

CE mark now!

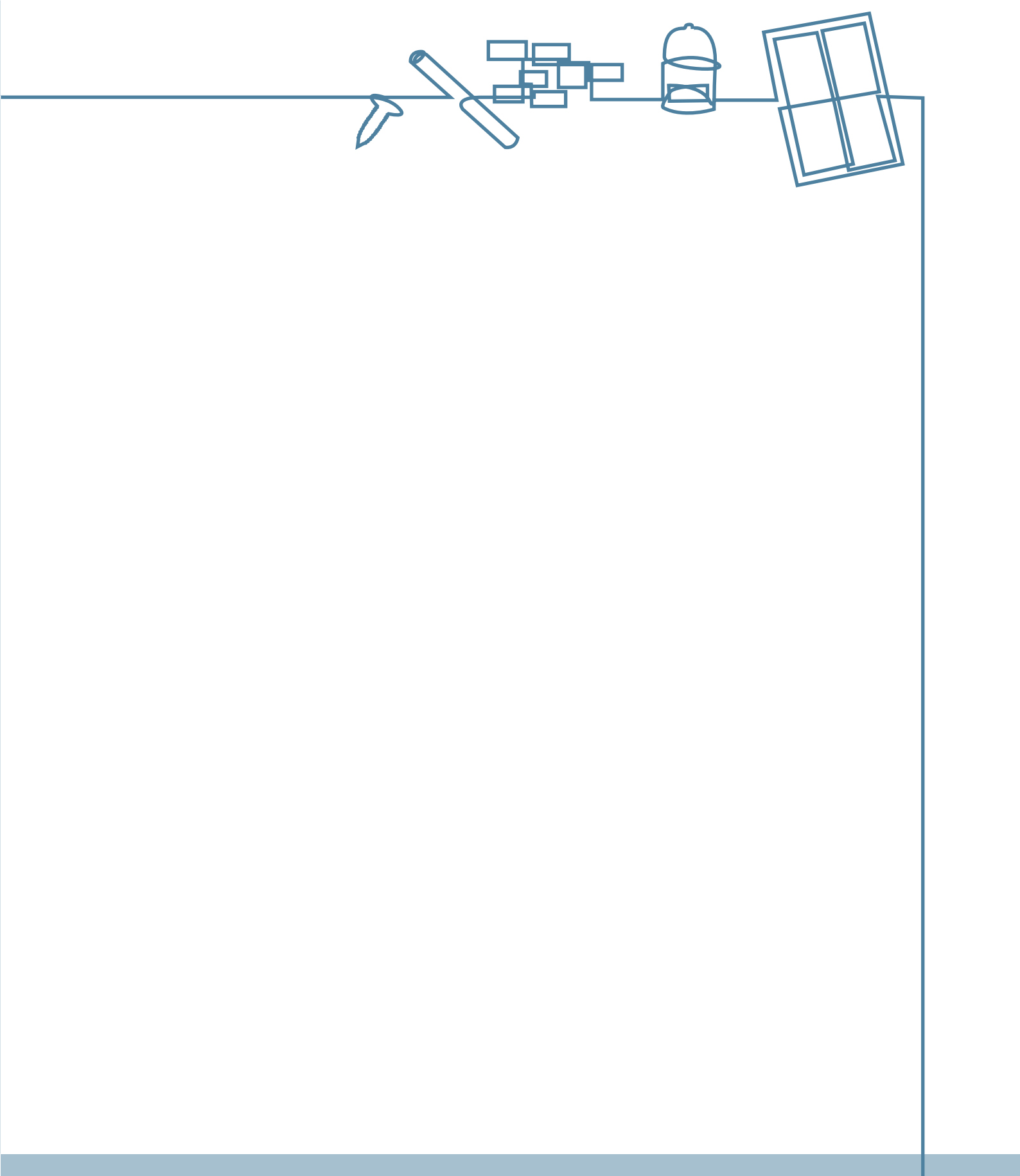
**Mandatory
CE marking
of construction
products
1 July 2013**

Mandatory CE marking of construction products 1 July 2013

From 1 July 2013, construction products covered by a harmonised standard must have a declaration of performance and CE marking to be sold within the EU, under the EU Construction Products Regulation. This means that if you are a manufacturer of construction products, you must find out as soon as possible whether you are affected and if so, how to CE mark your products. Do not wait – do it now!

The EU Construction Products Regulation contains rules on how this is to be done. These apply in the same way throughout the internal market, that is, in all 27 Member States and also in Norway, Lichtenstein, Switzerland and Turkey. The purpose is to facilitate trade in construction products between these countries. This will take place through the use of the same methods for assessing and describing the essential characteristics of construction products.





