

The European voice of the adhesive and sealant industry





Proceedings

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- ✓ DON'T discuss discounts, terms of condition of sales, warranty terms, profits or profit margins, market shares, bids or the intend to bid, rejection or termination of customers, market sales territories
- ✓ DON'T propose or discuss any proposal, in absence of specific legal guidance, that the Association sponsors or engage in any activity which may have the effect of producing an adverse economic impact on some competing companies

This list is non-exhaustive.



Speakers/Moderators



Mr Steffen Maier (Sika) FFICA Construction Technical Working Group Chair



Drs Dirk Breedveld Netherlands Ministry of the Interior and Kingdom Relations Senior Policy Officer-Building Regulation



Mr Martin Gloeckner Deutsche Bauchemie Director



Mr Oscar Nieto Construction Products Europe (CPE) Technical Director



Mr Christian Doleschal Member of the European Parliament



Mr Dimitrios Soutzoukis (FEICA) Senior Manager Regulatory Affairs

Agenda

- Opening/FEICA introduction by the FEICA Construction Technical Working 13.00 Group Chair, Mr Steffen Maier (Sika)
- Overview of the present situation, important scenarios/options and FEICA 13.05 position by Deutsche Bauchemie Director, Mr Martin Gloeckner
- IMCO 'Own-Initiative Report (INI)' on CPR by Member of the European 13.20 Parliament, Mr Christian Doleschal
- 13.40 Views on the CPR revision by the Netherlands Ministry of the Interior and Kingdom Relations Senior Policy Officer-Building Regulation, Drs Dirk Breedveld (Msc)
- Alternative proposal for the future of the CPR (Option F) by Construction 13.55 Products Europe (CPE) Technical Director, Mr Oscar Nieto
- Q&A, Mr Steffen Maier/Mr Dimitrios Soutzoukis (FEICA) 14.15
- 14.30 Close of the webinar, Mr Steffen Maier





FEICA facts and figures

FEICA represents 800+ adhesives and sealants producers in Europe, through its National Association Members in 16 countries, 24 Direct Company Members and 19 Affiliate Company Members.

The adhesive and sealant industry*

- represents about 2% of the total European chemical industry's turnover
- contributes more than 17 billion euros to the EU economy
- employs more than 45,000 people
- invests about 470 million euros on Research and Development

* source: FEICA / Smithers



FEICA Membership

15 National Associations representing 16 countries +800 members











OPZPFK



















24 Direct Company Members



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AER SOL SERVICE

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AVERY

BOLTON ADHESIVES

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H.B. Fuller

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HUNTSMAN

Enriching lives through innovation

KRIMELTE

Lohmann
The Bonding Engineers.

(2) MAPEI

Member of Wolf Group





















19 Affiliate Company Members

































Chemical











Construction Products Regulation | State of play

James Elliott case of the ECJ: COM checks and blocks product standards submitted by CEN for citation (OJ-EU)

- Standstill in "harmonised standardisation"
- No adaptation to technical progress
- No fixing of identified errors

Gaps in harmonised standards which should be "exhaustive"

- MS's regulatory needs are not covered adequately by hENs
 MS are not allowed to establish national requirements for harmonised CP
- Theoretical regulatory frame and existing gaps in hEN provide an area of conflict

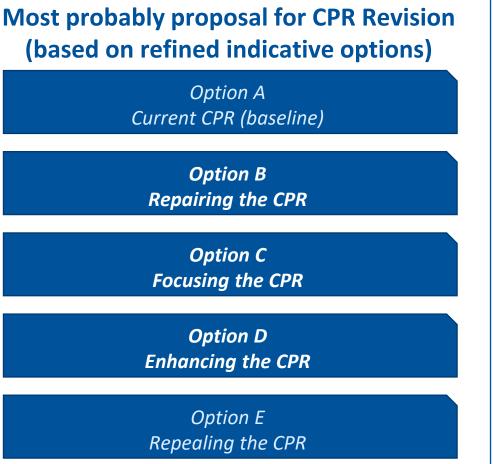
Political mandate from EU Green Deal, etc.

- BWR3 and BWR7 were not implemented under the current CPR
- The CPR Review should focus more on aspects like sustainability, health, environmental, circular economy and safety



Overview about current activities







Current situation: where are we?

