Supporting the drafting of standards under the CPR

4/12/2019

JIS action 5 documents

Overview of documents developed (link)

- Standardisation request procedure
- Answer to mandate / Work programme
- Instructions on how to fill the answer to the mandate
- Dangerous substances assessment and declaration
- Fire clauses
- AVCP clauses
- EC guidance for hENs under the CPR
- List of common inappropriate wording and errors
- Classes and thresholds template
- Delegated acts

Overview of d

- Standardisz
- Answ
- Ins

Support harmonised

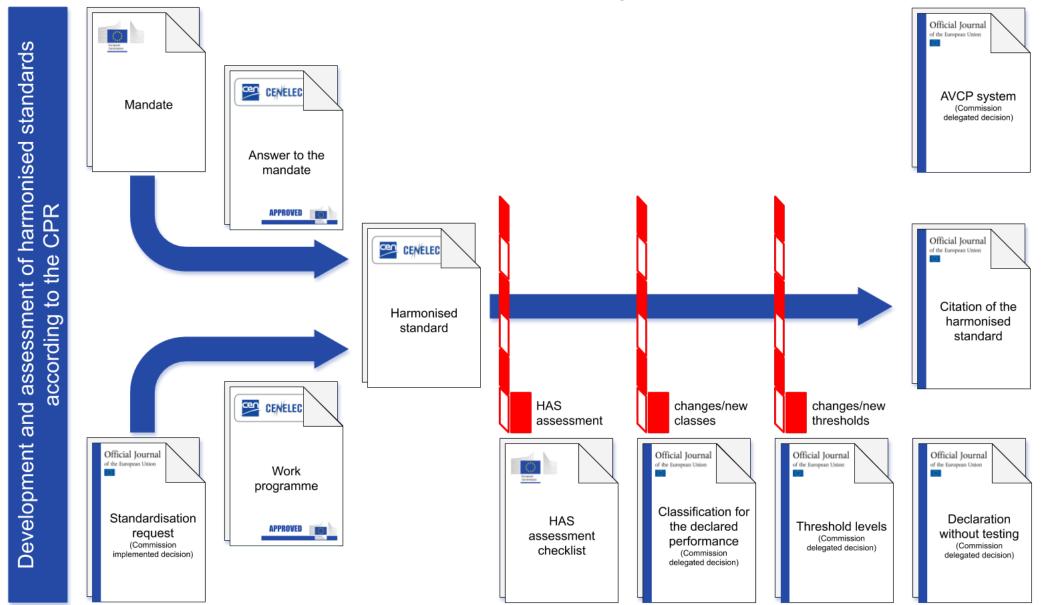
developed

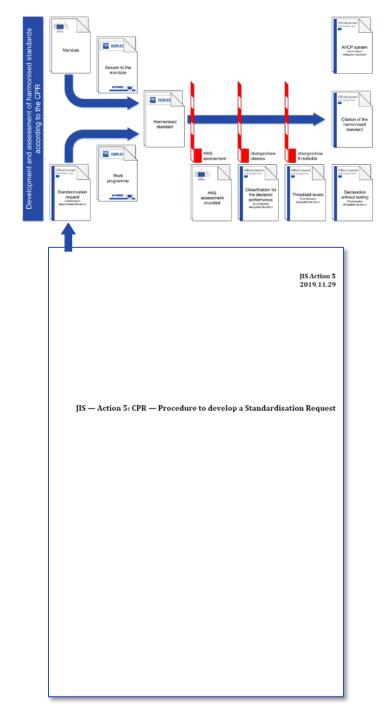
standards drafting for

Classes and thresholds template

• Delegated acts their citation

Overview of documents developed





Standardisation request procedure

Initial situation

 Mandates developed according to Directive 89/106/EEC – CPD

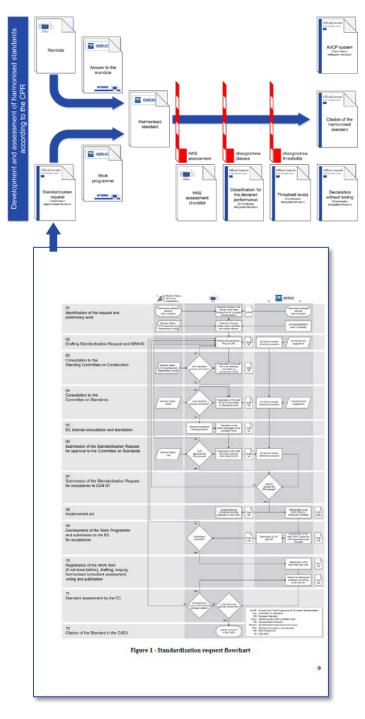
JIS Action 5, how to deal with mandates according to the new legislative framework:

- Regulation (EU) No 305/2011 CPR
- Regulation (EU) No 1025/2012 Standardisation
 - Amendment to mandate



Standardisation request





Standardisation request procedure

Initial situation

 Mandates developed according to Directive 89/106/EEC – CPD

JIS Action 5, how to deal with mandates according to the new legislative framework:

