



Brussels, 29 August 2013

## FEICA opinion on the proposal to introduce a CE+ label on consumer products

FEICA is the Association of the European Adhesive and Sealant Industry. With the support of its national associations and several direct and affiliated members, FEICA coordinates, represents and advocates the common interests of our industry throughout Europe. In this regard FEICA aims at establishing a constructive dialogue with legislators and act as a reliable partner to resolve issues affecting the European adhesive and sealant Industry.

### Background – proposal for a regulation on consumer product safety (CPSR)

In February this year the European Commission published a proposal for a regulation of the European Parliament and of the Council on consumer product safety which shall replace Directive 2001/95/EC of the European Parliament and of the Council on general product safety.

The proposal is part of the 'Product Safety and Market Surveillance Package' and apart from ensuring a high level of safety to the consumer it also aims at "*clarifying the regulatory framework for consumer products*" by for example taking into account "*the alignment of sector-specific Union harmonisation legislation to that new framework and the entry into application on 1 January 2013 of a new Regulation on European standardisation.*"<sup>1</sup>

### Report of the Committee on the Internal Market and Consumer Protection

On 25 June 2013, the Committee on the Internal Market and Consumer Protection of the European Parliament (Rapporteur Christel Schaldemose) published a draft report on the Commission proposal<sup>2</sup>, which introduces the idea of the CE + marking in its amendments 21 and 52. This new label is supposed to be supplementary to the CE mark and indicate that the product has been tested by an independent third party. This idea is based on the rapporteurs believe that the CE mark is only "the manufacturer's indication, that he takes responsibility for the conformity of the product with all applicable requirements set out in the relevant legislation", meaning no indication of safety.

### FEICA concern on the proposal to introduce a CE+ mark

FEICA is extremely concerned by the proposal to introduce a CE+ mark as a supplementary label. We would like to point out that the assumption on which this idea is based, namely that the CE mark does not include the safety aspect, is wrong. Thus, it is evident that the CE+ mark will not increase the safety of the products concerned.

Numerous manufacturers of adhesives and sealants produce products that are used in construction and are as such covered by the Construction Products Regulation (EU) No 305/2011 (CPR). However, as many of these products are sold in DIY stores such as BRICO, Roy Merlin and others, they do not

<sup>1</sup> Proposal for a Regulation of the European Parliament and of the Council on consumer product safety and repealing Council Directive 87/357/EEC and Directive 2001/95/EC; COM(2013) 78 final; p. 2

<sup>2</sup> 2013/0049(COD)

only reach professionals but also consumers. These products are generally CE marked and, if deemed necessary, they are subject to independent third party testing.

Indeed, the level of risk of a construction product is decided by the Standing Committee on Construction not the manufacturers or experts. This committee will consider all aspects of safety in use and will determine who declares compliance (manufacturer or third party, and on an initial basis or on-going surveillance of product performance). Consequently, those products posing a real risk do require third party testing and the ones with the highest risk even require continued testing. However, this independent certified performance is only required for the products that pose a real risk to the public if they don't comply – to be decided by the Standing Committee of Construction.

## Conclusion

FEICA is convinced that a supplementary label such as the CE+ will only confuse matters. It will create a lot of administration and increase time to market and costs for the manufacturers. The manufacturer will inevitably be forced to increase the price of the product and the end-consumer will pay more for a product which is in no way safer than before.

Therefore, we would like to ask you, to oppose amendment 21 and 52 of the rapporteur.

## Contact

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