- Proposal to revise CPR will most probably happen
- Proposal will most presumably, include major changes
- Some basic ideas of the COM could be disadvantageous for manufacturers
- The ideas of the EU Council (MS) and the European Parliament are in many areas closer to the industry position than to those of the COM
- Evaluation and adaptation of the technical acquis will take place in a parallel process
- Not clear, if the problem regarding the introduction (citation) of harmonised standards will be solved in the near future
- Legislative proposal by the COM was announced for end of 2021



FEICA position

CPR review



The single market

The single market for construction products and its advantages should be fully kept up, further developed and optimised

The harmonised single market for construction products should not be restricted by focusing on the scope of the CPR



Role of CEN

The strong role of harmonised CEN standardisation should be maintained to ensure the technical quality of standards through the necessary participation of all interested parties

The CEN route should remain the usual procedure. In justified exceptional cases, empowerment for the COM to create hTS



Standards not cited in the OJ-EU

For the current problems in harmonised CEN standardisation a timely solution should be found to ensure adaptation to technical progress in regular intervals

To wait for a solution until a revised CPR is implemented is not acceptable



Sustainability

A harmonised method to determine and communicate the environmental impacts (LCA) of CP should be implemented, using existing methods that have proven their worth (EPD / EN 15804 + A2)

The sustainability of buildings is an important topic for the future. The data required for CP should be determined and provided using best practices.

LCA: Life Cycle Assessment
CP: Construction products
EPD: Environmental Product Declaration



EOTA - TAB - EAD - ETA

Clear criteria and conditions for the EOTA/TAB route are needed

For innovative and complex CP that cannot (yet) be standardised, a solution beside CEN route is needed. To coordinate the two pathways, clear criteria and conditions are required

EOTA: European Organisation for Technical Approvals

TAB: Technical Assessment Bodies

EAD: European Assessment Document ETA: European Technical Assessments



No double regulation

It is necessary to avoid double regulation and to ensure coherence between different areas of legislation

A&S are covered by different legal frames. Especially the CPR and chemicals legislation are relevant. Coherence between different legislation and avoiding double regulation are essential



Digitalisation

In an age of advanced digitalisation, IT-based methods should be driven forward (e.g. BIM, smart CE marking, Digital Logbook) to optimise communication along the supply chain

Customers expect clear information via CE/DoP. Currently they criticise that this is not given. Digitalisation (e.g. smart CE marking + compliance App) could provide solutions











Ministerie van Binnenlandse Zaken en Koninkrijksrelaties



Views on the CPR Revision

Feica CPR Webinar

25 February 2021

Dirk Breedveld



Current problems with CPR...



- Quality of output and performance of the standardisation system;
- Enforcement EU-wide;
- Little effect of simplification rules such as Articles 5, 37 and 38
- BWR's 3 and 7 are not active;

If a revision takes place, according to EC, attention should also be paid to:

- Consistency with other product regulations;
- Relevance of an alternative route for normalisation;
- Cost / burden analysis;
- Duplication with other product regulations (Ecodesign) and gaps between the general guideline on product safety;
- Certain test and information requirements with regard to sustainability and sustainable use of natural resources, safety and health;

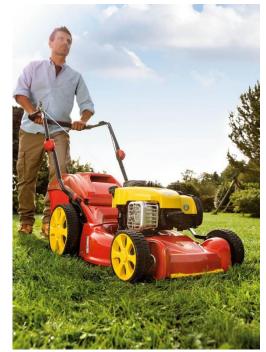


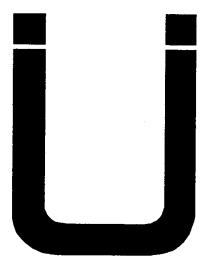
Quality of output and performance of the standardisation system (No hEN's in OJEU- What's going on?)

European lawsuits

- Commission vs. Germany (C-100/13)
- James Elliot (C-613/14)
- Global Gardens (T-474/15)









Points for improvement hENs

- AVCP clauses;
- Use of undated normative references or normative reference chains ending with undated standards;
- Dated normative references to:
 - A standard that has been removed from the EU Official Journal (OJEU) due to a formal objection (Member State)
 - A document that is not publicly available (for example, a draft standard or an old standard that is no longer publicly available;
 - Obsolete or withdrawn standards.