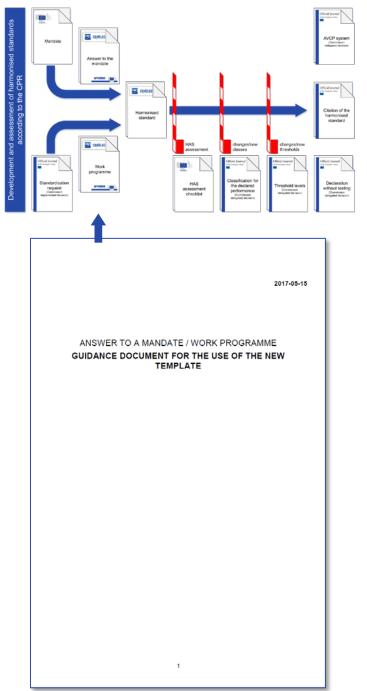
- Regulation (EU) No 305/2011 CPR
- Regulation (EU) No 1025/2012 Standardisation



Amendment to mandate



Standardisation request



Answer to mandate/Work programme

Template and instructions

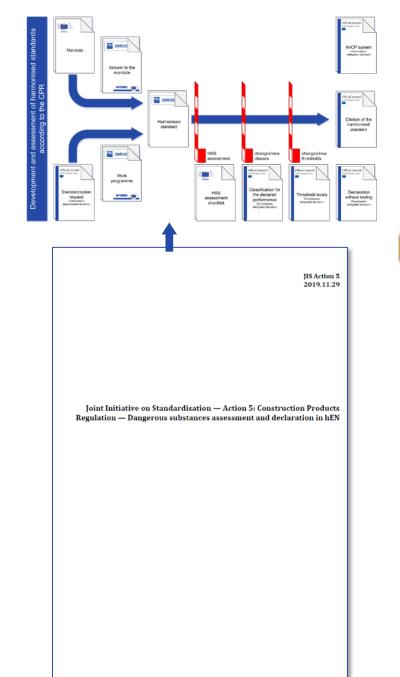
Required to address the outdated content of mandates

Collection of relevant documents

Good reference document

Useful in practice?

EN refe	rence (if av	ailable):			
WI:			Foreseen DAV:		
Title:					
Scope:					
Justific	ation for so	cope changes (if relevant):			
Intende	d use:				
Family	of products	s:			
Sub-fan	nily of prod	lucts:			
BRCW	Type (EC/PR)	New proposal for Essential Characteristics (EC) / Proxies (PR)	Latest TC answer Essential Characteristics (EC) / Proxie	original mandated characteristics	Changes in classes and thresholds (Y/N)
4	EC				
1	EC				
2	EC				
3	EC				
4	EC				



Dangerous substances

Issue identified as common reason for the rejection of citation

Court case T-229/17

Derogation of clauses addressing dangerous substances for

- EN 14904:2006 "Surfaces for sports areas Indoor surfaces for multi-sports use: Specification"
- EN 14342:2013 "Wood flooring and parquet: Characteristics, evaluation of conformity and marking"

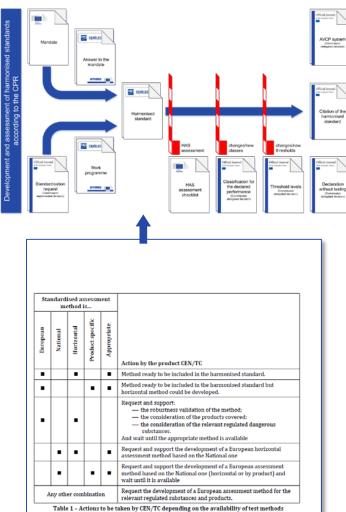


Table 1 - Actions to be taken by CEN/TC depending on the availability of test methods An assessment method is considered appropriate to be included in the harmonised standard if it fulfils all the following conditions:

 A precision statement is possible based on round robin testing and robustness validation (repeatability and reproducibility).

- It covers products within the scope of the standard;

 It is applicable to dangerous substances to be assessed (included in the product reference list of dangerous substances).

CEN/TC following the advice of their experts can decide that the assessment method is appropriate even if it does not fulfil some of the previous conditions.

3.4 Classification

The default declaration is a value for the declared substance but, considering the difficulties to manage the information. classes of performance could be developed.

CEN/TC are not permitted to develop classes of performance by themselves, but they can propose them to the European Commission. The official procedure is a Delegated act to be launched by the European Commission.

