

**The pros and cons of leaching classes**

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**Introduction / Construction Products Regulation**

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REGULATION (EU) No 305/2011 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL  
of 9 March 2011  
laying down harmonised conditions for the marketing of construction products and repealing  
Council Directive 89/106/EEC

Since July 2013, the Construction Products Regulation (EU 305/2011) replaces the Construction Products Directive (89/106/EEC).

The goals of the Regulation are the same as those of the Construction Products Directive (CPD):

*to foster the free movement and use of construction products in the internal market!*

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**Introduction / Construction Products Regulation**

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**CPR focus i.a.: Basic Requirements for “Construction Works for an economically reasonable working life”**

Subject to extension mandates for product standards

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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

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**Construction Products Regulation – content DoP**

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*Article 6 of the CPR*

**Content of the declaration of performance**

1. The declaration of performance shall express the performance of construction products in relation to the essential characteristics of those products in accordance with the relevant harmonised technical specifications.
- ....
3. The **declaration of performance** shall in addition contain:
  - (a) the intended use or uses for the construction product, in accordance with the applicable harmonised technical specification;
  - (b) the **list of essential characteristics**, as determined in the harmonised technical specification for the declared intended use or uses;
  - (c) the **performance of at least one of the essential characteristics** of the construction product, relevant for the declared intended use or uses;
  - (d) where applicable, **the performance of the construction product, by levels or classes, or in a description**, if necessary based on a calculation in relation to its essential characteristics determined in accordance with Article 3(3);

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**Construction Products Regulation – Definitions**

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*Article 2 of the CPR*

**Definitions**  
For the purposes of this Regulation the following definitions shall apply:

5. ‘performance of a construction product’ means the performance related to the relevant essential characteristics, expressed by level or class, or in a description;
6. ‘level’ means the result of the assessment of the performance of a construction product in relation to its essential characteristics, expressed as a numerical value;
7. ‘class’ means a range of levels, delimited by a minimum and a maximum value, of performance of a construction product;

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**BWR3 – the way into standards**

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**Principle:**

- Parameters and test procedures will be placed in the standards
- Parameters to be derived from notified (national) regulations
- Test procedures developed by TC 351 to be considered
- Results have to be declared in the DoP or NPD (no performance determined (NPD) in case of no requirements - depending on the place of use)

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### BWR3 – the way into standards – CP-DS-Database

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### BWR3 – the way into standards – CP-DS-Database

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### BWR3 – the way into standards

**Observations:**

- Only a few mandates address ER3/BWR3
- Only in one country all construction materials are tested
- Different testing requirements in member states
  - parameters
  - test procedures
  - limit values
  - evaluation schemes
- Compilation of all parameters results in a long list for some materials

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### Declaration of Performance / BWR3 with declared values

Example: fly ash acc. EN 450-1

Basis for parameters on BWR3: CP-DS and notified regulations

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### Declaration of Performance / BWR3 with classes

Example: fly ash acc. EN 450-1

Basis for parameters on BWR3: CP-DS and notified regulations

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### Pros of communication via levels (declared values)

- Option covered (better: required) by the CPR
- Easy to apply (parameters from existing (notified) regulations)
- Allows flexibility of regulators in updating national regulations

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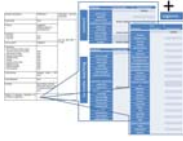
**Cons of communication via levels (declared values)**

- Unbalanced list of technical and environmental declarations
- Only listing results - no information whether the materials can be used
- Declared "maximum" values are visible to customers and cause confusion or concerns (also for products in use since decades).

As every producer may declare not only "common maximum" but "specific" values in his DoP, or will not declare the results, the **confusion for customers and contractors will rise** and also the **risk for non-acceptance of products with declaration needs** compared to those from e.g. natural products or those without environmental declaration needs.

- **To allow free movement all the parameters are to be declared by all producers in Europe.**  
(producers who serve in a country without testing needs may declare "npd" in the DoP!). Producers declaring npd will have acceptance problems as they may not serve expected information.

and




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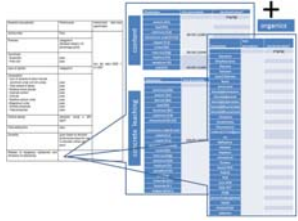
**Cons of communication via levels (declared values)**

- Distortion of market and competition struggle!

DoP for product without declaration needs



DoP for product with declaration needs



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**Conclusion**

- The implementation of BWR3 into hEN can formally be applied when the testing standards are published
- The communication tools for test results in the CPR are levels (declared values) and classes. These will lead to a long list of parameters to be declared in DoP and CE-Mark.
- The list is unbalanced between technical and environmental declarations!
- The goal of the CPR regarding „free trade“ will counteract continued use of product with testing needs. This is simply by acceptance reasons of customers!
- Not for all products notified regulations regarding BWR3 exist (except in one country). Therefore competition struggles are expected!

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