Rejection categories	% of standards interested by the rejection category
New / modified Classes	20.3%
New / modified Thresholds	21.7%
Pass/Fail Criteria	12.1%
Additional requirements outside Annex ZA (& voluntary marks)	28.5%
Scope issues	7.2%
AVCP and FPC issues	18.4%
New / Missing / different ECs in Annex ZA vs Mandate	21.3%
Dangerous Substances	6.3%
Reference to National Requirements	12.6%
Inappropriate wording/errors/CPD language	26.6%
Member State opposition	2.9%
Similar to other refused ENs	9.7%
Other / undefined issues (fire,)	11.6%

Note that a standard can contain several issues that correspond to different rejection categories.

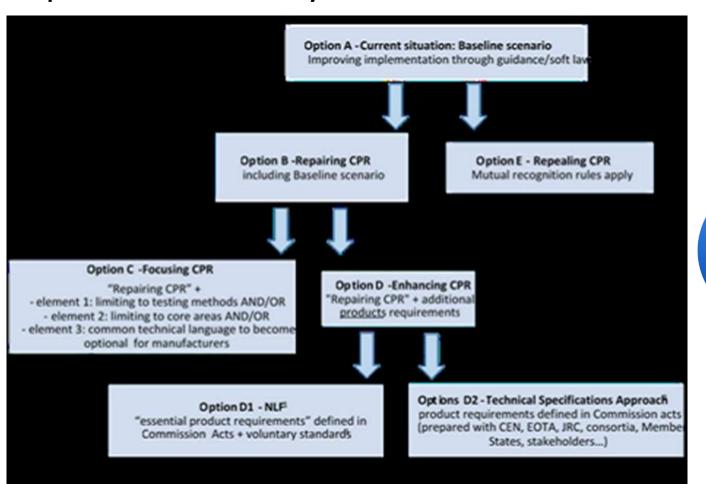


Current steps

- Improvement of the system of laws and regulations under the CPR (the so-called "acquis")
 - ->Involvement of Member States required;
- Review of the CPR
 - ->Option paper released April 17, 2020



CPR Options Paper 21 February 2020





CPR Acquis

Improving the system of laws and regulations under the CPR





CPR Acquis

Establishment of an alternative system to get harmonised technical agreements in order, according to the Cie.





NL view on: disclaimer...

- *all rights reserved ...
- *work in progress...
- *not exhaustive...
- *highlighted just some





NL view on: Quality of output and performance of the standardisation system;

- For four decades, the European standardisation system has been a catalyst for competitiveness and innovation in Europe, making European standards a global benchmark. We cannot risk that the EU and our standardisation system will fall behind, especially now that we have great ambitions to further strengthen the internal market, make the construction sector more energy-efficient and make it more sustainable. We call on CEN and the EC to solve the problems that have now arisen in a constructive dialogue with each other and to make concrete working agreements with each other;
- European standards are in danger of losing their application at the international level!



NL view on: Quality of output and performance of the standardisation system;

- Technical content development: preferably by CEN / CENELEC;
- What is the EC position on the new CEN Guidelines?!
- Other private standardisation bodies, JRC, industry, Member States, etc. as a possible, less desirable but necessary option in case no agreement is really found between EC and CEN;
- Always i.e.: 'all parties concerned', 'stakeholder analysis'
 -> Quality of the process!
- Binding criteria and corresponding guidance for the drafting of hENs or hTA's;
- Complete and detailed Standardisation requests;
- Reducing ENs blocked by the Commission from citation in the OJEU step by step.



