

The Construction Products Regulation (EU)No.305/2011

A guide for **dhf** members



CE

Contents

Introduction	1
Harmonised standards (hENs)	2
Conformity to hENs	3
Testing	4
Performance declaration and CE marking	4
Annex A - declaration of performance	5
Annex B - published standards	6
Annex C - unpublished standards	7

Introduction

This regulation, which lays down conditions for the marketing of construction products was published in the EU's Official Journal on 9 March 2011. The provisions of interest to manufacturers¹ came into force on 1 July 2013.

What this means:

From 1 July 2013 it has been a criminal offence to place a construction product on the market anywhere in the EEA without a CE mark (provided that the product in question is covered by a harmonised standard.)

There are three situations:

- For products already covered by a harmonised standard, CE marking became compulsory from 1 July 2013. (A full list of harmonised standards then in force is attached at Annex B on page 6).
- For products where the harmonised standard was published after the above date, CE marking became (or will become) compulsory when the standard reaches the end of its "period of coexistence". This date is generally about 21 months after the standard itself has been published but this can vary considerably. (The harmonised standards published since July 2013 and those currently expected to be published are detailed in Annex C on page 7).
- Products for which no harmonised standard exists will not be subject to CE marking unless the EU Commission produces a new "mandate" covering such products and CEN or CENELEC publish a new harmonised standard.

Because the CPR is directly applicable in member states, there is no need for national governments to pass any laws to bring this about. Consequently, there should be no differences in interpretation between countries. As a result, unlike the situation under the old 1989 Construction Products Directive, UK no longer regards CE marking of construction products as voluntary. This means that **dhf** members who place construction products on the UK market are applying the CE mark where those products are covered by a harmonised standard.

¹ "Manufacturer" includes someone marketing a product under his own brand or trademark which has been manufactured by someone else.

Harmonised standards (hENs)

A harmonised European standard (a harmonised EN or hEN) is a European standard produced in accordance with a mandate issued by the European Commission. Compliance with a hEN gives the legal presumption of compliance with relevant requirements of a European directive or regulation.

It is important to understand that the scope of the harmonised part of a standard is determined by the scope of the EU mandate, which may differ from that of the standard itself. For example, EN 12209 covers all single-point mechanical locks but the only **mandated** requirements cover locks intended for use on fire doors. Consequently, a lock NOT intended for use on a fire door cannot carry the CE mark, even if it complies with EN 12209. Details of the exact coverage are in the Annex Z of each standard. (Note that if the standard has not got an annex Z, then it is not a harmonised standard).

Like other CEN or CENELEC standards, harmonised standards are supposed to be reviewed at five-yearly intervals. If the decision is to amend the standard, then a new version will be produced and published. The other main reason for amending one of the standards would be a change to the European Commission's mandate. The replacement of the old Construction Products Directive by the Construction Products Regulation will result changes to the mandates. There is, for example, a new requirement for sustainability. It is important to note that manufacturers do not have to change their products until the revised standard is published; manufacturers are not required to anticipate the change by interpreting the regulations or the mandate.

There are now seven "basic requirements for construction works", replacing the six "essential requirements" of the old Construction Products Directive. The first six are, in essence, the same:

1. Mechanical resistance and stability;
2. Safety in case of fire;
3. Hygiene, health and the environment;
4. Safety and accessibility in use;
5. Protection against noise;
6. Energy economy and heat retention;
7. Sustainable use of natural resources

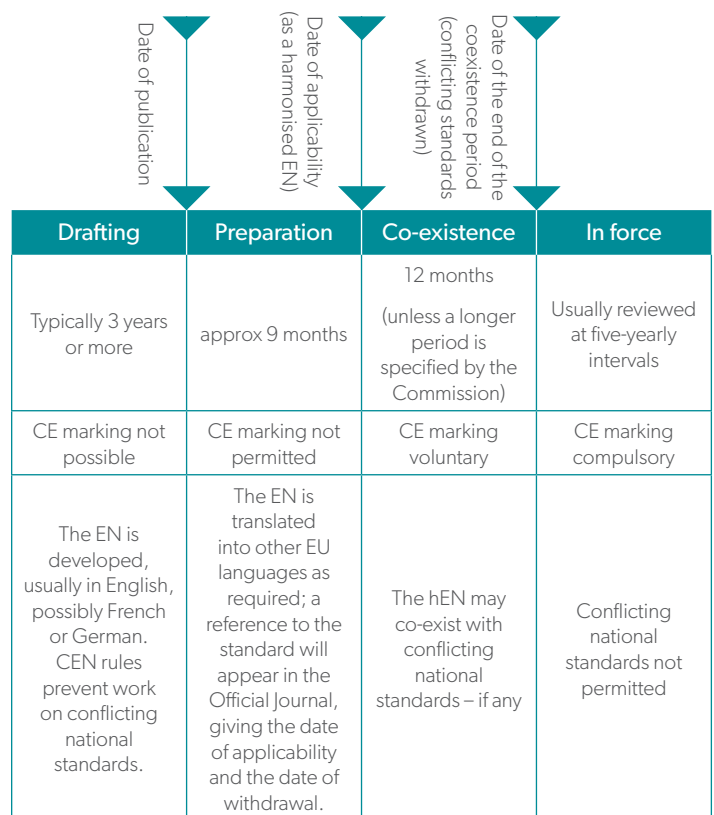
It is the role of the EU Commission to create a mandate for any construction product which significantly affects the ability of the construction works to fulfil these requirements. Construction works are buildings and civil engineering works. Mandate 101 currently covers windows, doors, hardware etc.

