



**European Commission**

**Enterprise Directorate-General**

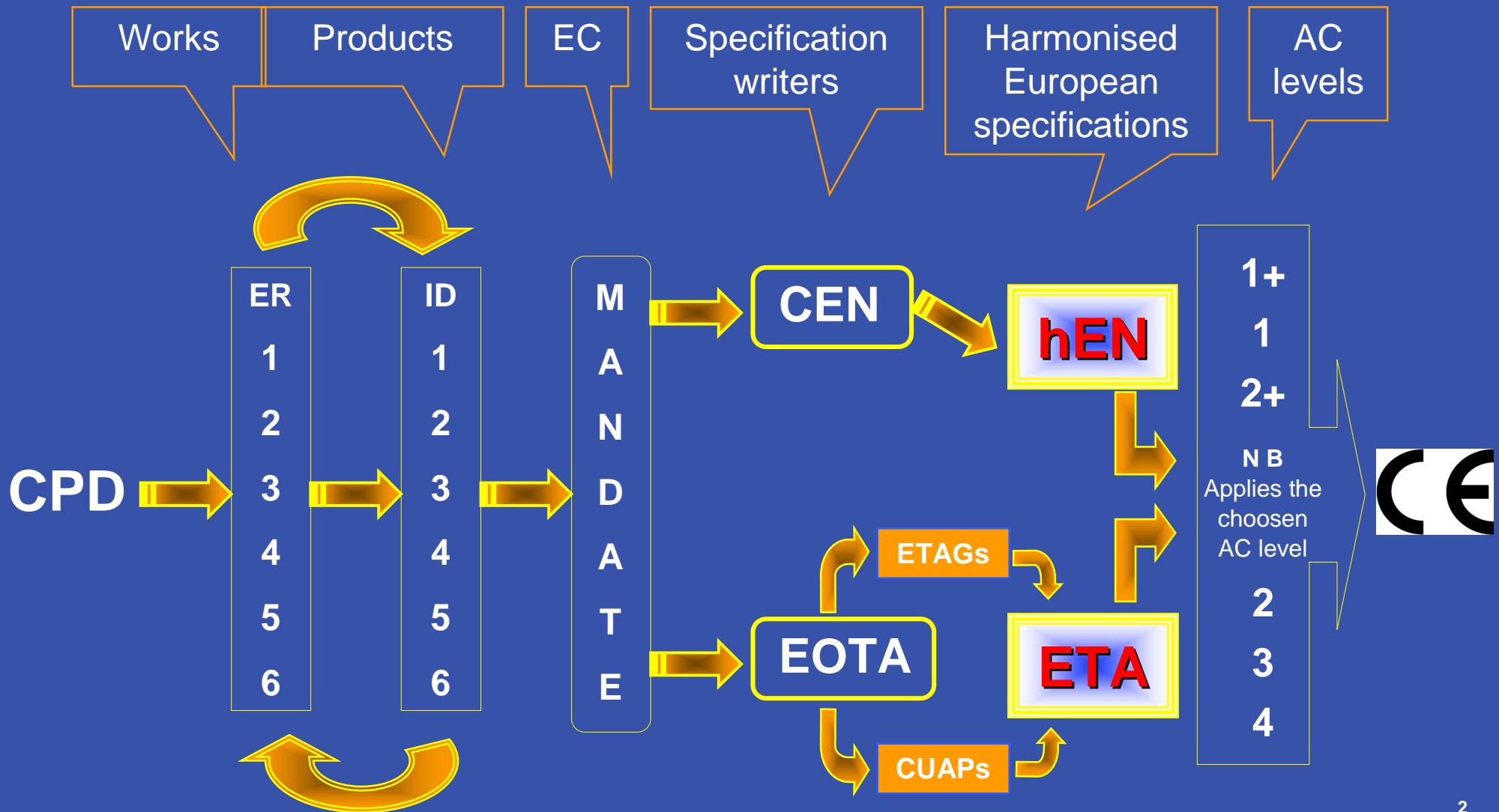
**“ARGE Conference”**

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# **CE marking for construction products: State of play**

**Giancarlo Bedotti  
DG Enterprise - Construction Unit**

# THE CE-MARKING ROUTE





# REMINDER

## Objective of the CPD

To facilitate the free circulation of goods in the Internal Market, without reducing the existing and justified safety levels (ER) in the Member States