NL View on BWR3 and BWR7 - horizontal EN's:

- BWR 3: Hygiene, health and the environment
 - Good work has been done by CENT/TC 351 'Construction Products: Assessment of Release of Dangerous Substances';
 - -> European assessment method EN 16516;
- BWR 7: Sustainable use of natural resources
 - -> Good work has been done by CENT/TC 350 'Sustainability of construction works'
 - -> European assesments method EN 15804 + A2 (in line with PEF) and to combine with EN 15978 on a building level;



NL View on....concluding

- We believe and invest in the future of the CPR and the internal market;
- We hold on to subsidiarity: performance requirements (on a building level) is a responsibility for the Member States;
- The CPR should concentrate exclusively on the performances of construction products and the use of the corresponding CE marking;
- We believe and invest in a good and constructive cooperation with Member States, European Commission and all stakeholders;



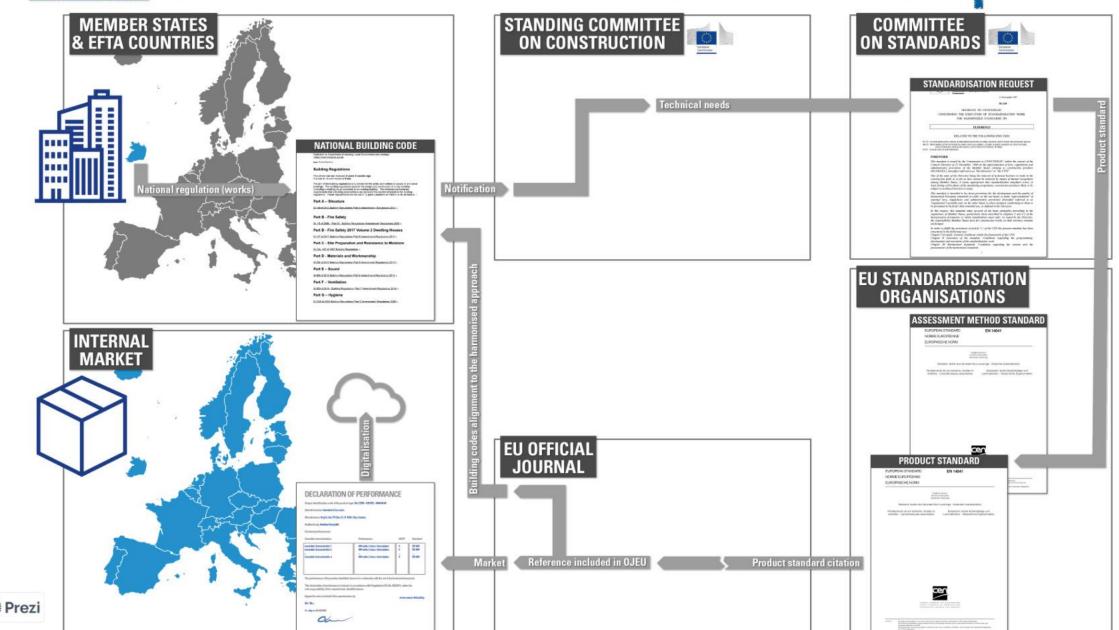
Alternative option for the future of the CPR — Option F

Oscar Nieto 25/02/2021





CPR POTENTIAL IMPROVEMENTS Option F



Option F

Industry needs short term solutions within the current regulatory framework to unblock CPR implementation. This is the priority of the industry.

The 5 options presented by the EC for the future of the CPR are not workable or satisfactory.

This proposal is an alternative option to those presented by the EC, offering solutions which respect and maintain the principles of the CPR.

The basis of this proposal is an analysis of the problems identified in the implementation of the CPR, the expectations of the different stakeholders (including those identified by the EC related to rulings of the European Court of Justice.











Discussion Paper The future of the standardisation system within the CPR

This document was developed by the European Builders Confederation (EBC), the European Construction Industry Federation (FIEC), Construction Products Europe and Small Business Standards (SBS) as input on the role of the standardisation system in the current CPR and its potential revision. Other topics related to the implementation or future of the CPR will be developed.

1. State of the art

Standardisation plays a crucial role for the European construction sector. It is the main pillar of the Internal Market, facilitates the free movement of construction products in the European Union (EU) and streamlines construction activities. This important role is acknowledged in the European legislation, notably the Construction Products Regulation (CPR) and the European Standardisation Regulation.

Within the scope of the CPR, harmonised technical specifications, such as harmonised European product standards, define the common technical language to be used:

- by manufacturers to express the technical performance of their products in CE marking and Declaration of Performance (DoP). Alternative approaches are not allowed:
- by national regulators to express the required performance of products to fulfil building and construction requirements e.g. safety, health, environment, etc.
- by designers and contractors to exchange information irrespective of EU borders or local practices.