Dangerous substances

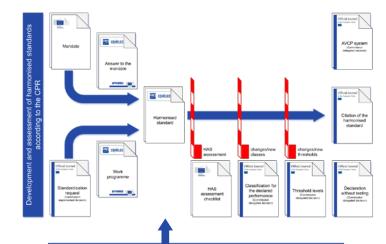
Issue identified as common reason for the rejection of citation

Court case T-229/17 result

EC can keep the current strategy to reject clauses referring to assessment methods they consider unsuitable for the CPR

Member States are derived to regulation 1025/2012 to deal with their demands (standardisation requests and Committee on Standards)

Compliance with BRCW are clearly allocated to National authorities



---- Values to be declared:

— Statistical information on the performance;

- Criteria chosen to justify no need for assessment:
- Conditions and additional criteria to be fulfilled to benefit from the "without testing" approach (e.g. products manufactured using certain raw materials or process).
- $\mbox{Experts}$ from the European Commission and Member States will assess the proposal and, if accepted, the legal procedure will be initiated.

See document JIS Action 5 – Delegated acts.

Until the delegated act is published in the Official Journal of the European Union manufacturers cannot benefit from the "without testing" approach.

4.3 Dangerous substances not to be declared

4.3.1 CEN/TC dealing with a mandate and its amendments

Substances from the list of dangerous substances in the mandate for which the performance is not relevant.

The non-exhaustive list of situations for which substances are not declared are the following:

- The product does not contain the substance and it cannot be produced due to any physical or chemical reaction;
 The release/emission of the substances is below the detection limit of the applicable assessment method:

----- There is no relevant release/emission scenario during the life of the product.

CEN/TC should justify the reasons, referring to the technical dossier. In the answer to the mandate. The exclusion of regulated dangerous substances cannot be done until the answer to the mandate is approved by the European Commission (otherwise the citation in the Official Journal of the European Union could be blocked).

4.3.2 CEN/TC dealing with a standardisation request

Subtances from the list of dangerous subtances in the standardisation request for which the performance is not relevant should have been removed during the development of the standardisation request. If some of the subtances are in the situations described in the list in clause 4.3.1 a new standardisation request should be developed to remove them from the list (otherwise the citation in the Official Journal of the European Union could be locked).

See document JIS Action 5 – Procedure to develop a standardisation request.

5 REACH/CLP information

- REACH/CLP and the CPR are complementary tools for health and consumer protection:
- REACH/CLP is a system created to identify and to empirically justify restrictions for specific chemicals and articles.
- ---- CPR provides assessment methods and a format for product performance declarations.

Dangerous substances

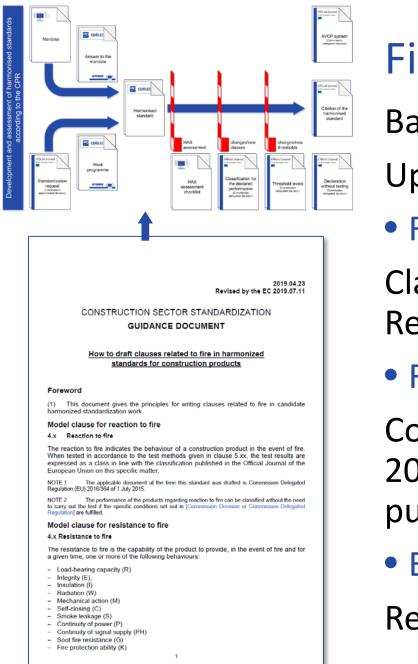
Additional clause with basic information about REACH and CLP

REACH/CLP

information to be provided together with the DoP but independent from standards

Different approach for substances and mixtures (combination of substances) and articles

More information about the documents to be provided together with the declaration of performance are available in articles 31 to 33 of REACH.



Fire clauses

Basic content related to fire performance

Update of existing content not aligned to the CPR

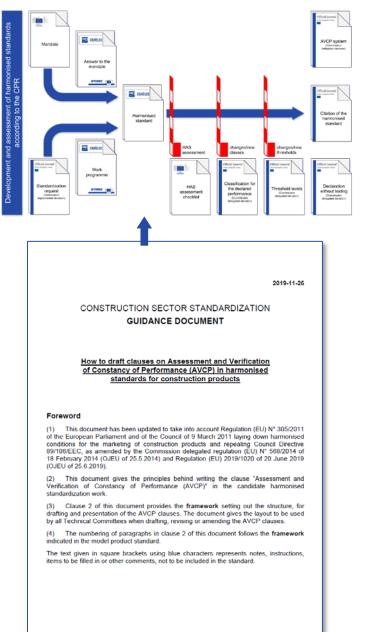
Reaction to fire

Classification according to Commission Delegated Regulation (EU) 2016/364

• Resistance to fire

Commission Decisions (EU) 2000/367/EC (EU) 2003/629/EC and 2011/232/EU until a delegated act is published in the OJEU

• External fire performance of roofs and roof coverings Reference to CEN/TS 1187



AVCP clauses

Principles to develop the clause "Assessment and Verification of Constancy of Performance (AVCP)" in candidate harmonised standards.