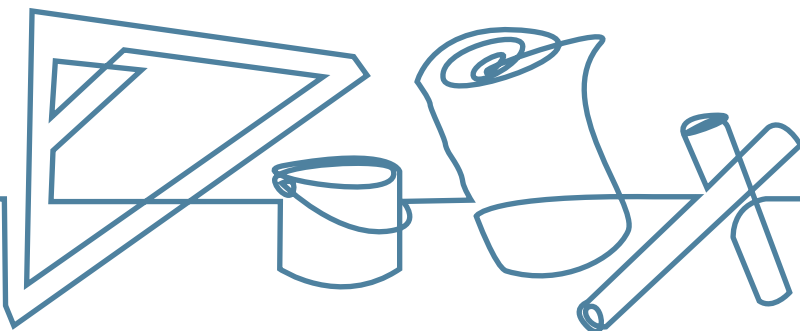
Two routes to CE marking

There are two possible routes to CE marking of construction products. The first is mandatory and shall be used if the product is covered by a relevant harmonised standard. In this case you are required to use the methods set out in the standard and draw up a Declaration of Performance which describes the essential characteristics of the product. When the Declaration of Performance is complete you must CE mark the product.

The second route is voluntary and may be used to CE mark products which are not covered by any of the harmonised standards, or only partly covered. The latter can be the case where one or more of the product's essential characteristics cannot be assessed using one of the methods set out in the standard, or where there is no existing assessment method for one or more of the product's essential characteristics. The advantage of voluntary CE marking is an easier entrance to new markets.

What are construction products?

The regulation defines Construction Products as any product or construction 'kit' which is produced and placed on the market for incorporation in a permanent manner in construction works, and the performance of which has an effect on the performance of the construction works with respect to the basic requirements for construction works.



The first route – via a harmonised standard

In the Declaration of Performance, you state among other things the intended use of the product and its performance in relation to the essential product characteristics in accordance with the harmonised standard. You will find which these are in Annex ZA to the standard. You must yourself check which product characteristics are relevant, depending on the provisions on construction works in each country where you intend to sell your product.

In order to make a Declaration of Performance, you are obligated to have a reliable internal factory production control system to ensure that your products at all times correspond to the declared performance. The Construction Products Regulation stipulates the need for obligatory internal control.

Who may verify the product's performance?

You are, in varying degrees for different product characteristics, to subcontract a third-party body to verify the function of your internal control system and, in certain cases, to certify product performance. Third-party bodies are known as notified bodies for tasks in accordance with the relevant standard or specific product characteristic. Further information on what is applicable will be found in the relevant harmonised standard.

Annex V of the Regulation contains an overview description of the system for assessment and verification of constancy of product performance.

You are free to select a notified body within the EU

You are free to select from the third-party bodies which have been notified for each standard. The Construction Products Regulation also provides for bodies to assess certain horizontal characteristics across the standards. These relate to reactions to fire exposure, fire resistance, external fire exposure, noise suppression and emissions of dangerous substances.

The second route – in the absence of a harmonised standard

The second and completely voluntary route for you to CE mark your construction products may be followed in the absence of a relevant harmonised standard for the product. The corresponding applies if the standard cannot be used for the assessment of all essential product characteristics and thereby the CE marking of these. You can then request a European Technical Assessment from a European Technical Assessment Body (TAB). Based on a European Technical Assessment, you specify technical data in the declaration of performance and you are then allowed to CE mark the product.

The Construction Products Directive's rules are applicable until 1 July 2013. The Construction Products Regulation contains transitional rules that allow guidelines for European Technical Approvals (ETA guidelines) under the Construction Products Directive to continue to be used by a TAB to issue a European Technical Assessment after 1 July 2013.

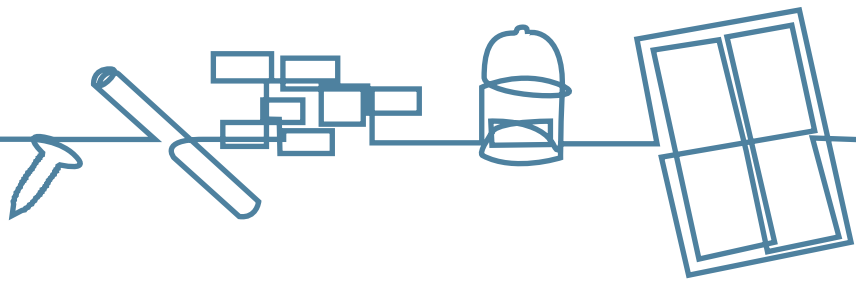
CE marking is not possible directly on the basis of the regulation

It is not possible to CE mark construction products directly on the basis of the Construction Products Regulation. The CE marking must be based on assessment methods found in a harmonised standard or in a European Assessment Document, and in both cases, the CE marking is based on a Declaration of Performance.