It is then the task of CEN and CENELEC to write harmonised standards in accordance with the mandates and the task of manufacturers to comply

with the standards. Unlike other CE marking directives, a manufacturer cannot simply apply the CE mark to a construction product on the basis of a risk assessment against these seven basic requirements.

For the time being, standards harmonised under the old directive will continue to be harmonised under the new CPR; revised standards are taking some time to emerge.

The process of publishing a hEN under the CPD/CPR is as follows:



Conformity to hENs

Since conforming to a hEN has legal consequences, the legislation requires “assessment and verification of constancy of performance”² for each essential characteristic. There are five available methods of assessment, with the applicable version having been chosen by the Commission according to the health and safety or environmental risks associated with the product and its characteristics. The requirements are detailed in the relevant hEN. Each system allocates responsibility for initial type testing (ITT) and factory production control (FPC) between the manufacturer and a notified body. The systems range from system 4 (the least onerous), where the manufacturer is responsible

for both ITT and FPC with no notified body involvement, to system 1+, where the notified certification body carries out the ITT, audits the FPC and carries out audit testing of production samples. Fire-resisting and emergency escape fall into system 1; other door performance characteristics are under systems 3 and (in a few cases) 4. This means that, unless fire-resisting or escape doors, or essential hardware for such doors, are being manufactured, while it is necessary to have a factory production control system in place, it is not necessary for that system to be audited by a notified body. The requirements of the system are specified in the relevant hEN.

Tasks	System 4	System 3	System 2+	System 1	System 1+
Initial type testing or calculation	M	NB	M	NB	NB
Factory production control (FPC)	M	M	M	M	M
Testing of production samples	-	-	M	M	M
Inspection and surveillance of FPC	-	-	NB	NB	NB
Audit testing of production samples	-	-	-	-	NB
Certification of constancy of performance	-	-	-	NB	NB
Certification of conformity of FPC	-	-	NB	-	-
Notified body involved	None	Notified test laboratory	Notified production control certification body	Notified product certification body	Notified product certification body

NB = notified body

M = manufacturer

² Under the old directive, this was known as “attestation of conformity”

Testing

The product characteristics listed in a hEN can be divided into three groups:

		Listed in Annex Z (ie: required for CE marking)	Required to declare compliance with the standard
1	Performance must be declared	YES	YES
2	NPD (= no performance determined) possible	YES	YES
3	Voluntary requirements	NO	POSSIBLY

Only for product characteristics in the first group is it necessary to declare a value or classification, generally based on a test or calculation. For characteristics in the second group, even though they are mentioned in Annex Z, it is possible to declare "NPD" (no performance determined) and still apply the CE mark.

Not all harmonised standards contain voluntary requirements; these are requirements which are not relevant to CE marking but are considered

to be of commercial importance (such as, at the moment, security). In some cases, even though a CE mark can be lawfully applied by complying with the first two types of requirement, a claim of compliance with the standard itself may not be possible if the voluntary requirements are not met. This would not be a problem legally, but could be a commercial disadvantage.

Performance declaration and CE marking

The performance against the product characteristics listed in the Annex Z must³ be declared in a "Declaration of Performance" (DoP); an example of the required format⁴ is given in Annex A on page 5. Under certain circumstances⁵ it may be possible to avoid the need to make a DoP, for example when the product is regarded as "custom made". This exemption is interpreted quite narrowly and the fact that a door is not a standard size is not sufficient to avoid the declaration. The declaration can accompany the product, be sent by electronic means or even placed on a web site⁶, subject to certain conditions.

The regulation⁷ requires the CE mark to be applied in every case where a Declaration of Performance has been drawn up; the marking can be on the product itself or an attached label. Where this is not possible, the marking can be on the packaging or accompanying documentation⁸.

The manufacturer is responsible, among other things, for drawing up the Declaration of Performance, marking the product and retaining the technical documentation for ten years. It should be noted that "manufacturer" includes a person who has a product manufactured by someone else and markets it under his own name or trademark.

