Product Certification and Inspection
Verification of CE-marking

The Dutch Situation compared with the French, German and UK Situations

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Contents presentation

• About TNO
• Background CPD, CE marking and CPR
• Impact on national regulations for works
• Connection with national regulation
• Inspection verification
• Conclusions
About TNO

• Mission:
  “To apply scientific knowledge with the aim of strengthening the innovative power of industry and government”
About TNO

- Network Building Regulations and CE Marking

Ministry of Housing, Spatial Planning and the Environment

Ministry of the Interior and Kingdom Relations
Background CPD, CE marking and CPR

- New Approach
  - Internal Market EU
  - CE marking
- Construction Product Directive (CPD)
  - Eliminate technical barriers to trade construction products
  - Characteristics product satisfy essential requirements
  - Standard building products: Harmonized Standards
  - Unique and innovative building products: European Technical Approvals (ETAs)
- Construction Product Regulations (CPR)
Background CPD, CE marking and CPR

• Essential requirements (CPD)
  • Mechanical resistance and stability
  • Safety in case of fire
  • Hygiene, health and the environment
  • Safety in use
  • Protection against noise
  • Energy economy and heat retention
• Durability of performance characteristics is a precondition
Background CPD, CE marking and CPR
Impact on national regulations for works

- Member States shall ensure that building works on their territory fulfill requirements dealing with
  - Safety
  - Health
  - Durability
  - Energy economy
  - Protection of environment
  - Aspects of economy
  - Other aspects important in the public interest
- CPD
  - Members States shall ensure that construction products intended for use in works, satisfy all essential requirements
  - Each Member State has to adopt its national building regulations to incorporate CE marking
Impact on national regulations for works

- Differences in 27 Member States between levels on which requirements are formulated
  - Many have only a few direct product requirements
  - Other have an extensive product legislation and regulation
- Mandatory or voluntary?
  - CE marking based on EN standards are mandatory in most Member States
  - CE marking based on ETAs are voluntary
# Impact on national regulations for works

<table>
<thead>
<tr>
<th>Member State</th>
<th>Level</th>
<th>Type of building regulations</th>
<th>Products</th>
</tr>
</thead>
<tbody>
<tr>
<td>Netherlands</td>
<td>National</td>
<td>Performance based</td>
<td>No specific requirements</td>
</tr>
<tr>
<td>French</td>
<td>National</td>
<td>Mixture of specification and performance requirements</td>
<td>Various kind of technical standards and assessments</td>
</tr>
<tr>
<td>Germany</td>
<td>Federal structure</td>
<td>Brief functional statement, sometimes including operative requirements and specifications</td>
<td>Extensive product legislation and regulation</td>
</tr>
<tr>
<td>UK</td>
<td>England and Wales, Scotland and Northern Ireland</td>
<td>Performance based</td>
<td>No specific requirements</td>
</tr>
</tbody>
</table>
Connection with national regulation

- Need for national linking documents
Connection with national regulation

- Netherlands
  - Dutch Building Degree 2003
  - CE marking is accepted as a legal quality statement
  - Can be used without any linking document
  - Connection can be shown by voluntary recognized quality statements issued by accreditation and certification bodies
Connection with national regulation

- France

- CE marking implemented through NF-EN standards (Normes Francais)

- Technical Application Document (DTA, Documents Techniques d-Application) establish link

- DTA specifies fitness for intended use of product in construction work

- Additional insurance requirements like third party testing and link to fitness for purpose particular applications
Connection with national regulation

- Germany
  - CE marking implemented in Musterbauordnung by introducing it in Bauregelliste B - part 1
  - Includes products placed on market and traded
  - List B – part 1 shows that each product
    - complies with levels, classes and conditions,
    - complies with German Restnormen, and/or
    - refers to a national Zulassung or supreme building authorities Federal State
  - Technische Baustimmungen are adopted for well known products
  - If use conditions are not covered by Technische Baustimmungen, conditions of use and declared values for calculations are part of national Zulassungen
Connection with national regulation

- England and Wales
  - CE marking implemented in Approved Document (AD) for Regulations 7 “Material and Workmanship”

- Scotland
  - CE marking implemented in Technical Handbooks, chapter 0.8

- Northern Ireland
  - Order 1979 (as amended 1999) Part A “Interpretation and Application”
  - Link two options
  - BSI developed standard application documents
  - BBA offers CE marking Application Guides (CEMAGs)
Inspection verification

• CPD mention that Members States shall ensure that CE marking is correctly used
• Arrangement has to be made within its own national provision
• For example in the Netherlands:
  • Regulated in the Housing Act
  • Deals with a so called economic delict referring to international liabilities
  • Responsibility of Inspectorate of the Ministry of Housing, Spatial Planning and the Environment
• Surveillance of manufacturers, sales offices, notified bodies, approval bodies and building contractor (on the building site)
Conclusions

- CE marking
  - Stimulate external trade
  - Harmonized product characteristics
- Strong impact on national regulation for works
- Large differences between 27 European Member States
- Need for national linking documents
- How well inspection verification is done is questionable
- Tough discussions about transition CPD to CPR