# CONSTRUCTION PRODUCTS DIRECTIVE

## To eliminate barriers to trade

- Construction products can be placed on the market **only** if they are fit for the intended use
- Construction products are considered fit for use if they comply with the harmonised European specifications on the basis of the CPD and if they bear the CE marking
- Member States may not hinder the free movement and use of such construction products

# BACKGROUND PRINCIPLES

## Harmonised Specifications

European standards (**hEN**) and European Technical Approvals (**ETA/ETAG**) elaborated following a mandate issued by the European Commission to CEN/CENELEC or EOTA after consultation of the Member States (**SCC**).

As far as practicable, they are performance based specifications, (scope, list of regulated characteristics, test methods, evaluation of conformity)

# BACKGROUND PRINCIPLES

## **Mandate**

**(standardisation or ETAG)**

**Addresses all product characteristics that refer to ER and for which at least one of the Member State has regulations or other provisions in terms of performance**

## BACKGROUND PRINCIPLES

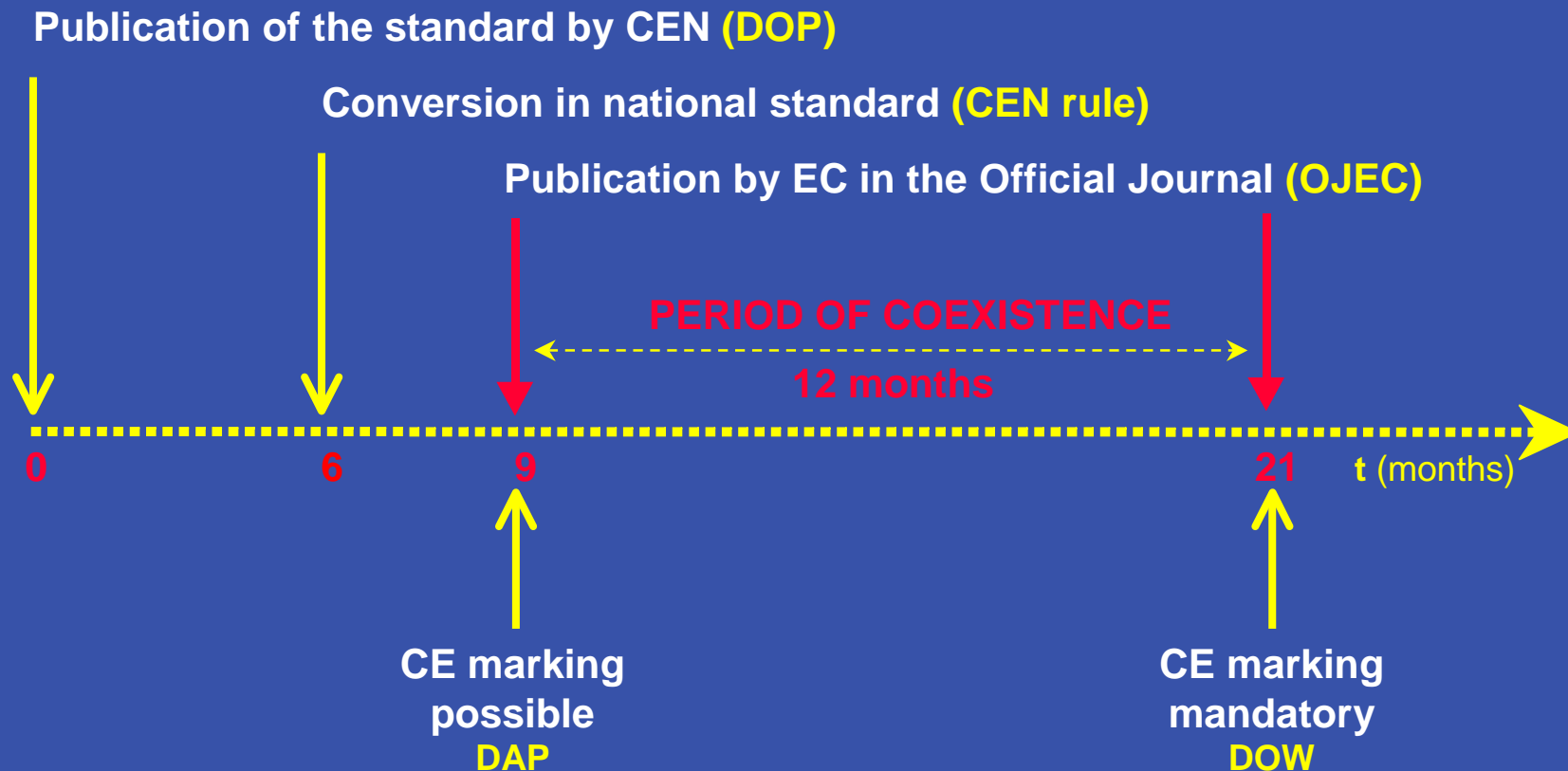
Consequently, **CE marking** is a passport for the product for the whole European Economic Area (EEA).

