

Procedure file

Basic information	
INI - Own-initiative procedure	2020/2028(INI)
Procedure completed	
Implementation of Regulation (EU) No 305/2011 laying down harmonised conditions for the marketing of construction products (the Construction Products Regulation)	
See also Regulation 2011/305 2008/0098(COD)	
Subject	
2.10.03 Standardisation, EC/EU standards and trade mark, certification, compliance	
3.40.07 Building industry	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Internal Market and Consumer Protection	 DOLESCHAL Christian	18/02/2020
		Shadow rapporteur	
		 GRAPINI Maria	
		 GOZI Sandro	
		 GRUFFAT Claude	
		 BASSO Alessandra	
		 FIDANZA Carlo	

Key events			
13/02/2020	Committee referral announced in Parliament		
28/01/2021	Vote in committee		
03/02/2021	Committee report tabled for plenary	A9-0012/2021	Summary
08/03/2021	Debate in Parliament		
10/03/2021	Results of vote in Parliament		
10/03/2021	Decision by Parliament	T9-0074/2021	Summary

11/03/2021

End of procedure in Parliament

Technical information

Procedure reference	2020/2028(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Implementation
	See also Regulation 2011/305 2008/0098(COD)
Legal basis	Rules of Procedure EP 54
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	IMCO/9/02516

Documentation gateway

Committee draft report	PE655.860	09/09/2020	EP	
Amendments tabled in committee	PE658.822	12/10/2020	EP	
Committee report tabled for plenary, single reading	A9-0012/2021	03/02/2021	EP	Summary
Text adopted by Parliament, single reading	T9-0074/2021	10/03/2021	EP	Summary
Commission response to text adopted in plenary	SP(2021)361	03/08/2021	EC	

Implementation of Regulation (EU) No 305/2011 laying down harmonised conditions for the marketing of construction products (the Construction Products Regulation)

The Committee on the Internal Market and Consumer Protection adopted the report by Christian DOLESCHAL (EPP, DE) on the implementation of Regulation (EU) No 305/2011 laying down harmonised conditions for the marketing of construction products (the Construction Products Regulation - CPR).

The purpose of the CPR is to remove technical barriers to trade in construction products to enhance their free movement in the internal market. The construction industry directly provides 18 million jobs in Europe and generates 9 % of GDP.

Members welcomed the Commissions CPR evaluation and ongoing review, which seek to further address barriers in the internal market for construction products and contribute to the objectives of the European Green Deal and the Circular Economy Action Plan, while taking account of technological developments and innovation.

Common technical language, including standards

The CPR does not harmonise any specific requirements or minimum safety levels for construction products, but instead only defines a common technical language, which is the same for all construction products falling under the CPR, for assessing the performance of construction products over their essential characteristics, laid down in harmonised technical specifications.

Members pointed out that unlike other new legislative framework legislation, the use of harmonised standards under the CPR is mandatory to ensure legal clarity and a level playing field for SMEs and meet the regulatory needs of the Member States.

The Commission is called on to ensure the active involvement of the industry and relevant stakeholders to ensure that new standards are as relevant as possible. A common technical language could help to promote a circular economy as it enables the performance of construction products to be declared in a common manner.

CE marking and Declaration of Performance (DoP)

Members are concerned by the fact that since the CE marking under the CPR differs from other new legislative framework legislation, as it only refers to product performance and does not attest to conformity with specific product requirements, such a difference in approach from other new legislative framework legislation could create confusion as regards the CE marking and diminish its value.

Market surveillance

Market surveillance for construction products is seen as insufficient and ineffective by the industry. Therefore, the report called on Member States to fully implement Regulation (EU) 2019/1020, which aims to strengthen the market surveillance of products covered by EU harmonisation legislation, including the CPR, and establishes the framework for cooperation with economic operators.

Consistent, harmonised and uniform enforcement of new rules by the national market surveillance authorities and for enhanced cross-border cooperation is needed to ensure a level playing field in the construction sector and fair competition in the EU market.

The report also highlighted the need to ensure the effective market surveillance of construction products sold online, especially those purchased from non-EU economic operators, as they might not comply with EU legislation and could therefore influence the quality and safety of construction works.

