



EUROPEAN AUTOCLAVED AERATED CONCRETE ASSOCIATION
ASSOCIATION EUROPEENNE DES FABRICANTS DE BETON CELLULAIRE
VERBAND DER EUROPÄISCHEN PORENBETONINDUSTRIE

Simpler and fair rules are needed for the marketing of construction products

The EAACA is in favour of clear and fair conditions to ensure a well-functioning and safe internal market for construction products

13th October 2008

The **European Autoclaved Aerated Concrete Association** (EAACA) represents the interests of European



producers of autoclaved aerated concrete and their national associations across Europe. Autoclaved aerated concrete (AAC) has been in use for more than 50 years and it is currently marketed in all EU Member States and neighbouring countries. Autoclaved aerated concrete is a very strong but lightweight concrete suitable for both outdoor and indoor construction. It combines high insulation properties and thermal mass, thus optimising the inside temperatures and the whole energy performance of buildings. AAC is made of largely available raw materials and is particularly sustainable. Up to 100% of the construction and demolition waste can be recycled. The production of AAC requires low energy. Furthermore, the product offers perfect fire protection and a standardised quality all over Europe.

Our industry has a long record in manufacturing construction products and placing them on the market throughout Europe. Over the past years, AAC manufacturers have been subject to the requirements laid down by the **Construction Products Directive** (CPD), directly experiencing the benefits brought by the legislation as well as its limits.

The EAACA welcomes the European Commission's **proposal for a Regulation** of the European Parliament and of the Council laying down harmonised conditions for the marketing of the construction products (COM(2008)311)¹, presented on 23 May 2008, which aims to **remove hindrances to the internal market** of construction products through legislation applying to all EU Member States without the need for national transposition. This new regulatory act will certainly help to bridge the gap between different interpretations and use of CE marking across the EU.

Furthermore, our industry strongly supports the **simplification** offered to manufacturers to determine the product-type through a Specific Technical Documentation (STD), which would replace type-testing or type-calculation. The possibility of demonstrating the suitability of a construction product for an intended use without testing, without further testing or by using sharing or cascading type testing, should be particularly welcomed as a practical way of simplifying and reducing the costs of assessments.

The EAACA is also favourable to the supply of information on national requirements by **contact points**, provided that they work in an impartial way from assessment bodies.

Whereas we believe that the general approach in this proposal will result in clear improvements for manufacturers, distributors and users of construction products, we are convinced that a number of provisions raise serious concerns as to the **credibility** of the whole CE marking system.

The proposal suggests extending the scope of **European Technical Assessments** (ETAs) to all products, regardless whether harmonised standards are already in place for a specific product. The introduction of a **parallel route** for one single product, to be chosen at the discretion of the manufacturer, would lead to confusion and two-speed standardisation, thus undermining the very principle of harmonised standards. Under the current CPD, European technical approvals have proven their use for products deviating from existing standards. ETAs

¹ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0311:FIN:EN:PDF>



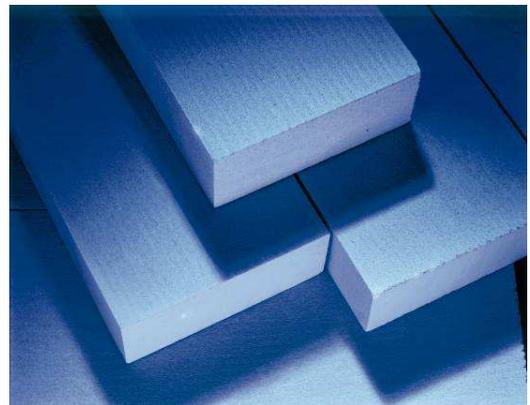
should thus be limited to **innovative products**, which per definition depart from existing standards or do not fall within the scope of the required end use set up in the standard. Products already covered by the provisions of a standard should be assessed according to the harmonised standard. It should also be clear from the definitions in the proposal that harmonised standards and European Technical Assessments (instead of European Assessment Documents) are the so-called “harmonised technical specifications”.

The Commission has introduced a number of simplified procedures articulated around a “**Specific Technical Documentation**” (STD), which we generally welcome. However, the EAACA would like to express concerns about the possibility given to **micro-enterprises** of replacing the whole assessment system of the declared performance of a product with an STD. On the one hand, a simplified procedure limited to micro-enterprises may give rise to **distortions of competition** with larger companies, including small and medium-sized enterprises (SMEs), the latter remaining subject to the normal procedures. On the other hand, the existence of an alternative procedure could undermine **users’ confidence** in the safety and reliability of CE marking for micro-enterprises applying the “light” system. Therefore, a **level-playing field** is necessary at least for all SMEs, while further guarantees should be given as to the **equivalence** of the safety standard under this simplified procedure.

Only by ensuring the same level of safety for all procedures will user’s confidence in CE marking improve. This in turn can reduce the need for **additional national marking** and contribute to completing the internal market for construction products. The EAACA supports the objective of avoiding conflicting markings and believe that CE marking should substitute national marks. Since affixing CE marking will demonstrate the product’s compliance with national legal requirements, extra (quality) marks may only be added if they cover aspects other than those addressed by CE marking.

In order to take into account the diversity of national and regional requirements relating to the achievement of basic works requirements, the Regulation should require the manufacturer or importer to make a **declaration of performance** also when the requirements are placed on works and not directly on products. The possibility of declaring no performance (**NPD**) should also be maintained for an essential characteristic for which there is no requirement in the country where the product is placed on the market.

We welcome the emphasis given by the Commission on the **sustainability** of construction works, through the introduction of a new basic works requirement on the “sustainable use of durable resources”. However, the articulation of this new requirement with ongoing standardisation work in TC 350 at the European Committee for Standardisation (CEN) should be clarified.



The EAACA calls upon the European Parliament and the Council, in cooperation with the European Commission, to address these major concerns when pursuing the legislative procedure on this proposal, in order for the Regulation to deliver the ambitious objectives of improving cross-border marketing of construction products while ensuring the highest level of quality and safety for users.

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