³ Article 4 of the Construction Products Regulation

⁴ Article 6 CPR

⁵ Article 5 CPR

⁶ Article 7 CPR

⁷ Article 8 CPR

⁸ Article 9 CPR

ANNEX A

CONSTRUCTION PRODUCTS REGULATION 305/2011 DECLARATION OF PERFORMANCE

No. 001CPR2013-07-14

1. Unique identification code of the product-type:
Type ABC External pedestrian doorset
2. Intended use or uses of the construction product, in accordance with the applicable harmonized technical specification, as foreseen by the manufacturer:
External pedestrian doorset for commercial premises.
3. Name, registered trade name or registered trade mark and contact address of the manufacturer as required under Article 11(5):
AnyCo Ltd, PO Box 21 B-1050 Brussels
4. Where applicable, name and contact address of the authorised representative whose mandate covers the tasks specified in Article 12(2):
N/A
5. System or systems of assessment and verification of constancy of performance of the construction product as set out in CPR, Annex V:
System 3
6. In case of the declaration of performance concerning a construction product covered by a harmonized standard:
EN 14351-1:2006+A2:2016
Notified testing laboratory No. 5678 performed type testing and issued test reports.
7. European Technical Assessment:
N/A
8. Declared performance

Essential characteristics	Performance	Harmonised technical specification
Watertightness – Non-shielded (A)	Class 5A	EN 14351-1:2006+A2:2016
Watertightness – Shielded (B)	npd	
Dangerous substances	None	
Resistance to wind load – Test pressure	Class 2	
Resistance to wind load – Frame deflection	Class B	
Load bearing capacity of safety devices	npd	
Height	2000 mm	
Acoustic performance	32 dB (-1; -5)	
Thermal transmittance	1,7 W/m ² K	
Radiation properties	npd	
Air Permeability	Class 3	

9. The performance of the product identified in points 1 and 2 is in conformity with the declared performance in point 8.
This declaration of performance is issued under the sole responsibility of the manufacturer identified in point 3.

Signed for and on behalf of the manufacturer by: (name and function)

Example Declaration of Performance

ANNEX B

Harmonised standards

The following door and hardware standards are currently harmonised under the Construction Products Directive. This means that CE marking of products falling within the scope of these harmonised standards is compulsory (except where the period of coexistence is not yet ended, as stated below).

Standard	Title	Scope of harmonised standard	Notified body's role in CE marking
EN 13241:2003+A2:2016	Industrial, commercial, garage doors and gates - Product standard, performance characteristics	As scope of EN. Fire doors must additionally comply with EN 16034	Testing only, EXCEPT for fire doors, in which case the notified body is responsible for certification.
EN 14351-1:2006+A2:2016	Windows and doors - Product standard, performance characteristics - Part 1: Windows and external pedestrian doorsets	As scope of EN. Additional requirements apply to emergency exit doors. Fire doors must additionally comply with EN 16034.	Testing only EXCEPT where the door is intended as an emergency exit or is fire-resisting. In these cases, the notified body is responsible for certification.
EN 179:2008	Building hardware - Emergency exit devices operated by a lever handle or push pad, for use on escape routes - Requirements and test methods	As scope of EN	Certification
EN 1125:2008	Building hardware - Panic exit devices operated by a horizontal bar, for use on escape routes - Requirements and test methods	As scope of EN	Certification
EN 1154:1996/ A1:2002/AC:2006	Building hardware - Controlled door closing devices - Requirements and test methods	Only products intended for use on fire-resisting doors	Certification
EN 1155:1997/ A1:2002/AC:2006	Building hardware - Electrically powered hold-open devices for swing doors - Requirements and test methods	Only products intended for use on fire-resisting doors	Certification
EN 1158:1997/ A1:2002/AC:2006	Building hardware - Door coordinator devices - Requirements and test methods	Only products intended for use on fire-resisting doors	Certification
EN 1935:2002/ AC:2003	Building hardware - Single-axis hinges - Requirements and test methods	Only products intended for use on fire-resisting and emergency exit doors	Certification
EN 12209:2003/ AC:2005	Building hardware - Locks and latches - Mechanically operated locks, latches and locking plates - Requirements and test methods	Only products intended for use on fire-resisting doors	Certification
EN 14846:2008	Building hardware - Locks and latches - Electromechanically operated locks and striking plates - Requirements and test methods	Only products intended for use on fire-resisting doors	Certification
EN 16034:2014	Pedestrian doorsets, industrial, commercial, garage doors and openable windows - Product standard, performance characteristics - Fire resisting and/or smoke control characteristics	As scope of EN. Can be applied only with either EN 13241:2003+A2:2016 or EN 14351-1:2006+A2:2016. Coexistence period ends 1 Nov 2019	Certification

ANNEX C

Awaiting publication

The following door and hardware standards are currently awaiting publication and are expected to be harmonised under the Construction Products Directive.

Standard	Title	Scope of harmonised standard	Notified body's role in CE marking
FprEN 14351-2	Windows and doors - Product standard, performance characteristics - Part 2: Internal pedestrian doorsets	As scope of EN. Additional requirements apply to emergency exit doors. Fire doors must additionally comply with EN 16034. Coexistence period likely to end 1 Nov 2019.	Testing only EXCEPT where the door is intended as an emergency exit or is fire-resisting. In these cases, the notified body is responsible for certification.



Contact us for more information

Email: info@dhfonline.org.uk

Telephone: (0)1827 52337

Address: **dhf** 42 Heath Street, Tamworth, Staffordshire B79 7JH

© Copyright **dhf** (Door & Hardware Federation) 2017

No part of this publication may be reproduced in any form without prior permission in writing from **dhf**. E&OE