CE marking: Potential impact of draft for new Construction Products Regulation

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CE marking: Potential impact of draft for new Construction Products Regulation

Elements of the Draft CPR

Impact for TC 33

Impact for our products

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EUROPEAN
COMMISSION

Brussels, 30.3.2022
COM(2022) 144 final

2022/0094 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

laying down harmonised conditions for the marketing of construction products, amending Regulation (EU) 2019/1020 and repealing Regulation (EU) 305/2011

General

- This is a preliminary draft **(really?)**
- The publication date was 30. March, despite numerous indications from the EU's legal service
- The German and French translations were available by the end of May
- There was a public comment period “have your say”
- It has to pass the Council of the European Union and the European Parliament
- Only in case of significant objections will a revision be made
- CPR will enter into force soon, but will be finalized in all aspects by 2045 at the latest

Content of draft CPR:

- **Explanatory Memorandum** **Page 1 – 16**
- Preliminary remarks (1 – 106) Page 17 -34
- General Provisions (Article 1 – 94) Page 34 - 106

Details

Article 3 Scope

➲ **The Regulation shall apply to**

- All construction products
- 3D printing (dataset and material)
- Construction products manufactured on the construction site
- Key parts
- Parts or materials intended to be used
- Kits and assemblies
- Prefabricated one-family-houses up to 180 m²
- Used construction products

Details

Article 3 Definitions (1)

‘construction product’ means any formed or formless physical item, including its packaging and instructions for use, or a kit or assembly combining such items, that is placed on the market or produced for incorporation in a permanent manner in construction works or parts thereof within the Union, with the exception of items that are necessarily first integrated into an assembly, kit or other construction product prior to being incorporated in a permanent manner in construction works;

➲ **Question: Almost everything is a construction product?**

Key part

Article 3 Definitions (20)

'key part' means a part which is intended by the manufacturer of a product or another economic operator to be used as component or spare part for a product and that has been specified by harmonised technical specifications as essential for the characterisation, safety or performance of a product;

➲ **Question: What is a key part?**

Draft of new CPR / Details

➲ Art. 19 / 21 Obligations of economic operators and manufacturers

- CE marking
- Technical documentation including life cycle assessment
- Labelling as "for professional use only", otherwise it also applies to consumers
- DoP and/or DoC
  - must be available for 10 years
  - must be provided prior to conclusion of contract
  - must be uploaded to a product database or an EU product system

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➲ Art. 22 Additional environmental obligations of the manufacturer

- The state of the art in environmental technology shall be complied with
- Products must be easy to repair
- Manufacturer shall make spare parts available for 10 years
- Product design: reuse shall be possible
- Documentation for remanufacturing or recycling
- Manufacturer takes back unused goods

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Annex I, Part A: Basic requirements for construction products

1. Structural integrity of construction works
2. Fire safety of construction works
3. Protection of workers and consumers from adverse health and hygiene effects of construction works
4. Protection of workers and consumers from physical injury from structures
5. Sound and acoustic properties of structures
6. Energy efficiency and thermal performance of structures
7. Hazardous emissions from structures to the external environment
8. Sustainability

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Annex I, Part D: Requirements for product information

- Description of the product:
  - Intended uses
  - Intended users
  - Conditions of use
  - Estimated average and minimum useful life for the intended use
  - Nominal dimensions (drawings)
  - Main materials used
  - Key elements

Draft of new CPR

Summary

- The draft is very complex, too complex!
- At 20 points the COM may act with “delegated acts”
- The technical content has to be defined in mandates (SR) again
- The obligations of the manufacturers are very extensive
- The CPR will become much more complicated than it was

Impact for CEN/TC 33 « Doors, windows, shutters, building hardware and curtain walling » and for CEN/TC 33/WG 4 «building hardware »