By definition, **CE marking** covers all legal requirements prevailing in all Member States

# CPD PROGRESS OF STANDARDS

<b>Total hENs planned:</b>	<b>485</b>
- already cited in OJEU:	120
- available but not yet cited in OJEC:	19
- voted but not yet available	23
- already reached CMC for formal vote/UAP:	110
- already passed the CEN enquiry stage:	84
- ready for the CEN enquiry stage:	38
- drafts in preparation for the CEN enquiry stage	91

# TRANSITIONAL PERIOD hENS



# CPD PROGRESS IN EOTA

## ➤ Guidelines for ETA (ETAG)

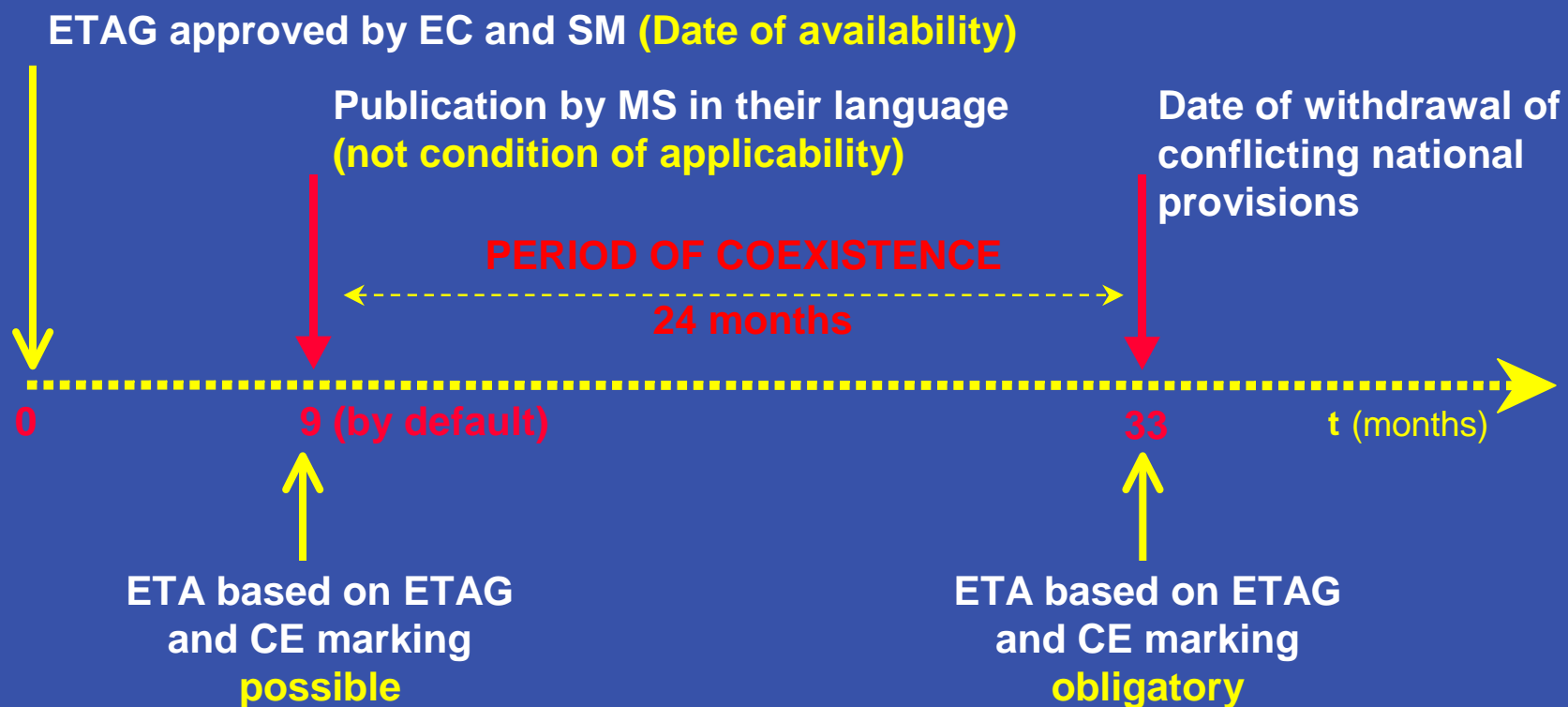
- cited in OJ: **19**
- ready for citation: **2**
- in final endorsement stage: **3**
- assessment procedures adopted **33**

