



Eurocer-Building position on voluntary certification and CE-marking of construction products

CE marking and voluntary certification are sometimes presented as competing approaches, notably in the area of construction products. However, in reality, they differ fundamentally, in particular with regard to:

- their aims;
- the operators involved, their implied responsibilities and the diversity of the means employed;
- how they are implemented and publicised.

Eurocer-Building, the European association of certifying organizations for construction products and construction works, endorses voluntary certification in the building industry because it creates added value and represents the right to differentiate products on the market.

The aims of CE-marking and voluntary certification

CE marking: meeting regulatory requirements to facilitate the free movement of products

CE marking is a **legal provision** intended above all to **facilitate the free movement** of products within the European Community. It indicates that the product to which it is affixed complies with the performance declared by the manufacturer and with the applicable requirements of the Construction Products Regulation (CPR). It is mandatory for products covered by a harmonised European standard or a European technical assessment document.

Declared performance is related to the essential characteristics of the product chosen by the manufacturer, taking into account the fundamental requirements of construction works, for the intended and declared use of the product. CE marking allows information about the product to be displayed in cases where such information is necessary to meet the regulations in force in the country where the product is marketed. So for example, the selection of products used in the construction of public access buildings may require knowledge of the European fire reaction classification which is indicated in the CE marking of the product.

Voluntary certification of construction products: a means of differentiation to prove product quality and ensure the performance of construction works

Voluntary certification is a means of **differentiation** which promotes the quality and performance of the products used in construction works. It aims in particular to create the **confidence** which is essential between all the stakeholders in the construction sector. It goes beyond mere compliance with regulatory requirements. For a building or construction work to provide satisfaction it must be properly designed, built according to established rules and employ products and materials selected using reliable criteria.

Voluntary certification requires the systematic involvement of a third party organization. It thereby ensures the reliability of product characteristics, its fitness-for-use and provides users in the widest sense (decision makers, designers, contractors or end users) with relevant information about products and how they should be best used in conjunction with other products and other construction works.

In addition to providing the information required for regulatory compliance, voluntary certifications **indicate other characteristics of use and may correspond to performance criteria demanded by the market**. By taking into account considerations such as energy efficiency or the services associated with products, they may help meet public policy objectives. We can cite as examples air treatment equipment covered by a voluntary certification of its energy efficiency rating, or automatic smoke detectors for which the

certification body has validated the assembly and maintenance instructions and audited the technical support services. In this way all requests for information about the certified product can be met.

Roles and responsibilities: a variety of means

CE marking: the manufacturer's responsibility

CE marking is affixed **under the responsibility of the manufacturer** who puts the product on the market after drawing up a declaration of performance. In certain cases, depending notably on the level of risk to personal safety under the product's intended conditions of use, CE marking may enable the manufacturer:

- to obtain a certificate of constancy of performance of the product;
- to obtain a certificate of factory production control;
- to have access to test reports established by notified laboratories;
- to declare performance and affix CE marking without recourse to a notified body.

Certificates or test reports may be issued by bodies within the CPR scheme notified by the member country to which they belong. Within the European Economic Area there are currently over 400 CPR notified bodies carrying out the activities required for the issue of such certificates or test reports.

Voluntary certification of construction products: an enhanced confidence given by a third party

. In voluntary certification a **third party organization** attests that a product complies with specific requirements established after consultation of all interested parties. Moreover, to demonstrate in particular their impartiality and expertise, **the certification bodies must be accredited** according to international standards. The certification organization is responsible for all compliance verification and assessment tasks required for certificates to be issued

Implementation and communication

CE marking is applied under various conditions

Whereas the CE marking of a construction product always indicates that the product meets the levels of performance declared by the manufacturer, the marking process differs because five systems of assessment and verification of constancy of performance may possibly be applied. In all cases, the manufacturer must implement a factory control system ensuring that the declared performance of the product is maintained. The factory control system may or may not be monitored by a notified body, as the case may be. Ultimately, CE marking may actually be affixed under conditions which differ widely and which may not be immediately and easily understandable to the user. Marking firstly implies the responsibility of the manufacturer. By the same token, it is the manufacturer who provides information on the declared performance of the products. Product performance is not disclosed by a third party organization, even when an assessment is undertaken by a notified product certification organization.

Voluntary certification: a uniform, visible and open system

Under the voluntary certification of products, the process leading to the issue of a certificate of compliance to a standard is uniform so that when the certification mark is placed on a product, the same rules have been followed. For construction products and materials certified by certification bodies accredited by recognized Accreditation Bodies, which includes Eurocer-Building members, voluntary certification always includes a third party monitoring process intended to ensure that certified performance levels are maintained after initial certification at a given moment. Each certification body publishes information concerning the products it certifies. This not only enables the authenticity of a certificate to be verified and thus reassure buyers, but also allows the performance of products to be compared on a common basis.

Eurocer-Building's position

Voluntary certification helps promote the quality of construction products and thus ensure that construction works meet performance standards. Linked to the needs of the market, voluntary certification aids construction professionals in their quest for quality improvement and helps to meet public policy objectives.

In a market where all products must meet CPR requirements, voluntary certification is being developed closely with all stakeholders so as to meet their expectations and to anticipate changes of the market.

Voluntary certification is essential through the role of third party bodies, to enable construction products to be differentiated on the basis of quality. It contributes to competitiveness of manufacturers of any size and origin, and enhances the value chain in the construction industry. Voluntary certification is not contradictory to CE marking and shall be retained as a supplementary approach, notably because it incorporates fitness-for-use aspects. Finally voluntary certification facilitates product choice and creates fair competition between manufacturers whose products are certified.

CE marking and voluntary certification: different but compatible

Beware of a too rapid interpretation of the CPR; refer to the legal documents.

In the legal framework the declaration of performance (DoP) is the preliminary means for a manufacturer to declare the performance of a construction product in relation to its essential characteristics, when putting the product in the European market.

In any case article 8(3) of CPR does not imply that voluntary certification cannot include information already contained in the DoP and CE marking in order to demonstrate the fitness-for-use. It implies that voluntary certification can lead to product marking to demonstrate that a third party organization has been systematically involved and that the needs of users have been taken into consideration.

The CPR does not prohibit the voluntary marking of CE marked products, notably to provide additional information on performance contained in the DoP or on characteristics different to those covered by the harmonised technical specifications or on a high level of Conformity Assessment other than that defined in the standard specifications.

Article 30(5) of regulation 765/2008 of 9 July 2008 stipulates that *“A product may bear additional markings (other than CE marking) provided that they are not liable to cause confusion with it and do not reduce its legibility and visibility”*.

This principle is reiterated in Recital 33 and Article 9.3 of CPR which states that *“the CE marking may be followed by a pictogram or any other mark indicating a special risk or use”*.