

# Open public consultation on EU rules for products used in the construction of buildings and infrastructure works

Fields marked with \* are mandatory.

## Information about respondents

---

\* 1. You are replying:

- as an individual in your personal capacity
- in your professional capacity or on behalf of an organisation

\* 2. Your first name:

Frank

\* 3. Your last name:

Koos

\* 5. Name of the organisation:

EuroWindow AISBL

\* 6. Postal address of the organisation:

c/o Schuman Business Center, 40, Rue Breydel, 1040 Bruxelles / Belgium

\* 7. Country of organisation's headquarters:

- Austria
- Belgium
- Bulgaria
- Croatia
- Cyprus
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany

- Greece
- Hungary
- Ireland
- Italy
- Latvia
- Lithuania
- Luxembourg
- Malta
- Netherlands
- Poland
- Portugal
- Romania
- Slovak Republic
- Slovenia
- Spain
- Sweden
- United Kingdom
- Other

\* 8. Type of organisation:

- Company or sole trader trader (manufacturer, importer, distributor, builder, designer, supplier, final user)
- Business representative (industry association, chamber of commerce, professional organisation)
- Technical body (notified body, technical assessment body, standardisation organisation, EOTA)
- Public authority or testing body (market surveillance e.g. inspectors/enforcement authorities, accreditation, notifying authority, product contact point, building controls)
- Non-governmental organisation
- Representative of construction workers
- Consumer organisation
- Research/academia
- Other

\* 9. How many employees does your enterprise have?

- More than 250 employees
- Between 50 and 249 employees
- Between 10 and 49 employees
- Less than 10 employees
- I am self-employed

\* 10. Is your organisation included in the Transparency register?

*If it is not, we invite you to register [here](#), although it is not compulsory to be registered to reply to this consultation.*

*(see: [Why a transparency register?](#))*

- Yes
- No

Not applicable

\* 11. Please enter your Register ID number:

29749561729-18

\* 12. Your contribution

*(Note that, whatever option is chosen, your answers may be subject to a request for public access to documents under Regulation (EC) N°1049/2001)*

- can be published with your organisation's information *(I consent the publication of all information in my contribution in whole or in part including the name of my organisation, and I declare that nothing within my response is unlawful or would infringe the rights of any third party in a manner that would prevent publication)*
- can be published provided that your organisation remains anonymous *(I consent to the publication of any information in my contribution in whole or in part - which may include quotes or opinions I express - provided that it is done anonymously. I declare that nothing within my response is unlawful or would infringe the rights of any third party in a manner that would prevent the publication).*

## Consultation

---



13. Do you know this symbol?

- Yes
- No

14. In your view what information does it provide with regard to construction products?

*(it is possible to select more than one reply)*

- This construction product has been assessed as to its performance in accordance with a harmonised European standard or a European Assessment Document
- This construction product complies with applicable local, regional or national building requirements and can therefore be used
- This construction product is safe
- This construction product is environmentally sustainable
- This construction product is made in the European Union
- I don't know

15. The following main elements of the EU legislation on construction products aim to provide a level playing field for all stakeholders working with construction products:

- harmonised European standards defining the performance characteristics of a product that could be tested as well as the test method that has to be used, and the reporting format for informing about the results;
- a harmonised system to select testing/assessment bodies (called "Notified Bodies") and to define their precise role, so as to ensure that the testing/assessment is done in all EU Member States in the same way.

Please rate how you think the above main elements have impacted the following issues:

|   | Large decrease        | Some decrease                    | No effect             | Some increase                    | Large increase                   | I don't know or not applicable |
|---|-----------------------|----------------------------------|-----------------------|----------------------------------|----------------------------------|--------------------------------|
| a) Market opportunities for companies in other Member States than their own | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/>          |
| b) Competition in your national market                                      | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/>          |
| c) Market opportunities for EU companies in countries outside the EU        | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/>          |
| d) Ability for small companies to compete with big companies                | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/>            | <input type="radio"/>          |
| e) Product choice for end-users   | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/>          |
| f) Product information for end-users  | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input type="radio"/>            | <input checked="" type="radio"/> | <input type="radio"/>          |
| g) Innovation in the construction products sector                           | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/>          |
| h) Product safety   | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/>          |
| i) Overall cost of production   | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/>          |
| j) Administrative costs to apply SME and simplification provisions          | <input type="radio"/> | <input type="radio"/>            | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/>            | <input type="radio"/>          |

Other impacts, please specify:

*1000 character(s) maximum*

You may elaborate on issues which are the most important or applicable in your case:

*1000 character(s) maximum*

The CPR has contributed to increasing competition and transparency in the European market for building materials.

These benefits have though been gained through a relatively big one time investment in new tests and documentation setup.

The Construction Products Regulation (CPR) framework works - generally speaking, and the right instruments are included. Therefore, we see by vast majority no need for changing the current legislative framework regulating the co-existence of EU and Member States' systems, broadly speaking.

Key is the enforcement of CPR and getting the regulation to work in practice, e.g.