Template for declaration of performance

Annex III of the Construction Products Regulation provides the template for the Declaration of Performance. This states the information to be specified, for example if it is based on a harmonised standard or on a European Assessment Document (the voluntary route). The Declaration of Performance is detailed and must be closely adhered to.

The product's essential characteristics are to be listed in a table. For each characteristic, the product performance is to be expressed by level or class, or in a description.



Furthermore, it must be specified which harmonised standard or European Assessment Document and European Technical Assessment has been used.

If the performance is not declared for a listed characteristic, you must indicate NPD (No Performance Determined). All characteristics that are essential for the intended use of the product, in the Member State in which the product is to be sold, must be declared.

Requirements for notified bodies

A notified body shall fulfil high requirements for independence and technical competence under the Construction Products Regulation. The notified bodies shall be able to carry out their tasks concerning assessment and verification of constancy of performance, which among other things requires personnel with technical knowledge and appropriate experience.


The body applies for notification for a specific task with the relevant country's notifying authority or its equivalent; in Sweden this is Swedac. If the body is assessed to fulfil the qualification requirements, it will be notified to the European Commission and the other Member States, thus providing them with the opportunity to challenge the assessment of the Member State.

Where is the Declaration of Performance to be supplied?

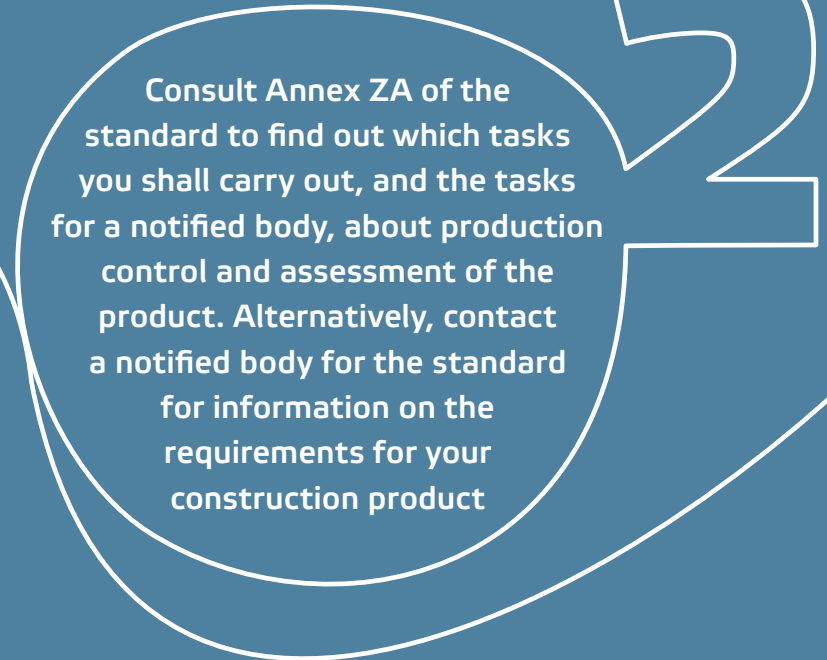
Every construction product, or batch of the same product being supplied to a single user, is to be accompanied by a copy of the declaration. The declaration shall be supplied by electronic means or in paper form, the latter if the recipient requests it. Furthermore, it shall be supplied in the language determined by each Member State. In Sweden, the Declaration of Performance shall be in Swedish.

The marking is to be visible

The CE marking shall be affixed visibly, legibly and indelibly to the construction product or to a label attached to the product. Where this is not possible or not warranted on account of the nature of the product, the CE marking shall be affixed to the packaging or to the accompanying documents. It is the manufacturer who produces the CE marking, according to Annex ZA of the relevant standard.