## ➤ European Technical Approval (ETA)

- total issued: **127**
- drafts in circulation based on ETAGs: **44**
- drafts in circulation based on CUAP: **14**

# TRANSITIONAL PERIOD ETAGs

## ETAG needs to be firstly endorsed by EOTA



The reference of each approved ETAG is published by EC on OJEC

# Progress to date Building Hardware

## Single-axis hinges

✓ EN 1935

DoW

01.12.2003

## Panic exit devices – horizontal bar

✓ EN 1125

01.04.2003

## Emergency exit devices – lever handle/push pad

✓ EN 179

01.04.2003

**CE marking  
is now compulsory following these standards**

# Progress to date Building Hardware

## Controlled door closing devices

✓ EN 1154

**DoW**

**01.10.2004**

## Electrical hold-open devices – swing door

✓ EN 1155

**01.10.2004**

## Door coordinator devices

✓ EN 1158

**01.10.2004**

**CE marking is now possible**

# Progress to date Building Hardware

Ready but not yet published on OJEC

✓ EN 12209

CE marking will become possible soon

Passed the CEN enquiry

✓ EN 13633

✓ EN 13637

✓ EN 1125 REV

✓ EN 179 REV

Still in progress

✓ prEN 1670 REV

✓ WI 00033290

# CE Marking

## Market surveillance

- responsibility of Public Authority within the Member State
- product already on the market
- if necessary, after informing the EC, withdrawal of the product from the market

## Notified Bodies

- body responsible for certification/inspection/testing, approved by MS for specific tasks
- assessment of the product not yet on the market
- if necessary, suspension of the certification/inspection contract and withdrawal of CE marking

# Attestation Systems

System	Task for Manufacturer	Task for Notified Body	Basis for CE marking
4	<ul style="list-style-type: none"> <li>• ITT of product</li> <li>• FPC</li> </ul>		<b>Declaration of conformity of the Manufacturer</b>
3	<ul style="list-style-type: none"> <li>• FPC</li> </ul>	<ul style="list-style-type: none"> <li>• ITT of product</li> </ul>	
2	<ul style="list-style-type: none"> <li>• ITT of product</li> <li>• FPC</li> <li>• (testing of samples according prescribed test plan)</li> </ul>	<ul style="list-style-type: none"> <li>• certification of FPC on basis of initial inspection</li> </ul>	
2 +	<ul style="list-style-type: none"> <li>• ITT of product</li> <li>• FPC</li> <li>• (testing of samples according prescribed test plan)</li> </ul>	<ul style="list-style-type: none"> <li>• certification FPC on basis of initial inspection and continuous surveillance, assessment and approval of FPC</li> </ul>	<b>Declaration of conformity of the Manufacturer based on certificate of conformity of FPC</b>
1	<ul style="list-style-type: none"> <li>• FPC</li> <li>• testing of samples according prescribed test plan</li> </ul>	Product certification on basis of: <ul style="list-style-type: none"> <li>• ITT of product</li> <li>• initial inspection of FPC</li> <li>• continuous surveillance, assessment and approval of FPC</li> </ul>	<b>Declaration of conformity of the Manufacturer based on certificate of conformity of product</b>
1 +	<ul style="list-style-type: none"> <li>• FPC</li> <li>• testing of samples according prescribed test plan</li> </ul>	Product certification on basis of: <ul style="list-style-type: none"> <li>• ITT of product</li> <li>• initial inspection of FPC</li> <li>• continuous surveillance, assessment and approval of FPC</li> <li>• audit testing of samples</li> </ul>	

