

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:

Alessio

* 3. Your last name:

Rimoldi

* 5. Name of the organisation:

BIBM - Federation of the European Precast Concrete industry

* 6. Postal address of the organisation:

rue d'Arlon 55, 1040 Brussels

* 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:

07055806769-32

* 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 type="radio"/>	<input checked="" 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 type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
e) Product choice for end-users	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
f) Product information for end-users	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
g) Innovation in the construction products sector	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input 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 checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
j) Administrative costs to apply SME and simplification provisions	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input 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

A harmonized system for construction products in Europe can be beneficial provided that local market needs are fulfilled in a pragmatic way, accepting that building codes are nationally determined. Commonly agreed European standards are a valuable tool to improve a common technical background, but enough flexibility is needed to comply with local provisions. The positive impact of the CPR would be higher if more standards were cited.

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

The transition from the CPD to the CPR had little effects on the precast sector. The development of a common technical language, including harmonised assessment methods, was accelerated by the regulatory pressure and resulted in cost reduction. This change is implemented through harmonised technical specifications. P.S.: A repeal of the CPR would increase the cost dramatically.

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

BIBM supports Construction Products Europe belief that it is possible, through pragmatic solutions and within a reasonable timeframe, to resolve the CPR implementation issues under the current legislative framework. Should critical issues remain unresolved, a focused revision of the CPR could be considered during the next European Parliament term of office. Better implementation of the current regulatory text would reduce the cost and time (bureaucratic and technical issues). In case of revision it should be limited to the reduction of unjustified cost (e.g. duplication of information in CE marking and DoP).

BIBM rejects the repeal of the Regulation (EU) No 305/2011 (Construction Products Regulation – CPR) and considers it must be the core regulatory framework for the construction sector in Europe.

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

Please explain:

1000 character(s) maximum

The information provided in the framework of the CPR fulfills legal obligations and can be useful for both professional users and consumers. Additional information may be provided by manufacturers in order to fulfill the market demands and the local legislative obligations.

The industry is open to discuss the essential characteristics in mandates but it should be agreed in an open and transparent way. Duplication of information in CE marking and DoP is a burden for our sector.

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

Construction Products Regulations do not have any influence in the extent of choice available. The market deals with it.

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

Common rules are key to guarantee equal rights and obligations for all economic operators at European level and prevent the creation of barriers to trade. It is also the basis for transparency and trust within the industry.

The legal framework is a mix of European regulations (on products) and local ones (on construction works). They shall be compatible with each other in order to allow for the answer to market demands and the achievement of legal certainty.

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

Each product family performs in different ways on their cross-border trade but the European Union legal framework guarantees a free movement of goods. It implies that the CPR should remove any legal barrier to cross-border trade.

By using harmonised technical specifications (hEN and EAD) this goal can be achieved on the basis on consensus while keeping the regulatory needs of Member States at National level. The CPR approach has shown to be more efficient than others, e.g. mutual recognition.

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

Less administrative cost is desired but within the current regulatory framework (chapter III of the CPR). In general benefits outweigh the costs.

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

It is properly addressed by Basic Requirements of Construction Works when properly connected to National building codes (subsidiarity principle).

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

It is properly addressed by Basic Requirements of Construction Works. The lack of information in this field, if any, can be solved through the revision of mandates/standardisation request and after a transparent and consensus based discussion.

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

Construction products cannot be "energy efficient" per se, but when incorporated into construction works. When properly addressed by Basic Requirements of Construction Works, the information provided in the DoP should be enough to fit the requirements for energy efficiency.

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 should not be addressed nor penalized (e.g. delays in citation of hEN). The Smart CE marking being developed by Construction Products Europe can play an important role in digitalisation of construction products information. The DoP information is usually provided in printed or PDF format and cannot be used by software or BIM tools. The Smart CE marking format allows for the data delivery in xml through a QR code or weblink, which will be compatible with BIM.

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

There are contradictions with the following EU regulations:

Ecodesign (Directive 2009/125/EC)

Drinking Water Directive (Directive 98/83/EC)

There are potential contradictions with the following EU regulations:

REACH (EC 1907/2006)

CLP (EC 1271/2008)

Waste Framework Directive (Directive 2008/98/EC)

Marine equipment directive (Directive 2014/90/EU)

Contradictions may also be found with National requirements and Public procurement at National or even local level.

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

Any essential characteristic under the CPR regulatory framework could be used to fit the requirements of any other legislation.

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

Keep the EU approach through harmonised technical specifications is a prerequisite for a free market and a level playing field for construction products. EU legislation also reduces the burden related to exports (e.g. common technical language and harmonized assessments and tests).

A European regulation is the best way to guarantee a clear and harmonised interpretation of:

The legal meaning of CE marking for construction products

The obligations of economic operators

The DoP format and content

The application rules (e.g. subsidiarity)

The role of standardisation

The voluntary route for CE marking – EOTA.

As previously mentioned, compatibility with local building regulations shall be ensured to guarantee a proper implementation.

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

A pragmatic approach to solve the outstanding issues with the active involvement of the EU Commission, Member States authorities and other stakeholders is the preferred way forward. BIBM rejects the repeal of the Regulation (EU) No 305/2011 (Construction Products Regulation – CPR) and its replacement by 28 (27) national regimes. We consider it must be the core regulatory framework for the construction sector in Europe.

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

EU legislation for construction products is fundamental for the European industry so, in that case, any alternative route should be European and follow the same principles as the existing CE marking for construction products. In other words, the CPR must not be repealed. The efforts of the industry during the last 20 years to implement CE marking has been recognized by all stakeholders in the construction chain. Any contradicting approach will be a huge step back for the industry.

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

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

In general, BIBM supports Construction Products Europe positions.
The answers provided here better reflect the specificity of the precast concrete sector.

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

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

Contact

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