation  
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Ministry of Interior, CY  
Ministry of the Environment, FI  
Ministry of the Interior and Kingdom Relations, NL  
Ministry of Transport, Construction and Regional Development of the Slovak Republic, SI  
Norwegian Building Authority, NO  
NPRA Norwegian Public Roads Administration, NO  
SBS Small Business Standards  
Service Public Fédéral SPF Economie, BE  
SKZ - Testing GmbH, DE  
SPW Service Public de Wallonie, BE  
Sto SE & Co. KGoA / European Mortar Industry Organisation  
UEPG Union Européenne des Producteurs de Granulats  
Xtralis Ltd member of Euralarm, UK