1. Mandates/standardization requests have to be clear.
2. Well-functioning market surveillance securing a level playing field is of utmost importance for the internal market
3. Well-functioning cooperation between European Commission, Member States and the Standardization system.

16. Before the introduction of harmonised European standards for construction products, you were generally using national/regional systems.

Comparing the situations before and since the introduction of harmonised European standards, how would you consider that the benefits of the EU legislation on construction products (e.g. improved product information, improved product safety, increased cross-border trade, greater market opportunities, greater product choice, greater legal certainty) compare to the costs you bear (e.g. fees and charges, administrative costs, staff costs, materials costs, investment costs, hassle costs) when applying it?

- The costs greatly outweigh the benefits
- The costs just about outweigh the benefits
- The benefits are equal to the costs
- The benefits just about outweigh the costs
- The benefits greatly outweigh the costs
- I don't know

Please explain with reference to your case:

*1000 character(s) maximum*

In the long run the benefits are expected to outweigh the costs provided that there are no ongoing changes that will need ongoing adaptation in order to comply with an adjusted CPR.

The CPR has benefited both manufacturers and users of building materials due to the uniform declaration of essential characteristics.

The benefits are bigger for manufacturers working on European level than those only working locally.

17. In your view, could the benefits of EU legislation on construction products be achieved at a lower cost?

- Yes
- No
- I don't know

If "yes", please explain with reference of your case:

*1000 character(s) maximum*

Lower costs are not achieved by changing wording of the CPR, but by working with a more consistent implementation and enforcement across all Member States. Making sure market surveillance and level playing field is in place is of utmost importance (enforcement of CPR).  
By more detailed Mandates with setting AVCP-System 4 when using simplify procedures (e.g. tabulated values or simple calculations) costs can be lowered. More trust to manufactures will result in less bureaucratic burdens, but keeps the use of technical methods and responsibility for the product.  
Guidelines may direct the actors of harmonisation to remove some burden and therefore lower costs.

18. Please tell us whether in your view the CPR addresses each of the following potential issues regarding construction products sufficiently or not?

a) Extent and usefulness of information available to users of construction products (professional users and consumers)

- This is not a significant issue
- This is a significant issue but it should not be addressed by EU legislation on construction products
- This is a significant issue and it should be addressed by EU legislation on construction products
- I don't know

b) Extent of choice available for consumers in construction products

- This is not a significant issue
- This is a significant issue but it should not be addressed by EU legislation on construction products
- This is a significant issue and it should be addressed by EU legislation on construction products
- I don't know

Please explain:

*1000 character(s) maximum*

c) Legal certainty in the market for construction products

- This is not a significant issue
- This is a significant issue but it should not be addressed by EU legislation on construction products
- This is a significant issue and it should be addressed by EU legislation on construction products
- I don't know

Please explain:

*1000 character(s) maximum*

High level of legal certainty is important for manufacturers and consumers of construction products. This is already covered by the CPR at sufficient level. No changes necessary, but the enforcement of the existing framework is crucial. It is also of utmost importance that the responsibility of setting specific requirement level continue to be up to each Member State, as the need depends on the building tradition, climate etc.

d) Extent of cross-border trade between EU Member States

- This is not a significant issue
- This is a significant issue but it should not be addressed by EU legislation on construction products
- This is a significant issue and it should be addressed by EU legislation on construction products
- I don't know

Please explain:

*1000 character(s) maximum*

Cross border trade between Member States is of utmost importance. Securing an internal market for construction products should – continue to – be regulated at EU level.

e) Level of administrative costs for market operators to comply with the EU legislation on construction products

- This is not a significant issue
- This is a significant issue but it should not be addressed by EU legislation on construction products
- This is a significant issue and it should be addressed by EU legislation on construction products
- I don't know

Please explain:

*1000 character(s) maximum*

In order to ensure that all market players have the best and equal terms to place all their products on the home and export market, EU legislation shall – continue – to address this.

f) Safety of construction products

- This is not a significant issue
- This is a significant issue but it should not be addressed by EU legislation on construction products
- This is a significant issue and it should be addressed by EU legislation on construction products
- I don't know

Please explain:

*1000 character(s) maximum*

The level of safety is a Member State decision but the CPR should through harmonised Technical Specifications define the methods to be used for the documentation throughout EU. No changes needed in CPR here.

g) Environmental impact of construction products

- This is not a significant issue
- This is a significant issue but it should not be addressed by EU legislation on construction products
- This is a significant issue and it should be addressed by EU legislation on construction products
- I don't know

Please explain:

*1000 character(s) maximum*

The level of environmental impact is a Member State decision but the CPR should through harmonised Technical Specifications define the methods to be used for the documentation throughout EU. No changes needed in CPR here.

h) Energy efficiency of construction products

- This is not a significant issue
- This is a significant issue but it should not be addressed by EU legislation on construction products
- This is a significant issue and it should be addressed by EU legislation on construction products
- I don't know

Please explain:

*1000 character(s) maximum*

The level of energy efficiency is a Member State decision but the CPR should through harmonised Technical Specifications define the methods to be used for the documentation throughout EU. No changes needed in CPR here.

i) Innovation in general, in particular information and information processing technologies (including BIM Building information modelling) use in the construction product sector

- This is not a significant issue
- This is a significant issue but it should not be addressed by EU legislation on construction products
- This is a significant issue and it should be addressed by EU legislation on construction products
- I don't know

Please explain:

*1000 character(s) maximum*

Innovation is a matter for the companies and not for any legislation. Innovation can be encouraged (Horizon 2020) but not required.