Sustainability in construction products

Stressing the overall need for a transition to a sustainable and more circular economy in the sourcing, manufacturing, reuse and recycling of construction products and in their use in construction works, Members stressed the need to improve the sustainability of construction products and the availability of secondary and renewable products and materials on the market.

In this regard, the Commission is called on to:

- incorporate certain requirements regarding environmental performance and sustainability criteria across the lifecycle of products into the harmonised standards for specific product categories under the CPR;
- assess how the CPR could support the circularity of construction products, including reused or remanufactured products or those manufactured from recycled materials.

Implementation of Regulation (EU) No 305/2011 laying down harmonised conditions for the marketing of construction products (the Construction Products Regulation)

The European Parliament adopted by 686 votes to 4, with 5 abstentions, a resolution on the implementation of Regulation (EU) No 305/2011 laying down harmonised conditions for the marketing of construction products (the Construction Products Regulation - CPR).

The purpose of the CPR is to remove technical barriers to trade in construction products to enhance their free movement in the internal market. The construction industry directly provides 18 million jobs in Europe and generates 9 % of GDP.

Need to revise the CPR

Parliament welcomed the Commission's CPR evaluation and ongoing review, which seek to further address barriers in the internal market for construction products and contribute to the objectives of the European Green Deal and the Circular Economy Action Plan, while taking account of technological developments and innovation.

Members called for an ambitious revision of the CPR to create a strong regulatory framework with effective and easily enforceable harmonised rules. They insisted that all stakeholders should be involved in the consultation and evaluation process. They also stressed the importance of carrying out an impact assessment of possible regulatory choices, as well as the need to ensure a level playing field and to reduce the administrative burden for all businesses, in particular SMEs.

Common technical language, including standards

The common technical language introduced by the CPR is defined by harmonised European standards, and by European Assessment Documents (EADs) for products not or not fully covered by harmonised standards in order to address Member States performance requirements.

Parliament acknowledged that the European Committee for Standardisation (CEN) and the European Committee for Electrotechnical Standardisation (CENELEC) are the competent organisations for the drafting of harmonised standards, while the European Organisation for Technical Assessment (EOTA) and Technical Assessment Bodies (TAB) are responsible for the preparation of European Assessment Documents (EADs).

Members are concerned by the fact that of the 444 existing harmonised standards for construction products, only 12 new standards were issued after the adoption of the CPR. They believe that

the time required for the development and citation of standards, the backlog for revising and updating existing standards (CPR acquis), the lack of legal clarity in the current legislative framework and the lack of a productive dialogue between all partners currently involved in the process are among the most significant problems associated with the implementation of the CPR.

Moreover, the lack of harmonised standards and the incompleteness of existing standards has led to additional requirements at Member State level for construction products, which hampers their free movement in the Single Market.

The Commission is urged to find a quick and viable solution to improve standardisation processes and remove the backlog of non-cited standards. Members support a combination of short-term measures to address delays and regulatory gaps and longer-term measures to improve the definition of common technical language through comprehensive and harmonised standards.

CE marking and declaration of performance

Members deplored the fact that CE marking under the CPR is wrongly regarded as a quality label and does not determine whether a construction product is safe or could be used in construction works. They therefore called for solutions that provide the end-users with precise and clear information on the safety of construction products and their compliance with national building safety requirements.

The Commission is invited to assess the possibility of gradually enhancing the CPR by including therein additional information obligations and product performance requirements with regard to health, safety and environmental aspects following an impact assessment and the assessment of Union and Member States regulatory needs for each product category.

Market surveillance

Market surveillance for construction products is seen as insufficient and ineffective by the industry. Therefore, the resolution called on Member States to fully implement Regulation (EU) 2019/1020, which aims to strengthen the market surveillance of products covered by EU harmonisation legislation, including the CPR, and establishes the framework for cooperation with economic operators.

The resolution also highlighted the need to ensure the effective market surveillance of construction products sold online, especially those

purchased from non-EU economic operators, as they might not comply with EU legislation and could therefore influence the quality and safety of construction works.

Sustainability in construction products

Stressing the overall need for a transition to a sustainable and more circular economy in the sourcing, manufacturing, reuse and recycling of construction products and in their use in construction works, Members stressed the need to improve the sustainability of construction products and the availability of secondary and renewable products and materials on the market.

In this regard, the Commission is called on to:

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