

How harmonized European Standards are intended to support national regulations

Stephen J Rein MCIQB M.Inst CES
APSR Associates

<http://www.apsrconsultantsltd.com/>

APSR Associates

- Independent advice to industry in matters of conformity and CE marking construction products
- Assessment of EC conformity resources

Advice to

- NSBs on drafting harmonized European Standards (seminars)
- manufacturers on conformity obligations
- manufacturers on excluded products
- SMEs on FPC
- MEDA
- Articles and publications

REGULATIONS RULE !

STANDARDS SUPPORT

European Standards are a tool

If a tool doesn't work

Use another one

Role of national regulations

- **Define requirements for safety and related durability of construction works.**

Responsibility for safety

- **Rests with the designer.**
- **Respecting the national regulations of the territory.**

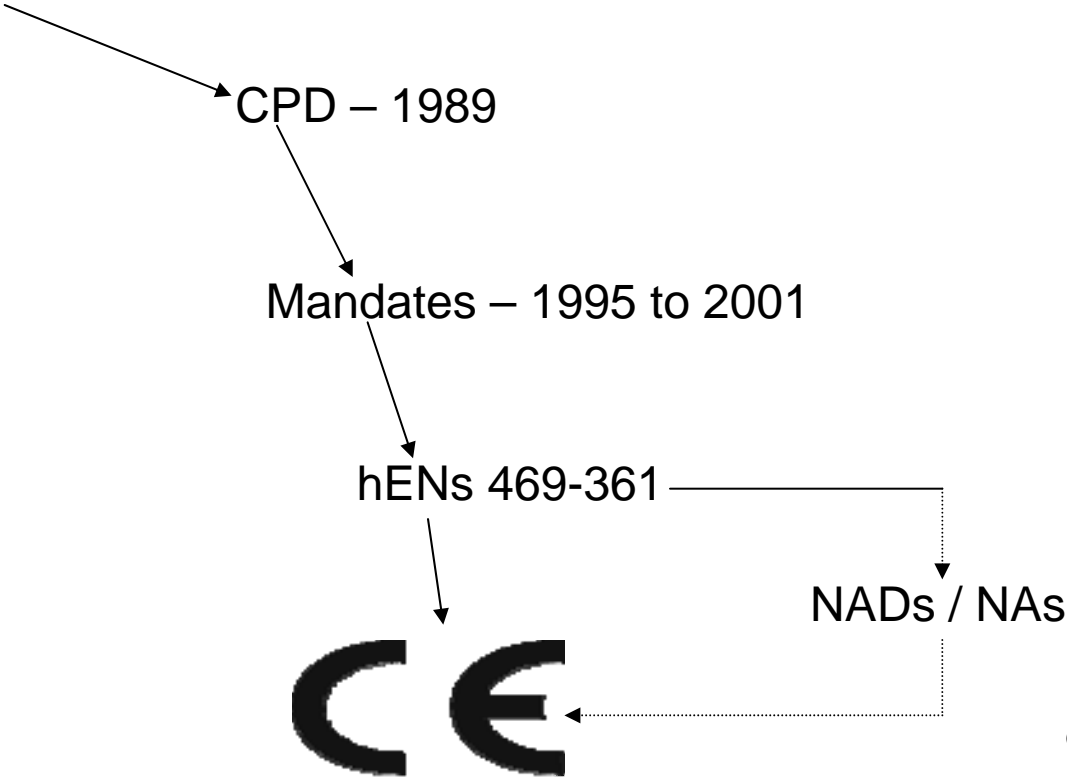
Free market problem

How to comply with national regulations using products within a free market ?