The common technical language, and standards in general, are continuously revised to adapt to market needs and technological and scientific developments. They support the technical implementation of policy priorities defined within the regulation by legislators. The experts in charge of standards development are tasked to implement technically these priorities, spelled out in standardisation mandates by the EC. The experts involved in the evolution of standards follow a transparent and coordinated process involving all stakeholders in the construction chain, including the industry.

Construction product manufacturers and contractors strongly rely on standards and need them to remain aligned with changing market and regulatory demands. Without up to date standards, the Internal Market for construction products could neither be achieved, nor maintained.

However, in recent years the integration of standards in the regulatory system has often failed and resulted in less efficiency in the construction sector and damage to the internal market.

The current list of harmonised standards published in the Official Journal of the European Union (OJEU) is outdated. New versions of harmonised standards are available, but their citation was



PRODUCT PERFORMANCE

LIST OF ESSENTIAL CHARACTERISTICS

Essential characteristics

essential characteristic 1 essential characteristic 2

units / class / description ### units / class / description

EN see BN ###

NATIONAL BUILDING CODE

Building Regulations

It is due for its next review in 0 sec.

The aim of the building regulations is to provide for the safety and welfare of people in and about buildings. The building regulations apply to the design and construction of a new building (including a dwelling) or an extension to an existing building. The minimum performance requirements that a building must achieve are set out in the second schedule to the building

Part A - Structure

SI 138 of 2012 Building Regulations (Part A Amendment.) Regulations 2012 rd

Part B - Fire Safety

\$1.115 of 2006 - (Part B) - Building Regulations (Amendment) Regulations 2006 or

Part B - Fire Safety 2017 Volume 2 Dwelling Houses

S.I. 57 of 2017 Building Regulations (Part B Amendment) Regulations 2017 =

Part C - Site Preparation and Resistance to Moisture

S.I. No. 497 of 1997 Building Regulations -

Part D - Materials and Workmanship

SI 224 of 2013 Building Regulations (Part D Amendment) Regulations 2013 -x

Part E - Sound

SI 606 of 2014 Building Requiations (Part E Amendment) Regulations 2014 x

Part F - Ventilation

St 263 of 2019 - Building Regulations (Part F Amendment) Regulations 2019 or

Part G - Hygiene

S.1,335 of 2008 Building Requiations (Part G Amendment) Regulations 2008 p.

Notification



STANDING COMMITTEE **ON CONSTRUCTION**



COM **ON STA**

HARMONISED TECHNICAL SCOPE

PRODUCT PERFORMANCE

EN ###:YEAR

development of an European approach

Technical needs

Notification

SCC to become the competent group to consolidate and approve the notified technical and regulatory content to be implemented





COMMITTEE ON STANDARDS



development of an European approach

Technical needs

alignment of assessment methods

STANDARDISATION REQUEST

tr 12 Construc

12 November 1997

M 119

MANDATE TO CENCENELEC
CONCERNING THE EXECUTION OF STANDARDISATION WORK
FOR HARMONIZED STANDARDS ON

FLOORINGS

RELATED TO THE FOLLOWING END USES

01/33: FLOOR BEDS (INCLUDING SUSPENDED GROUND FLOORS), ROADS AND OTHER TRAFFICKED AREAS 96/33: PREFABRICATED SYSTEMS FLOORS AND GALLERIES, STAIRS, RAMPS, RAISED ACCESS FLOORS, BALUSTRADES AND HAND RAILS, INCLUDING EXTERNAL WORKS 13/33: FLOOR AND STAIR FINISHES

FOREWORD

This mandate is issued by the Commission to CEN/CENELEC within the context of the Council Directive of 21 December, 1988 on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products (88/106/EEC), hereafter referred to as "the Directive" or "the CPD".

One of the aims of the Directive being the removal of technical barriers to trade in the construction field, in so far as they cannot be removed by means of mutual recognition among Member States, it seems appropriate that standardisation mandates cover, at least during a first phase of the mandating programme, construction products likely to be subject to technical barriers to trade.