# Attestation of Conformity

## WHERE TO FIND ATTESTATION CLAUSES IN HARMONISED TECHNICAL SPECIFICATIONS?

- ✓ for **standards (hENs)**: **Annex ZA** “Compulsory Annex”:
  - requirements for CE marking
  - focus of interest for Notified Bodies
- ✓ for **ETA GUIDELINES (ETAGs)**: in **Chapter 8** “Attestation and evaluation of conformity”
- ✓ for **ETA**: in **Chapter 3** “Evaluation of conformity and CE marking”

# Approval Bodies - Notified Bodies

## Approval Bodies (AB)

- ✓ authorised to issue ETA in designated areas
- ✓ notification by MS following **Article 10** of CPD
- ✓ criteria of Article 10 of CPD
- ✓ form **EOTA**

## Notified Bodies (NB)

- ✓ certification, inspection, tests according AC procedures of specific mandates and EC Decisions
- ✓ notification by MS following **Article 18** of CPD
- ✓ criteria of Annex IV of CPD + GPA agreed by EC - MS
- ✓ form the **Group of Notified Bodies** (GNB)

**ABs can also be NBs ⇒ two notifications**

**where to find Notified Bodies**

**(<http://europa.eu.int/comm/enterprise/nando-is/cpd>)**

# CE MARKING IMPLICATIONS

- The CE marking replaces any national mandatory marking.  
No additional requirement can be imposed at national level
- The CE marking sets up a common level playing field by providing manufacturers with:
  - common European test methods and procedure
  - single assessment valid throughout Europa

# CE MARKING IMPLICATIONS

## The CE marking:

- will increase competition in the market
- will give the voluntary marks their true role: differentiating the product
- Quality of products should consequently be improved on average
- Consumers' choice will be increased because of the increased circulation of goods

# MARKS

## Major areas of misunderstanding

- difference in use between marks for voluntary and mandatory purposes
- the characteristics that are and are not covered by a specific mark
- marks covering conformity of management systems and those covering specific products or services
- meaning of multiple marks
- difference between marks/logos of accreditation bodies and those of an accredited conformity assessment body

# CE MARKING and VOLUNTARY MARKS

- A product may bear additional markings, providing that they:
  - fulfill a different function from the CE marking
  - are not liable to cause confusion with it
  - do not reduce its legibility and visibility
  
- Such marks cannot be made obligatory in the regulations of the Member States. They are voluntary and market driven

# CE MARKING and VOLUNTARY MARKS

## Need for clarification

- 1 National mark: a mark that is referred to in national law, regulation or other provision, as giving presumption of conformity with some national requirements or appearing as the preferred one for this conformity

**A national mark is not compatible  
with the CE marking**

# CE MARKING and VOLUNTARY MARKS

## Need for clarification

- 2** Voluntary mark: market drive mark:
- brings reliable additional “quality” related information to the buyer
  - is a good commercial argument for the seller

**Voluntary marks are a legitimate competition element of the market**

“quality” used here in a very broad sense. For example, an “environmental” mark can be a quality mark

# HOWEVER – SOME PROBLEMS

- WITH STANDARDS
- WITH MEMBER STATES
- WITH VOLUNTARY MARKS

# SOME PROBLEMS

## Problems with Standards

- FPC requirements
- liaison with Notified Bodies
- standards excluding products
- testing in end-use conditions: a real problem or a regulatory issue?
- takes too long

# SOME PROBLEMS

## Problems with Member States

- obligatory CE marking
- additional requirements at national level
- lack of market surveillance
- decisions on important issues (fire)

# SOME PROBLEMS

## Problems with voluntary marks

- “de facto” compulsory
- confusion with CE marking
- supporting national marks

# CONCLUSIONS

- { Single Market for construction products remains a first priority policy
- } Significant progress have been accomplished: CE marking is a reality
- Important efforts are still necessary:
  - from **Public Administration**: completely embrace the European system
  - from **private actors**: European market is the reference market
  - from **technical specification writers**: improving the timing and the quality of the technical specifications



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**Thanks for your attention**