



Challenges for CPR

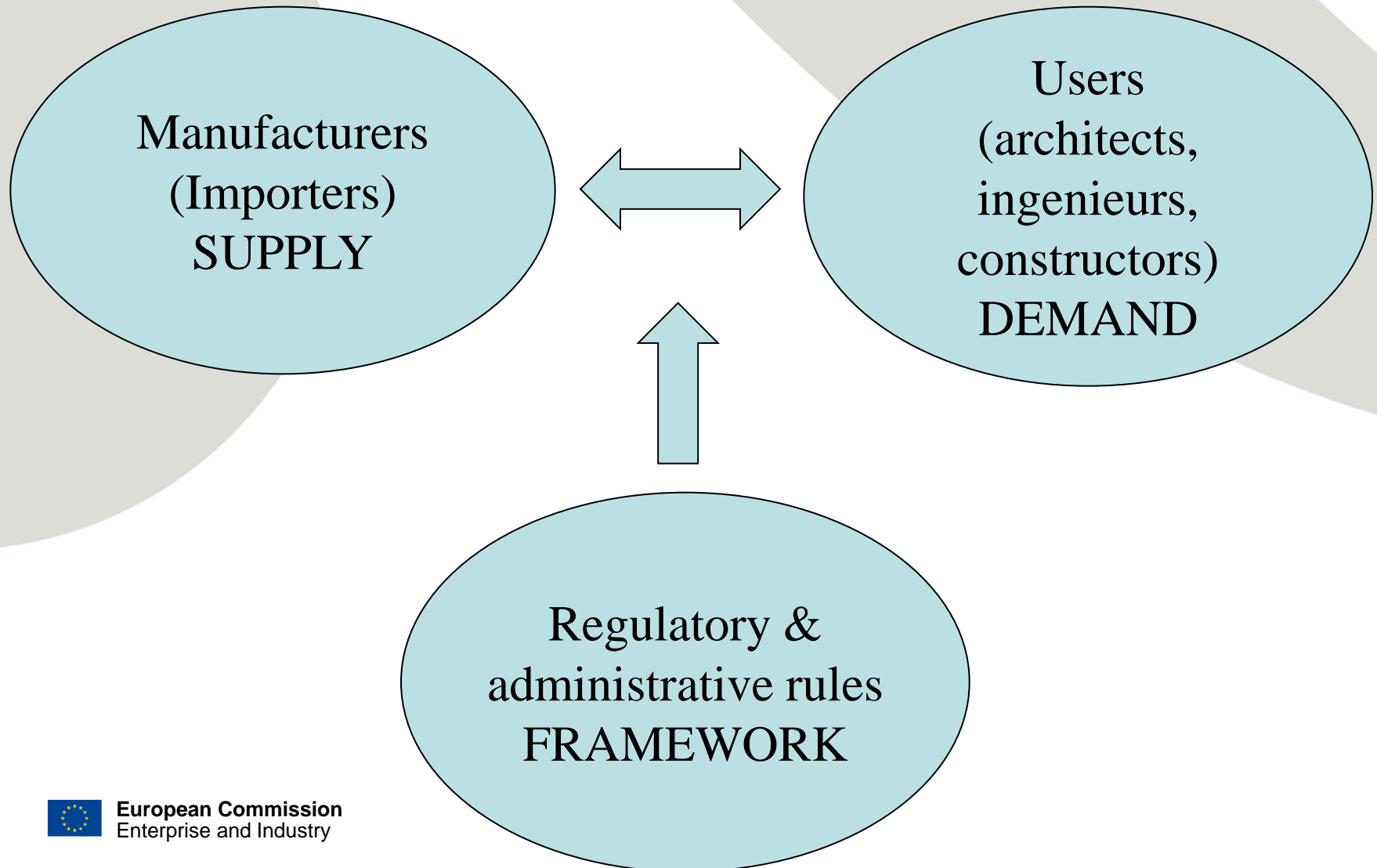
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CPR adopted

- **Commission proposal adopted on 23 May 2008**
- **EP 1st reading on 24 April 2009, Council 1st reading on 13 September 2010**
- **2nd reading agreement in informal trilogue of 7 December 2010**
- **EP 2nd reading vote on 18 January 2011**
- **Council adoption on 28 February 2011**
- **Regulation (EU) No 305/9.3.2011; OJ L 88, 4.4.2011, p. 5**

Internal Market



Use of construction products

- Intermediate products
- Responsibility for all actors:
 - manufacturers, importers, all distributors – but also
 - architects, ingenieurs, constructors ...
- Focus on performance of products



Common technical language

- Means for assessing performance
 - in relation to essential characteristics
- Harmonised technical specifications
 - standards (hEN)
 - more individualised solutions

What was wrong with CPD ?

Large-scale open consultation 2006:

- confusion on basics
- CE marking
- ETAs...
- complex & time-consuming procedures
- effects on SMEs ?
- **credibility** of the system ?



Objectives for the revision

Confidence

- **Clarity** : definitions, concepts, obligations ...
- **Scope** : small and medium enterprises, micro-enterprises, procedures, individual products
- **Credibility** : tighter schedules, stricter requirements, independent bodies

Better Regulation

Regulation, not Directive

- **Direct applicability**
- **Responsibilities for**
 - Member States : Uniformity
 - Commission : Monitoring
- **Clearer separation from NA**

NA/NLF...: Or not ?

- **New Legislative Framework**
[Reg-s 764 & 765, Dec 768/2008/EC, of 9 July 2008;
OJEU L 218 of 13.08.2008]
- **Sector specificities**
 - Products for works
 - Different uses, no product harmonisation
 - Specific meaning of CE marking
 - Experience under CPD
- **Notified bodies & Market surveillance from NLF**

Declaration of performance (DoP)

- **Important new concept ; focus on performance**
- **Content :**
 - Intended use
 - “at least one” characteristic
- **Link to REACH, together but separately**

CE marking

- Consequential to DoP; cf NA
- Still, accompanying information (Art 9(2)) : consequences to eSupply
- No space left for national marks

BWRs & essential characteristics

- BWRs related to construction works
 - **no obligations** created by CPR
 - although new BWR 7 & other adjustments, up to Member States
- Essential characteristics for products
 - influenced by BWRs
 - presented in hENs

Role of standards (hEN)

- In general, **strengthened** !
 - Harmonising assessment methods and criteria (not products)
 - No requirements for products
- Only method available
- Also MS to use when regulating
 - Use of classes & levels



New EOTA system

- From ETAs as approvals to assessments
- EAD as HTS, procedure & principles
- Manufacturers' position strengthened



Simplified procedures

- WT / WFT
- Sharing TT / TC
- Cascading TT / TC
- Micro-enterprises
- Individually manufactured products



Market Surveillance

- Already obligation for Member States
(Regulation 765/2008)
- Targeting
 - incorrect performance information
 - very serious risks
- National Market Surveillance Authority
(+ cooperation with customs)

Credibility of the system

- Demands on NBs / TABs
- Clarification (no need for national marks)
- Simplification



Transitional tasks

- Full applicability 1 July 2013 (entry into force already 24 April 2011 = in the past)
- Manufacturers : DoPs ready, Annex III
- CE-marking information & eSupply ?
- Dangerous substances, subsequent report
- Member States : Notifications (NBs) & designations (TABs)

For more information

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