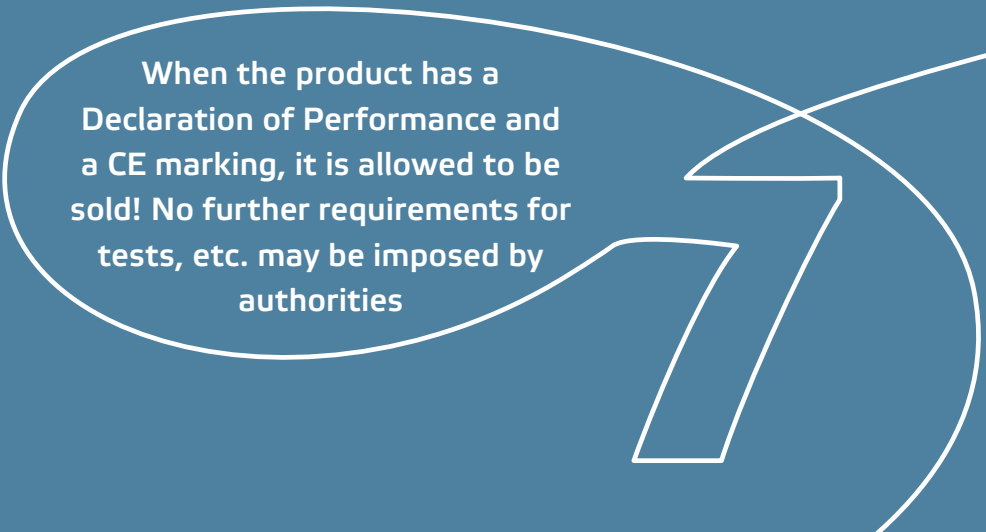
Find out if the product is covered by a harmonised standard



Consult Annex ZA of the standard to find out which tasks you shall carry out, and the tasks for a notified body, about production control and assessment of the product. Alternatively, contact a notified body for the standard for information on the requirements for your construction product

Guide 1

– If there is a harmonised standard



When the product has a Declaration of Performance and a CE marking, it is allowed to be sold! No further requirements for tests, etc. may be imposed by authorities

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Prepare information for the Declaration of Performance

Enter the information in the Declaration of Performance, following the template in Annex III of the Construction Products Regulation

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Provide information on the content of particularly hazardous substances under the REACH Regulation

You shall now CE mark your product

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Find out if the product is covered by a harmonised standard

If it is not, or if the existing standard does not contain assessment methods for all essential product characteristics, and you still want to CE mark the product, contact a Technical Assessment Body (TAB) and ask them to make a European Technical Assessment. Before 1 July 2013, you contact an EOTA body (in Sweden SP Sitac). This body will provide you with all the necessary help and information about the requirements of the Construction Products Directive and of the Construction Products Regulation

Guide 2

– Voluntary technical assessment

You shall now CE mark your product

Then the TAB will carry out an assessment and issue a European Technical Assessment. The manufacturer draws up a Declaration of Performance for the product according to the technical assessment

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If there are no technical specifications, the assessment body will, from 1 July 2013, in consultation with the other bodies, develop a European Assessment Document (EAD)

Start by submitting to the TAB a technical file on the product, its intended use and details on your factory production control to enable the body to determine if it is possible to produce an ETA based on a EAD.

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The manufacturer and the Technical Assessment Body (TAB) enter into an agreement on the body's development of a European Assessment Document (EAD) together with the other TABs

An EAD is produced by the TABs in corporation

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Information on particularly hazardous chemical substances

If your product is an article under the EU Chemicals Regulation REACH, such as flooring or windows, you shall, under REACH, along with the declaration of performance also declare the product's content of particularly hazardous substances that appear on REACH's Candidate List, see the Swedish Chemicals Agency website www.kemi.se for more information.

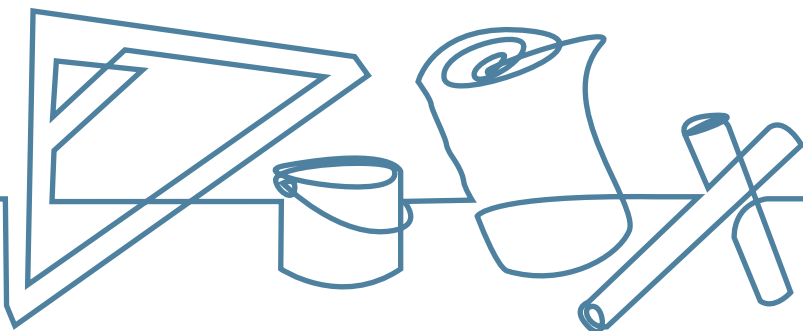
Do you already have CE marked products?