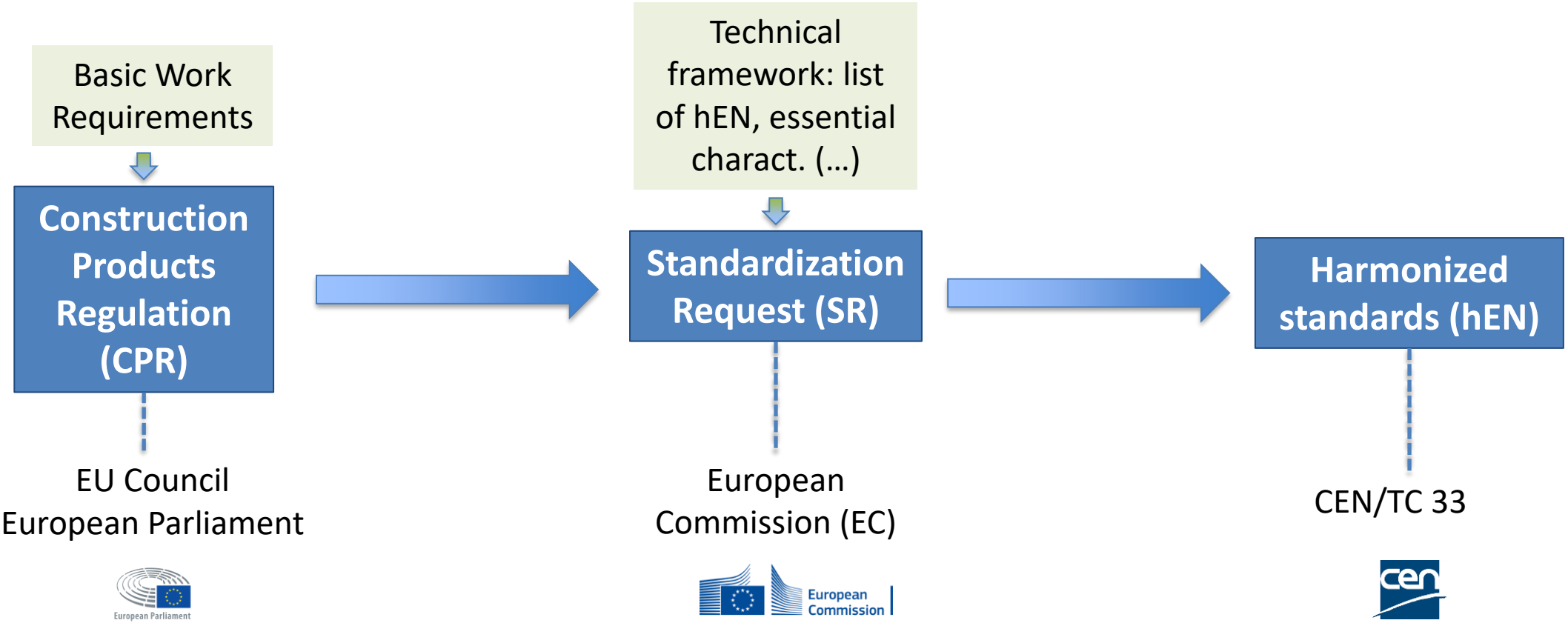
Implement the new CPR into CEN/TC 33 hEN

Regulation

Standardization

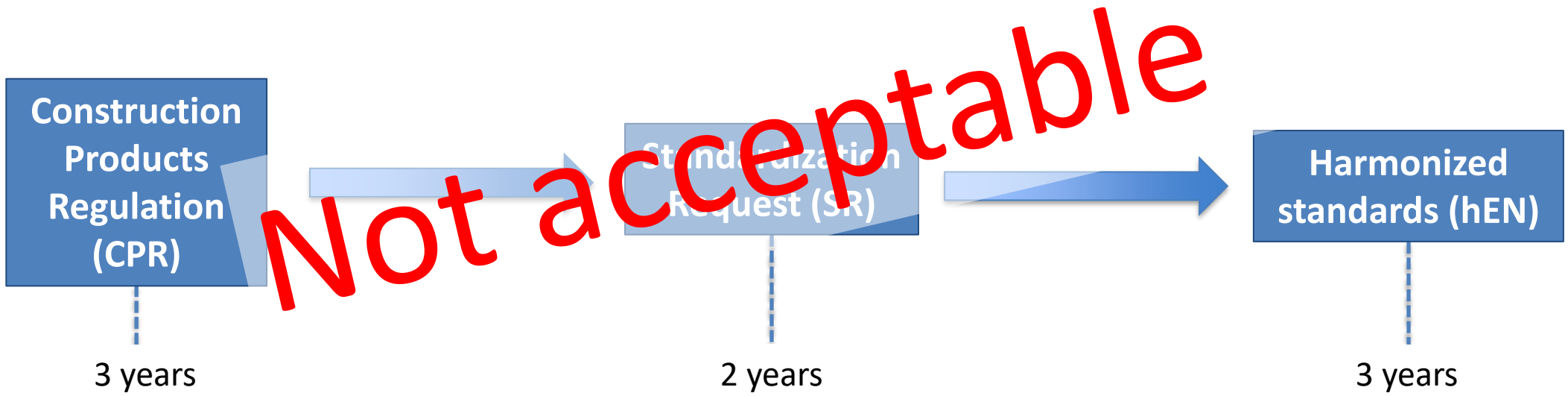
Impact for CEN/TC 33 « Doors, windows, shutters, building hardware and curtain walling » and for CEN/TC 33/WG 4 «building hardware »