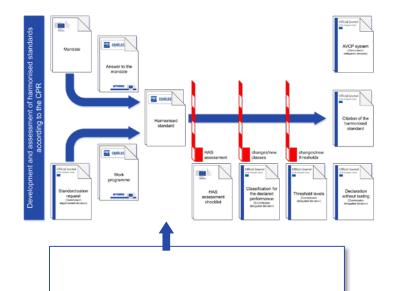
Document easy to adapt to different products and situations

Document revised by the European Commission to ensure consistency with the CPR



Applicable AVCP systems to be aligned strictly to the relevant legal documents:

- Commission decisions
- Delegated acts





This document is an attempt to contribute to clarifying and agreeing on a common approach, in order to utimately develop a tempital/pulsance document for NIN under the CIN. It should that every as a particle fruither work in developming subo patiancipatients, to be them used by TcL in them daily tradevelosition work. This document lays not the Commission view on how to anive to an acceptable structure and content of a NIN under the CPR and presents the basis for further docusion in close collaboration with CCDM.

one general principles for developing hENs under the CPR:

- The HBN shall harmoniae "as lintle as possible and as much as necessary".
 The HBN shall have as down and imple as possible and as much as necessary".
 The HBN shall be as down and imple as possible and as much as necessary and the universe that have a share the interview of the HBN, where the interview of the HBN, where as offer the down and market surveillance authorities.
 An HBN shares conficience with as an excitable necessary in only many as the 400 shall be
- avoided. The hEN shall enhance the free movement of goods in the internal market. It is expected to
- boost competition and competitiveness in the industry. It shall provide clear information on how to declare the performance of a product - NOT arriving to a "produment" (e.g. "If for intended use")
- The hIV half waik is for marker extents, SMIs and mone-enterprise as easy as possible. This entails, firstly, the necessity to ensure fair and equitable participation of all stakeholders, including SMIs and micro-enterprise, in the standardisation process, so as to achieve the resonance includings.

Reconstry, the option of market entrants, SMIs and micro-enterprise, presented during the development process of the hBN, shall also be appropriately taken on board, so as to encore the adequacy of the final outcome also from the point of view of these stakeholders. Ruiss definite when the performance in relation to given essential duratoristics is to be

- nues seeming when the performance in reaction to given essential characteristics is to be declared cancel be contained in NUB as this is comprehensively reputited by the CIN. [W] performance-related characteristics of a product having an impact on any of the BWRs meet to be addressed as essential characteristics in NLM produced that they have a sufficient basis in the manufacting discumentation (the response manufacts on CIN and the CIN answer
- toss in the mandatang documentation (the respective mandate to CEN and the CEN ancover to that mandata). • For essential characteristics, references to national requirements as sources of obligations or
- assessment methods have to be avoided.
- Content of hENs following the CPD approach (outstated concepts, wording, etc.) is n allowed, both for new or revised hENs.
- Old Annexes ZA are no longer allowed, both for new or revised hENs. Any hEN will have to b reviewed and validated by the relevant consultant before this hEN is sent to the Commission

EC guidance for hENs

Document drafted by the European Commission



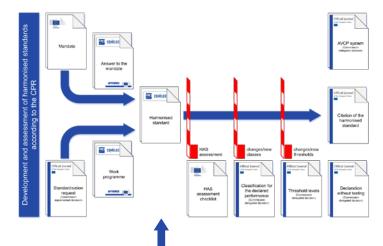
Content discussed with experts to ensure consistency not only with the CPR but with the CEN internal regulations and the usual demands from CEN/TC

Publication contains comments discussed during its development

Presentation of

- Good practices
- Content to be avoided

Specific information about: scope, normative references, definitions, characteristics, assessment methods, etc.



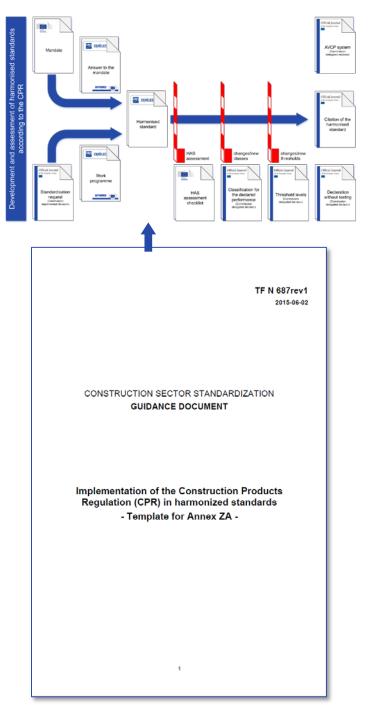
Common inappropriate wording and errors

Summary of comments usually identified during the assessment of the harmonised standards by HAS consultants and by the European Commission