This mandate is intended to lay down provisions for the development and the quality of harmonised European standards in order, on the one hand, to make "approximation" of national laws, regulations and administrative provisions (hereafter referred to as "regulations") possible and, on the other hand, to allow products conforming to them to be presumed to be fit for their intended use, as defined in the Directive.

In this respect, this mandate takes account of the basic principles prevailing in the regulations of Member States, particularly those described in chapters 3 and 4.2 of the Interpretative documents, to which standardisers must refer. As stated by the Directive, the responsibility Member States have for construction works on their territory remains unchanged.

In order to fulfill the provisions of article 7.1 of the CPD the present mandate has been structured in the following way:

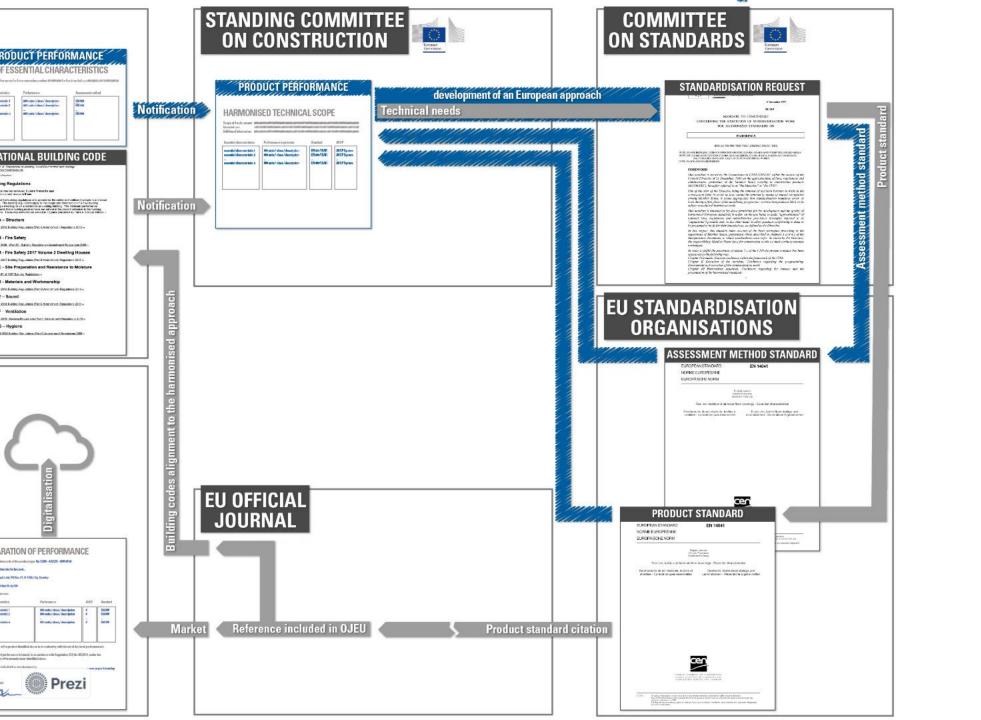
Chapter I Grounds. General conditions within the framework of the CPD.

Chapter II Execution of the mandate. Conditions regarding the programming, development and execution of the standardisation work.

Chapter III Harmonised standards. Conditions regarding the content and the presentation of the harmonised standards.

ethod standard

Prezi



STANDING COMMITTEE **ON CONSTRUCTION** PRODUCT PERFORMANCE



Unsolved technical needs

Technical needs

development of an European approach

COMMITTEE ON STANDARDS



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Notification

extraordinary approach only applicable a reasonable deadline is not met

HARMONISED TECHNICAL SCOPE

units / class / description

EN ann YEAR

exceptional approach applicable only if standardisation does not deliver

TECHNICAL/REGULATORY **BODY**

STANDARDISATION REQUEST

M 119

CONCERNING THE EXECUTION OF STANDARDISATION WORK FOR HARMONIZED STANDARDS ON

61/33 : FLOOR BEDS (INCLUDING SUSPENDED GROUND FLOORS), ROADS AND OTHER TRAFFICKED AREAS

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EU STANDARDISATION ORGANISATIONS