Construction products that are already CE marked today must also have a Declaration of Performance from 1 July 2013. It is already possible to make this declaration. This also applies to construction products that have a CE marking on the basis of an ETA. A European Technical Approval of this kind is valid for the period stated by the approval body.

Derogations from CE marking

There are certain possibilities for derogations from the requirement to draw up a Declaration of Performance even if the product is covered by a harmonised standard. A derogation may be possible if the product is custom-made in a non-series process for use in a specifically designated construction work. This requires that you take responsibility for ensuring that the product is installed according to national building regulations, etc.

There is also the possibility of derogations for products that are manufactured on the construction site. Another derogation possibility is if the construction product is manufactured in a traditional manner or in a manner appropriate to heritage conservation in a non-industrial process for the renovation of heritage objects.



Market surveillance

Boverket performs market surveillance of construction products on the Swedish market. Market surveillance may consist partly of document control and verification of product performance. If it is found that the CE marking is based on inaccurate or false documents or that actual characteristics of a controlled product differ from declared performance, the market surveillance authority must take appropriate action.

Normally, the manufacturer is first given opportunity to correct the inaccurate product or misrepresentations. The authority may, in special cases, require the product to be withdrawn from the market. If the deviation is assessed to pose a risk to human health or safety, a decision on a sales prohibition and possible recall can be made with immediate effect.

National construction rules apply

The national requirements for construction works (buildings and civil engineering works) decided by the Member States continue to be in force, that is, the construction rules in each country determine which product characteristics are essential.

The Construction Products Regulation regulates methods for assessing the essential characteristics of products and for describing them in a common European technical “language”. The Declaration of Performance is a tool that helps the user to assess whether the product is appropriate for the intended use.

More information

The European Commission's Nando website contains all harmonised standards for construction products. These standards have been developed in accordance with the Construction Products Directive and will be valid after 1 July 2013 until such time as they are amended or withdrawn. However, the European Committee for Standardisation (CEN) will update all harmonised standards for construction products according to the terms and concepts used in the Construction Products Regulation: <http://ec.europa.eu/enterprise/newapproach/nando/index.cfm?fuseaction=cpd.hs>

You will find the bodies notified for the standard in question by clicking that standard in the Nando list.

EOTA's website provides information on how to proceed if you wish to obtain a European Technical Approval (ETA) for your construction product. The new organisation necessary for CPR-ETA (European Technical Assessment) does not yet exist: <http://www.eota.be/en-GB/content/how-to-apply-for-an-eta/6>

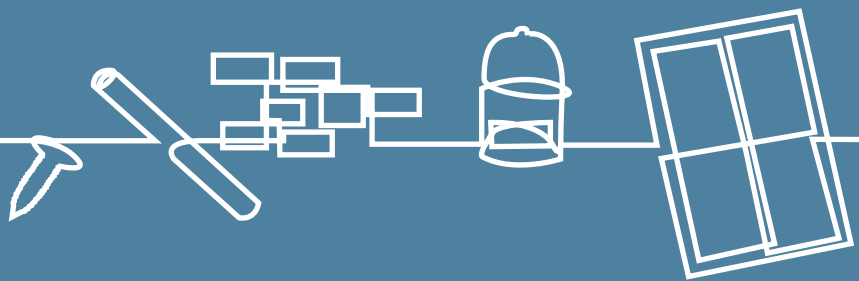
The template for declaration of performance is found in Annex III of the Construction Products Regulation, see Boverket's website. Boverket provides general information about the Construction Products Regulation here: www.boverket.se/CE-markning. Here you will find the Construction Products Regulation in Swedish and English.

At SIS, the Swedish Standards Institute, you will find more information about standards: www.sis.se

Denmark is the first EU country to have designated a Contact Point and that can provide information on the performance to be declared for products sold in Denmark. All Member States are to have such Contact Points from 1 July 2013. Below you will find the address of the Danish Contact Point and the address to good online information in Danish on harmonised standards:

<http://www.danishcprcontactpoint.dk/>

<http://www.byggevaereinfo.dk/>



What does the acronyms mean?

THE CONSTRUCTION PRODUCTS REGULATION: 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

CPR: Construction Products Regulation

ETA: European Technical Approval

TAB: Technical Assessment Body

NB: Notified body

REACH: The EU Chemicals Regulation on Registration, Evaluation, Authorisation and Restriction of Chemicals

NPD: No Performance Determined

HEN: harmonised standard

EAD: European Assessment Document

EOTA: European Organisation for Technical Approvals

NANDO: New Approach Notified and Designated Organisations Information System



Boverket

Swedish National Board of Housing,
Building and Planning