List of common mistakes in candidate hENs

	Common mistakes in candidate hENs
General	Example 1 The standard foresees the possibility of additional requirements being added [e.g. "Other properties may be subject either to requirements in application standards dealing with the use of formulated lime or to requests from the user. These properties are given in informative Annex B."]
	Example 2 The standard makes reference to national regulations [e.g. "National regulations on dangerous substances may require verification and declaration on release, and sometimes content, when construction products covered by this standard are placed on those markets. In the absence of European harmonized test methods, verification and declaration on release/content should be done taking into account national provisions in the place of use." "SCF used in products shall not release any radioactivity in excess of the maximum permitted levels specified in a relevant European Standard for the material or permitted in the national regulations of the member state of destination".]
	Example 3 The standard uses vague descriptions / requirements [e.g. "Whenever results indicate an insufficient slip resistance of tiles for stairs, then adequate provisions shall be adopted in order to improve this parameter." "The curtain walling kit shall limit the transmission of fire and smoke through voids in the curtain construction at its abutment at all levels with structural floor slabs and walls."
	Example 4 The standard defines additional requirements to the manufacturer not foreseen in the CPR [e.g. "The manufacturer shall obtain the performance specifications from the purchaser." "The thermal values shall be determined in accordance with Annex A, 5.1 and 5.3.2 and declared by the

Valid reference when developing content to be checked before sending the document for assessment prior to citation



Annex ZA (out of JIS)

Document developed before JIS action 5

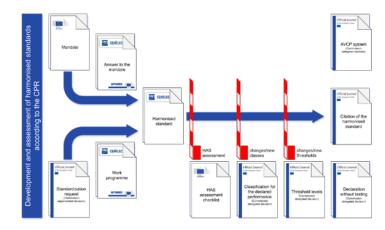
Some discussions about clause ZA.2

- Reference to Article 37 of the CPR
- Paragraph to be removed if AVCP system 3 is not applicable to the standardised product
- Revision not required

ZA.2 System of Assessment and Verification of Constancy of Performance (AVCP)

The AVCP system(s) of [insert here the name of the construction products as given in the accepted answer to the standardization request] indicated in Table(s) ZA.1.1 to ZA.1.n, can be found in the EC legal act(s) adopted by the EC: [insert here the number of the EC legal act(s), adopted by the EC] [(insert here the No. of OJEU)].

Micro-enterprises are allowed to treat products under AVCP system 3 covered by this standard in accordance with AVCP system 4, applying this simplified procedure with its conditions, as foreseen in Article 37 of Regulation (EU) No.305/2011.



Assessment report under service contract SI2.770800 Date of the report Nature of the report: nitial report: Reviewed report (after the initial report was challenged by ESO sessed docume dard reference and full title ESO work item reference Main objective and purpose the assessed document, ncluding its relation to othe tandards within the 'harmonised context' ribe briefly to set the co hich the assessment was carried or elevant normative refer partly or fully verified and · harrense (give actual dated reference numbers o fhose standards checked or assessed ar part of this assessment) ature of the assesses New project: 🗆 Revision to an existing harmonised standard: 🗆 ocument: ESO technical bo SO/IEC in lead: Yes: Assessment phase) Committee draft: (2) Enquiry: (3) Vote: (4) EN spects covered by thi All aspects: 🗆 sessment report: All other aspects except (give those exclude Only (give the aspect(s) assessed) ndicate legal act reference(s), its she tle (or acronym) and relevant article ad or annexes supported) standardisation request(s) out of a request onsultant(s) involve minission service(s)

HAS checklist

Comments provided

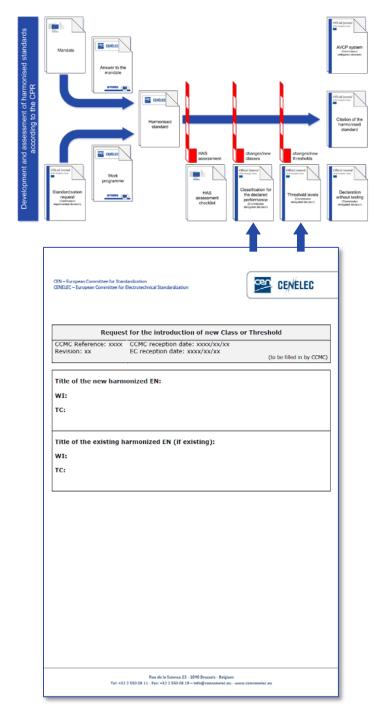
Important document to be considered when drafting standards

Revision of the EC on the content expected

Reference for HAS consultants but subject to interpretation in some cases

5.7 The document does not contain classes/thresholds of performance (also	Yes: 🗆 No: 🗆
in the form of pass/fail criteria) other than those set out in an EU legal act,	
the mandate, or the previous published version of the harmonised standard	
5.8 The document contains the provisions for the applicable factory	Yes:□ No:□
production control (taking into account the specific conditions of the	
manufacturing process of the construction product concerned) and technical	
details necessary for implementing the system of assessment and	
verification of constancy of performance	
5.9 The assessment method has not been changed significantly (from the	Yes:□ No:□
published previous version of the standard) to result in differences in the	
Declaration of Performance	
5.10 The document is not too onerous for SMEs and microenterprises to	Yes: 🗆 No: 🗆
apply	