From CPR to hEN



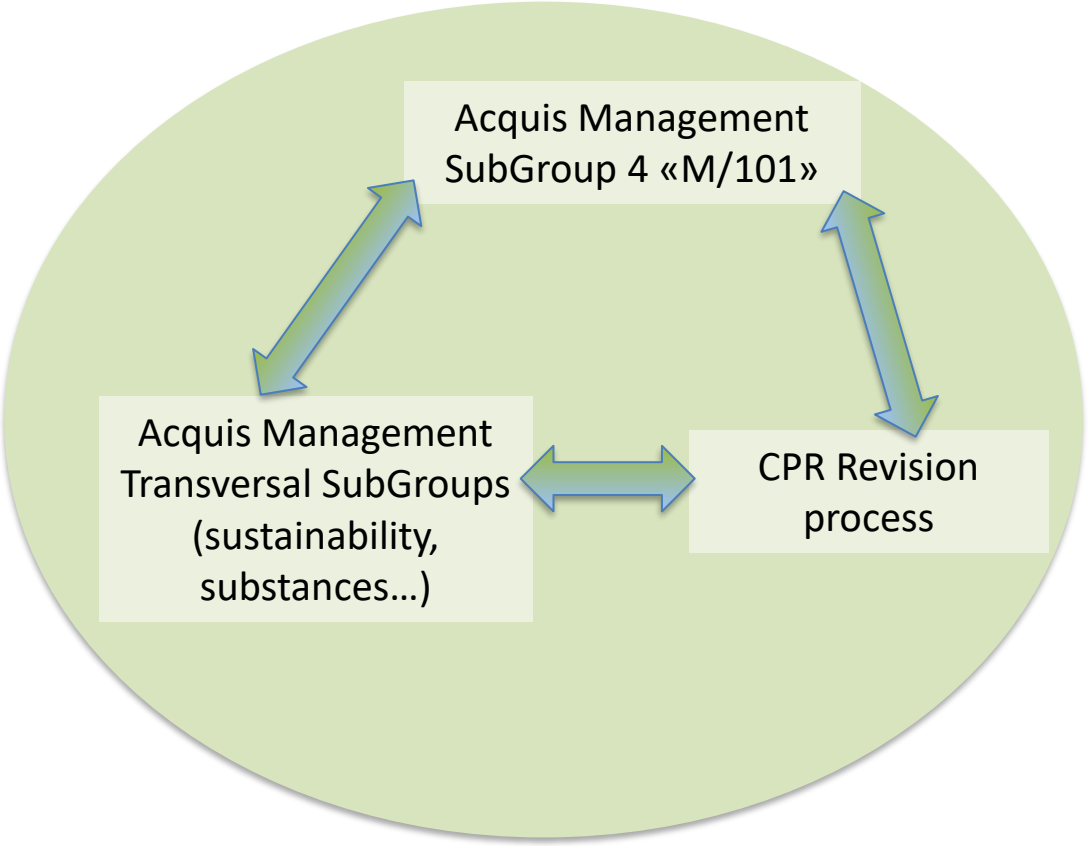
Impact for CEN/TC 33 « Doors, windows, shutters, building hardware and curtain walling » and for CEN/TC 33/WG 4 «building hardware »

Managing the timeframe



Impact for CEN/TC 33 « Doors, windows, shutters, building hardware and curtain walling » and for CEN/TC 33/WG 4 «building hardware »

« Acquis Management »: an agile process to go faster



Proposal → EC → SR → CEN/TC33

Impact for our products

CE or not CE, …?

- All our products should be considered in the scope of the new CPR, regardless if they are considered as « Construction products » or « Key parts »
- **But**…only the ones subject to an harmonised standard will still be CE marked
- The « harmonised zone »will be set-up in the « Standardisation Request », the main deliverable of the « CPR acquis » process
- ARGE must be involved in the « CPR acquis » process, either within each Member State Government, CPE and/or CEN, to defend our position.

Impact for our products

As a reminder, ARGE had decided in 2018 to get…

- In the « harmonised zone »: All the products directly involved in the safety:
  - Panic Exit Devices (EN1125), Emergency Locks (EN179), Door Closers (EN1154), Hold open devices (EN1158), Exit systems (EN13637)
- In the « voluntary zone » : All the other ones:
  - Locks and latches (EN12209 and EN15685), Single axis hinges (EN1935), Electric locks and strikes (EN14846), Mechanical cylinders (EN1303), Lever handles and knobs (EN1906), …

Meanwhile, the market landscape may have changed, then our position must be confirmed or not, in the next few months.

Next steps…

- Define a common ARGE position, to speak with one voice in the different organisms during the « CPR acquis » process
  - to be agreed within WG Standardisation, TG « CPR Revision »
- Participate and influence the « CPR acquis » process accordingly, including future harmonised standards content.

Take away from this presentation …

- New CPR and then new rules for CE marking will be set-up by the EC, with the industry
- We, as ARGE Members, have a great opportunity to defend our positions re. future CE marking to CPR
- Let's take benefit from these upcoming discussions!

Thank you!

Any questions?