ASSESSMENT METHOD STANDARD

EUROPEAN STANDARD NORME EUROPÉENNE EUROPÄISCHE NORM

Revêtements de soi résilients textiles et

o the harmonised approach

Prezi

Part B - Fire Safety

St 115 of 2006 - (Part 5) - Building Regulations (Amendment) Regulations 2006 (

Part B - Fire Safety 2017 Volume 2 Dwelling Houses

8.1, 57 of 2017 Building Regulations (Part B Amendment) Regulations 2017 or

SI 224 of 2013 Building Regulations (Part D Amendment) Regulations 2013 or

SI 606 of 2014 Building Regulations (Part E Amendment) Regulations 2014 v

Part G - Hygiene

£1.335 of 2006 Building Regulations (Part G.Amendment) Regulations 2006



DECLARATION OF PERFORMANCE

Unique identification code of the product-type: No 1295 - ABCOE - #######

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Prezi

-Detailed scope

-Intended uses

-List of essential characteristics

-Assessment methods (EN by default)

-Performance expression

(value/class/pass-fail...) -Applicable AVCP system -Additional technical rules

-Market surveillance (acceptance criteria)

Building codes alignment to the harmonised approach

-Temporary national provisions

EU OFFICIAL JOURNAL

OJEU PUBLICATION

Market

EN MAYEAR FN MANYEAD

EN MANYEAR AVCP Syntem

egal act e.g. implemented act

exceptional approach applicable only if standardisation does not deliver

TECHNICAL/REGULATORY **BODY**

regulatory information available while keeping the technical content in standards

balance between technical and regulatory content but ensuring connection to MS and EU needs

to be removed after a transition period

Product standard citation

the responsibility Member States have for construction works on their territory remai-

Chapter II Execution of the mondate. Conditions regarding the pr

EU STANDARDISATION ORGANISATIONS

ASSESSMENT METHOD STANDARD

NORME EUROPÉENNE FUROPÄISCHE NORM



PRODUCT STANDARD

NORME EUROPÉENNE EUROPÄISCHE NORM



Part C - Site Preparation and Resistance to Moisture

Part D - Materials and Workmanship

SI 224 of 2013 Building Requiritors (Part D Amendment) Regulations 2013 re

Part E - Sound

SI 906 of 2014 Building Requisitors (Part E Amendment) Regulations 2014 si

SI 263 of 2019 - Building Regulations (Part F Amendment) Regulations 2019 of

Part G - Hygiene

S.1.335 of 2008 Building Regulations (Part G Amendment) Regulations 2008 -

Building codes alignment to the harmonised approach

-Detailed scope -Intended uses

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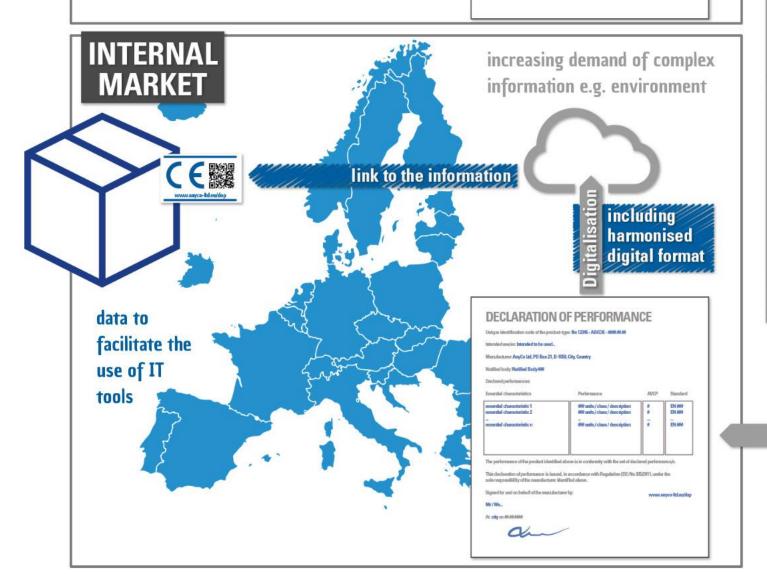
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-Temporary national provisions

EU OFFICIAL JOURNAL



HARMONISED TECHNICAL CONTENT

Market





TECH

implemented ac

Legal act e.g.

to b



CPR POTENTIAL IMPROVEMENTS Option F

