CPR CONFERENCE 2012
« From the CPD to the CPR: essential elements of the CPR »

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1. Introduction.
2. Why was it necessary to « review » the Directive on Construction Products.
4. The complexity of the CPD and the SIMPLIFICATION elements of the CPR.
5. The failure of the CPD and the elements of the CPR to reinforce the credibility of the system.
6. Commission’s preparatory work.
1. Introduction

- The CPR is not a revolution: same objectives and basically same instruments as the CPD

- 2 years preparatory period towards its full application the 01.07.2013
2. Why was it necessary to « review » the Directive on Construction Products

- The achievements of CPD: more than 410 harmonised Standards and 2900 ETAs

- The ambiguities of CPD: is the CPD a N.A. directive? Meaning of the CE marking?...

- The complexity of CPD: heavy and non transparent procedures e.g. ETAs

- The failures of CPD: frequent use of national marks and conformity procedures
3. The ambiguities of the Directive and the clarifications of the Regulation: Essential elements

3.1 Elements for conceptual CLARIFICATION

- From a Directive to a REGULATION: homogeneous application
- The Regulation is clearly not a « New Approach » one and highlights the main differences with such kind of approach.
- The DoP (Declaration of Performance) is the key-concept in the CPR.
- CE marking has now a clear meaning and this is very different from its meaning under the « New Approach ». 
3.2 Elements for functional CLARIFICATION (rights and obligations)

- The **DoP is mandatory** for every construction product which is covered by a harmonised standard or conforms to a European Technical Assessment (Art. 4).

- The **DoP shall contain:**
  - information about the **use** of the product foreseen by the manufacturer (Art. 6).
  - the **list of the essential characteristics** which are considered pertinent for the declared intended use or uses in the relevant harmonised technical specification.
  - the **performance of at least one** of the essential characteristics of the construction product in that list (NPD for others).

- **CE marking is mandatory** if a DoP has been made (Art. 8).

- CE marking is the **only marking** associated with the essential characteristics of the products. None other marking can make reference to them.
3.3 Elements for CLARIFICATION at instrumental level

- **Harmonised Standards (hEN):** Art.17 clearly states the definition, content and role of the hENs (only a vague reference to the performance nature of the hENs in the CPD).

- **ETAs**
  - *Assessment* concept instead of *approval*
  - *EAD replaces* ETAGs and CUAPs
  - This road is possible and *voluntary* for products not covered by an hEN
4. The complexity of the CPD and the SIMPLIFICATION elements of the CPR

Article 36: WT, WFT, SHARING, CASCADING: avoiding unnecessary testing

- Article 37: micro-enterprises: notably system 4 instead of system 3

- Article 38: individually manufactured products: compliance with applicable requirements

- EAD (and ETA) procedures simplified: notably Annex II
5. The failure of the CPD and the elements of the CPR to reenforce the credibility of the system

- The clear meaning of the DoP and of the CE marking: the use of national marks is now even more unjustifiable.

- The introduction of criteria to be fulfilled by the notified bodies and organisations in charge of the European Technical Assessments (accreditation strongly recommended).

- The explicit prohibition of private marks (notably « national marks ») referring to characteristics covered by the CE marking.
6. Commission’s preparatory work

- Working arrangements with EOTA for guarantying the continuity of EOTA work in the periods before and after the 1.07.2013.

- Preparation of the implementing act for the definition of the ETA format.

- Preparing a framework contract for the working relations with the future EOTA

- Preparing a delegated act on the use of the web for the DOP.

- Preparing a report on the possible specific need for declaring the content on dangerous substances beyond requirements in REACH.

- Cooperation with CEN for adapting the wording of Annex ZA of harmonised standards.
Thank you for your attention