- Ensure that products sold into the EC comply with minimum safety and durability criteria.
- Remove the need for multiple/further testing

The single market machine

Treaty of Rome - 1957



© APSR Associates

Criteria for harmonized European Standards

- **Compiled by experts who know the national regulations.**
- **Performance based (i.e. outputs not inputs)**
- **Include mandated (essential) characteristics**
- **Single test method for each essential characteristic**
- **Cover production control to ensure conformity**
- **Annex ZA**

Harmonized European Standard (hEN)

EN

+ Regulated Characteristics

+ EoC (ITT and FPC)

+ Annex ZA (CPD)

= hEN

Annex ZA

- **Identifies regulated characteristics in at least one MS (Table ZA.1)**
- **Identifies how performance of regulated characteristics is to be described**
- **Identifies the AoC system (Table ZA.2)**
- **Identifies who participates in EoC (Table ZA.3)**
- **Identifies requirements for CE marking information**
- **Provides an example of CE marking**

No Performance Determined (NPD)

manufacturer chooses not to declare the performance of a specific characteristic

because

no regulations affecting that characteristic for a given end use in the MS of intended destination

National Annex/Application Document to an hEN

- **Defines regulated characteristics appropriate to the MS, [chosen from] Table ZA.1**
- **Identifies from the hEN the performance levels appropriate to the MS**
- **‘Possibly’ - to identify any regulations affecting the use of the product (installation issues)**

A National Annex/Application Document may not

- **Add requirements not listed in Table ZA.1**
- **Require test methods not defined in the EN**
- **Alter the system of attestation in the hEN (Table ZA.2)**
- **Demand national quality/attestation marks as a condition of placing on the market or use of the product**

Prescriptive/performance

- Objective is harmonization
- Prescriptive normally means national test methods based upon empirical data
- Prescriptive normally means the client designs but holds the producer/contractor responsible for performance (outcomes)
- Performance means the client has to trust and the producer/contractor
- Prescriptive indicates 'delegation' whereas performance is more about 'empowerment'

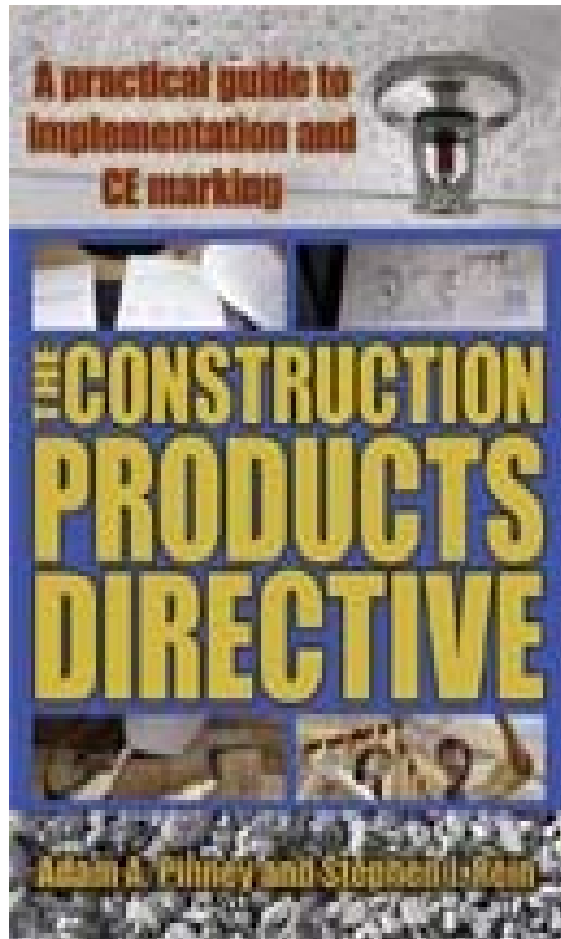
Conclusion

Drafted correctly, harmonized European Standards should permit a specifier to procure materials according to the national regulations of a member state by reference to the appropriate harmonized European Standards

but

Should road construction products be under the CPD?

A readable practical guide written in understandable English



<http://www.apsrconsultantsltd.com/>

To know more about

- **Background to the CPD**
- **CE marking basic obligations**
- **Drafting European Standards**
- **Evaluation of Conformity**
- **CE marking by non-manufacturers**
- **Notified bodies**
- **Market surveillance**
- **Second generation harmonized European Standards**
- **EOTA and ETAs**
- **Other Directives**