Template Rev. 23.5.2018



Classes and thresholds template

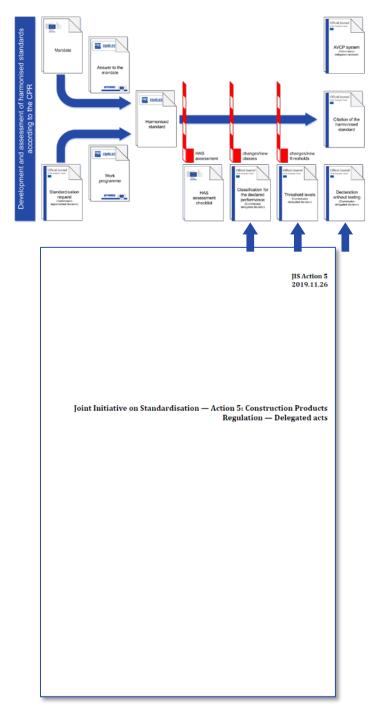
Technical content to be provided:

- When introducing new thresholds in the document
- When introducing or modifying classification in the document

Process described in the next document

Information published in the OJEU to be the legal reference

Standards not aligned with the delegated act will not be cited in the OJEU

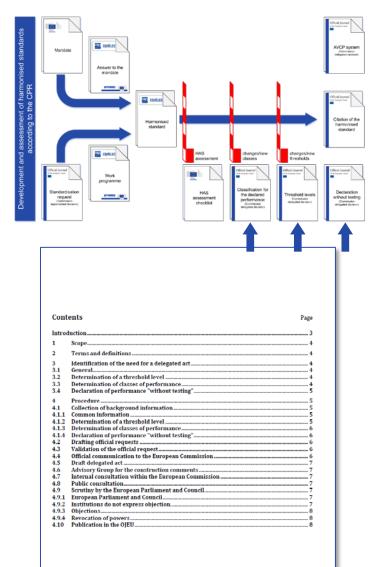


Reasons to request a delegated act:

- Threshold
- Classification system
- Declaration without testing
- AVCP system

The document do not address the last:

- Similar legal procedure
- Input from Member States is the most relevant information



Thresholds

- NPD option not allowed
- Market impact to be assessed (removal of products from the market)

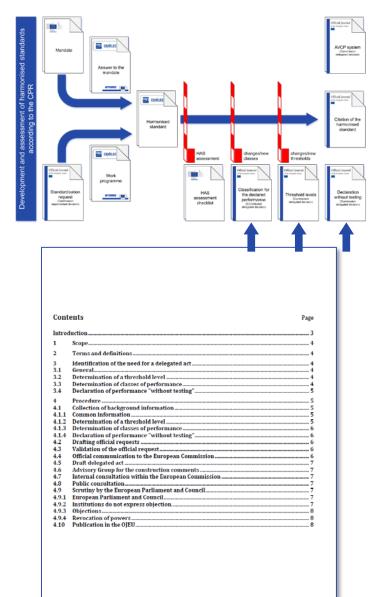
Article 1

For indoor surfaces for sports areas, the essential characteristic linear friction is determined as the one for which the manufacturer shall declare the performance of the product when it is placed on the market.

Article 2

For the essential characteristic linear friction, the minimum threshold level of the performance of indoor surfaces for sports areas is determined to be set at the level of 80.

For this same essential characteristic, the maximum threshold level of the performance of indoor surfaces for sports areas is determined to be set at the level of 115.



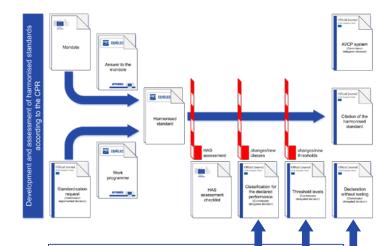
Classes

- Classes cited in previous standards remain valid
- Modified or new classes require to follow the process

Article 8

General principles and use of CE marking

6. The methods used by the Member States in their requirements for construction works, as well as other national rules in relation to the essential characteristics of construction products, shall be in accordance with harmonised standards.



Declaration without testing

- Procedure used for fire performance
- Available for any essential characteristic

Products (1)	Maximum organic content (²) (% in weight)	Maximum mass per unit area (³) (kg/m²)	Class (4)	
External renders and internal plasters based on organic binders covered by the harmo- nised standard EN 15824	≤ 9,0	≤ 4,0	B - s2, d0	
External renders and internal plasters based	≤ 2,5	≤ 6,0	A2 - s1, d0	
on organic binders covered by the harmo- nised standard EN 15824	≤ 4,0	≤ 4,0		
and				
Rendering and plastering mortars covered by the harmonised standard EN 998-1	≤ 5,0	≤ 2,0		

(1) Products delivered in paste or in powder form and used for external and internal covering on walls, columns, partitions, and ceilings. The performance of substrates shall be at least class A2 - s1, d0 and the density shall not be less than 525 kg/m³.

(2) Related to the solids content (comparable to the fully dried plaster/render as applied to the substrate).

(³) Related to the wet product (ready to use state).

(4) Class as set out in Table 1 of the Annex to Delegated Regulation (EU) 2016/364.

New threshold proposal:

Technical justification for the need to introduce the threshold;

- Products excluded from the market due to the introduction of the threshold

Other issues derived from the introduction of the threshold.