19. Do you see any contradictions or overlaps between the EU Construction Products Regulation and other legislation at EU or national level (for example, rules on public procurement, rules on product safety, rules on eco-design, rules on health and safety of workers)?

- Yes
- No
- I don't know

If "yes", please explain with reference to your case:

*1000 character(s) maximum*

Construction products are affected and affect different issues such as public procurement, safety, ecology, health, conflicts to RoHS and REACH, in Germany VVTB.  
We believe though that this is already being taken care of.

20. Do you see any positive synergies between the EU Construction Products Regulation and other legislation at EU or national level (for example, rules on public procurement, rules on product safety, rules on eco-design, rules on health and safety of workers)?

- Yes
- No
- I don't know

If "yes", please explain with reference to your case:

*1000 character(s) maximum*

Among others, the CPR has helped to increase transparency and reduce transaction costs for both domestic and foreign companies (manufacturers and contractors) by enabling the authorities in the Member States to base their national building regulations on harmonized Technical Specifications.

21. Do you think there is merit in legislating on construction products at EU level compared to doing it at national level (28 (27) national regimes)?

- Yes
- No
- Don't know

If "yes" OR "no", please explain:

*1000 character(s) maximum*

No changes needed in CPR here. It makes sense at EU level to set common methods to be used for determination of the relevant characteristics and to avoid national barriers to trade by national labels (or national Annex) for harmonized product standards.

22. Do you believe that the EU legislation on construction products should be maintained as it is?

- Yes, it should be maintained as it is now
- Yes, but with improved implementation and enforcement
- No
- I don't know

If "yes" OR "no", please explain, with particular focus on the advantages (benefits) and disadvantages (costs) this would entail:

*1000 character(s) maximum*

The Construction Products Regulation (CPR) framework works - generally speaking, and the right instruments are included. Therefore, we see by vast majority no need for changing the current legislative framework regulating the co-existence of EU and Member States' systems, broadly speaking. Key is the enforcement of CPR and getting the regulation to work in practice, e.g.

1. Mandates/standardization requests have to be clear.
2. Well-functioning market surveillance securing a level playing field is of utmost importance for the internal market
3. Well-functioning cooperation between European Commission, Member States and the Standardization system.

(compare our attached position paper "EuroWindow position on Improvement of standardization for CPR (October 2016)")

25. If the CE marking were no longer allowed for construction products, would you see a need for another kind of marking?

- Yes
- No
- I don't know

If "yes", please explain what kind of marking and why, with particular focus on the advantages (benefits) and disadvantages (costs) this would entail:

*1000 character(s) maximum*

If CE marking is no longer allowed in the CPR, it will be necessary to make a corresponding marking and equivalent harmonized standards for declaration of performance in order to maintain and strengthen the Single Market, as well as in order to maintain and increase innovation in the building sector. In addition, eliminating the CPR at EU level will mean significantly higher costs for testing and product documentation for manufacturers, in order to comply with national regulations in each of the 28 (27) Member States. This will especially cause major challenges for SME working cross borders.

26. Do you believe that the use of the RAPEX system (i.e. the Rapid Alert System for dangerous non-food products posing a risk to the health and safety of consumers) for construction products is the right tool to help ensure their safety in use?

*The Rapid Alert System for dangerous non-food products ("RAPEX") enables quick exchange of information between 31 European countries and the European Commission about dangerous non-food products posing a risk to health and safety of consumers. This allows enforcement authorities in the countries that are members of the network to swiftly follow up on the notifications and to screen their markets for the possible presence of these unsafe products. Since 2010, the Rapid Alert System also covers professional products and products posing risks other than those affecting health and safety (such as risks to the environment).*

- Yes
- No
- I don't know

If "no", would you see other tools that should be used?

*1000 character(s) maximum*

No opinion now.

27. If you wish to add further information - within the scope of this questionnaire - please feel free to do so here.

*1000 character(s) maximum*

see EuroWindow position on principles of good cooperation and improvement of effectiveness of standardization for CPR (enclosure)

Please feel free to upload a concise document, such as a position paper. The maximal file size is 1MB. Please note that the uploaded document will be published alongside your response to the questionnaire which is the essential input to this open public consultation. The document is an optional complement and serves as additional background reading to better understand your position.

The maximum file size is 1 MB

**40528213-ebf4-42d0-8686-6df573282954**

**/EuroWindow\_position\_on\_Improvement\_of\_standardization\_for\_CPR\_1610.pdf**

**Thank you very much for your input into the review of the Construction Products Regulation!**

## **Contact**

Cecile.Perrin@ec.europa.eu

---