4.1.3 Determination of classes of performance

In case the delegated act is developed to set classes of performance, the following information should be provided.

- Existing classification for the essential characteristic, if any.
- New classification proposal covering the full range of performance. Classes that could be identified with NPD (No Performance Determined) are not allowed:
- Technical justification for the need to introduce the classification:

Other issues derived from the introduction of the classification.

4.1.4 Declaration of performance "without testing"

In case the delegated act is developed to set a performance that could be declared "without testing", the following information should be provided.

- Level or class the product deems to achieve.
- Technical justification for the proposal. The development of a technical dossier could be required, in this case, representativity of the results and statistical criteria applied should be reported.
- Benefits for the industry;
- Other issues derived from the publication of the delegated act.

4.2 Drafting official requests

All the relevant information collected in the previous stage should be summarised in an official request. CEN developed a template for threshold level and classes but for the moment there is no template to request a "without testing" delegated act. Technical information should be provided (technical dossier or a relevant extract of R) in attachment to the official request in case the information cannot be presented in a single document due to its sentend or complexity.

4.3 Validation of the official request

The official request should be sent to the program manager of the CEN CENELEC Management Centre for internal validation. This process may require some modifications so it will be an iterative process.

In some occasions experts from the industry or CEN/TC skipped this step and sent their request to the European Commission. This approach is not recommended and could delay the full process.

4.4 Official communication to the European Commission

European Commission receives the official request from the CEN CENELEC Management Centre and assess the need for the delegated act by considering the technical information provided.

Any question





23

- Overview of documents developed
- Use of guidance documents by Technical Committees developing hENs under CPR
- European standards supporting the construction sector

Eric WINNEPENNINCKX

Technical Commission FIEC European Construction Industry Federation



CEN-CENELEC Conference Harmonised standards supporting the CPR European standards supporting the construction sector

Eric Winnepenninckx

Wednesday 4 December 2019

FIEC TEC-1 Rapporteur

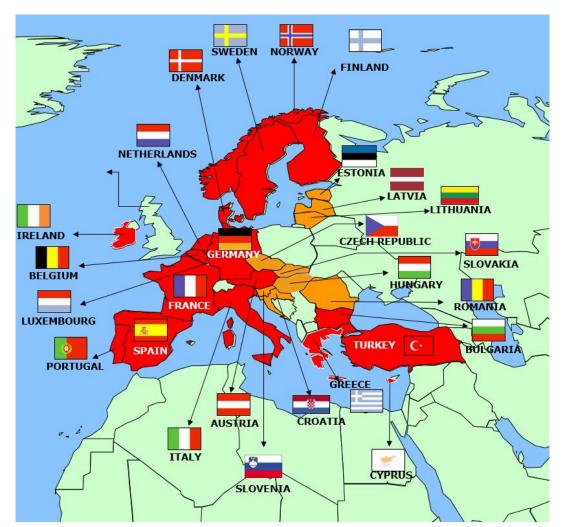
FIEC

enterprises of all sizes, and active in all fields of building and civil engineering

1905 1st meeting

27 Countries

31 Federations





Member Federations

Latvia Denmark **Czech Republic** Netherlands Estonia Germany Romania France Slovenia Spain Croatia Luxembourg Lithuania **Bulgaria** Austria Finland Italy Norway **Cyprus** Sweden Greece Ireland Hungary **Belgium** Slovakia Portugal Turkey



Policy Member



Hang on ... what about our European product standards

- In the framework of the CPD, the EC embedded its regulatory requirements in European product standards by adding Annex ZA
- Over time, the EC imposed significant changes
 - Only CPR relevant characteristics
 - Only thresholds and classifications relevant for the CPR
 - CPR Terminology
- ... rendering European product standards less useful for other than for CPR purposes

European construction sector's needs





- The internal market is very important
- EU construction products market: approx. 500 billion €
- CE marking permits free circulation of construction products in more than 30 countries!



European construction sector's needs

- EU construction products market: approx. 500 billion €
- EU construction sector: approx. 1.500 billion €
- International activities of EU construction sector: approx. 100 billion €

\rightarrow The internal market is important, but ...

... the construction sector is more than mere placing on the market of construction products

... the EU construction sector works internationally as well

Different users = different information and information reliability needs

- Authorities (EC and national regulators, market surveillance, customs, ...)
- Manufacturers, distributors, importers, system houses, ...
- Public and private procurers, architects, designers, specifiers, engineers, ...
- Contractors, installers, assemblers, joiners, ..., subcontractors
- Conformity assessment bodies (certification and inspection bodies, laboratories)
- Quantity surveyors
- Promoters, developers, real estate agents, ...
- Insurers
- Construction works owners, clients, ...
- Research institutes, universities, ...

Product standards and structured data templates (Digitization)

- GTIN 1.
- 2. Brand
- 3. **Company Name**
- Label description 4.
- 5. Image
- 6. Global Product Classification
- **Product Specification** 7.
- 8. Reaction to fire according to EN 13501-1
- 9. Density according to EN ISO 845
- Tensile strength according to EN ISO 1798 10.
- Elongation at break according to EN ISO 1798 11.
- 12. Permeability to air according to EN 9237
- 13. Stress strain characteristics according to EN ISO 3386
- Viscosity according to ISO 2555 14.
- 15. Solid content according to EN ISO 1666
- 16. Colour according to RAL
- Global warming potential according to EN 15804 17.
- Certification system according to EN ISO/IEC 17067 18.
- 19. Warranty period



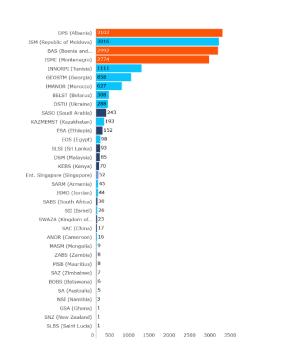


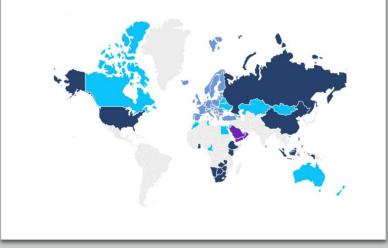
A Europe fit for the digital age

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Global outreach

A Stronger Europe in the world

Strategic priorities for European standardisation in support of Union legislation and policies

The European standardisation process is a cornerstone of the internal market. Its role goes beyond developing harmonised standards: it contributes directly to single market integration and supports job creation, the overall growth of the EU economy, competitiveness, innovation and industrial leadership.

(COM/2017/0453 final)







European construction sector's needs

To ensure the EU construction sector's competitiveness, up-to-date product standards, satisfying all stakeholders' needs, using globally recognized terminology, are necessary:

- Allowing all stakeholders to communicate (e.g. public procurement, contractors purchasing products, ...)
- **Digitization of product data** cannot work without (complete) European product standards
- European product standards should set the standard at international level



European product standards to satisfy the sector's needs

- Standards are expected to reflect the state-of-the-art (up-to-date & all relevant characteristics)
- Standards should be based on the consolidated results of science, technology and experience, and aimed at the promotion of optimum community benefits (all users should benefit)
- Standards should comply with the principles of standardisation: voluntary, transparency of procedures, openness, impartiality and consensus, relevance and effectiveness, coherence ...



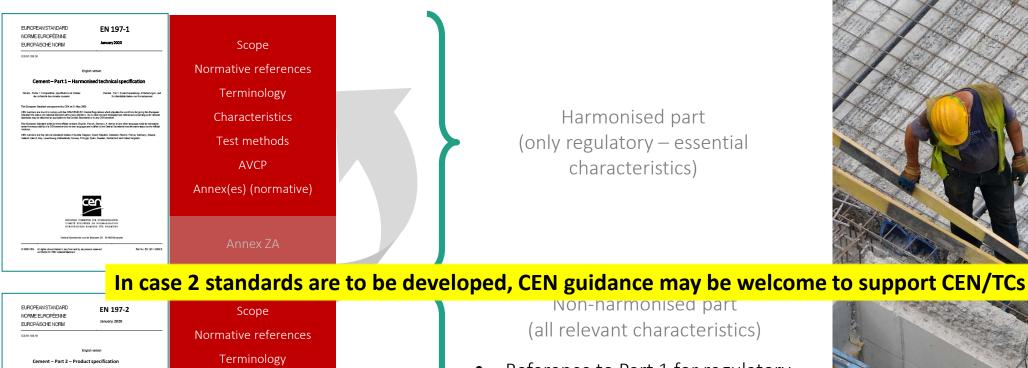


European product standards to satisfy the sector's needs

- Optimally, requirements necessary in the framework of the CPR should have been combined with those required by the other stakeholders in 1 standard
- The use of the Annex ZA to indicate which clauses in a standard relate to EU legislation seemed to have been designed for this purpose
- However, is this view supported by the European Commission in the framework of the CPR?



Best compromise ... European product standards in 2 parts?





EUROPEAN CONSTRUCTION

INDUSTRY FEDERATION

- Reference to Part 1 for regulatory requirements
- Internally recognised terminology
 Can CPD / CPR concepts be maintained
 in non-harmonised product standards?
- 'Evaluation of conformity'
- 'No Performance Declared'

One: The Corporation quantitation and the Corporation of the Corporation quantitation of the Corporation quantitation of the Corporation of the Co

Requirements

Evaluation methods

Evaluation of conformity

Designation

Marking, labelling and

packaging

Annex(es) (normative or informative)

Central Secretaria: non de Stassart, 36 8-1033 Brussels 2000 CEN : All qu'es d'explaintent aux force and by any means meaned wateriet for CEN random levels.

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newsletter







CONSTRUCTION IS THE SOLUTION INDUSTRY

YOUTH EMPLOYMENT RESOURCE EFFICIENCY **SOURCE SEFFICIENCY** ENERGY PRODUCTION STANDARDISATION BINFRASTRUCTURE INNOVATION