



Construction
Fixings
Europe

European producers of
construction fixings with
European Technical
Assessment (ETA)



Position Paper on the revision of the EU Construction Products Regulation (Regulation (EU) 305/2011)

Harmonized European Standards and a permanent alternative (via ETA route) to achieve CE-marking are key to foster innovation and to maintain the competitiveness of the European fixing industry

Construction Fixing Europe (CFE) welcomes the ongoing process launched by the European Commission and the European Parliament to review the EU Construction Products Regulation (CPR). In particular, we applaud the European Parliament and its rapporteur Christian Doleschal (EPP, DE) for its own-initiative report on the revision. We fully support the Parliament's view that the current framework of technical regulation and standardization in the EU has been "a driver for competitiveness and innovation, while contributing to consumer safety and reducing accident rates, making EU a global benchmark".¹

In order to maintain the competitiveness of the European fixing industry and to further stimulate innovation, a revision of the CPR should be based on the two existing pillars of the current regulatory framework: a **reliable standardization process** with harmonized European standards (hEN) and an **alternative approach (like the ETA route)** to achieve CE-marking considering the technological dynamics regarding new products and / or applications. While harmonized European Standards can be seen as the main pillar of the Internal Market for construction products laying down basic requirements for their technical performance, European Technical Assessments (ETAs) based on a European Assessment Document (EAD) provide flexible means for products in a dynamic and innovative market segment (e.g. anchors) to ensure a similar level of standardization and to allow the marketing of the product in all 27 EU Member States.

In general, CE marking is related to **products** and their **intended uses**. In the context of the fixing industry, innovation is understood as combination of existing/new products and existing/new applications. Customers in many EU countries appreciate CE marked products based on ETAs to ensure safe and reliable solutions.

Also in future, EADs will be the perfect instrument to cover new requirements like sustainability and circular economy.

This alternative approach to the process defining harmonized European standards – called ETA route – has started with the implementation of the CPR on 1 July 2013. It is relevant for

¹ REPORT on the implementation of Regulation (EU) No 305/2011 laying down harmonised conditions for the marketing of construction products (the Construction Products Regulation) (2020/2028(INI)); Recital C

both Small and Medium-Sized Enterprises (SMEs) and for larger manufacturers, ensuring business confidentiality during the process to establish an EAD/ETA until its publication. It is a flexible, predictable, SME friendly and fast means to obtain a CE-marking, in particular for product innovation (new product and/or new intended use for a product), while the costs are comparable to a CE marking process based on a hEN. Especially SME do not have the capacities to participate in a long lasting standardisation process.

Both from a European industrial strategy and business point of view the EAD/ETA route to CE-marking for construction products is a success story for products which are not covered by harmonized European standards. For instance, the following **key success factors** have contributed to the widespread use and acceptance of EADs in the European fastening industry:

1. **Stimulation to develop into technological leadership:** The European anchor manufacturers are worldwide market leaders with the most innovative and reliable products. Compared to other regions, the European anchor industry has the biggest variety of manufacturers including a lot of SMEs, which use ETAs for their innovative products in the same way as bigger companies. More than 7.700 ETAs based on 439 EADs have been issued already until 2019.²
2. **ETAs stand for quality worldwide:** ETAs have a good reputation worldwide. Important Non-European countries (Australia, Singapore, India, China, Japan, Hongkong, Korea, etc.) recognize ETAs for construction products (e.g. fastening systems) as accepted documents when national documents are not available. Some countries take reference to European EADs in an explicit way. This enables European manufacturers to sell their product in a lot of third countries without additional testing or assessment.
3. **Safety in construction:** Unlike in other countries there has been no major failure of fastening applications in Europe, which proves the quality of the ETA product assessment procedures.
4. **The EAD/ETA route is suitable for manufacturers of all sizes:** The close cooperation between the manufacturer and a Technical Assessment Body and the confidentiality during the development of an EAD/ETA makes the ETA-route a perfect tool also for SMEs to demonstrate the reliability of their products, to simplify the distribution throughout the EU and worldwide and to maintain competitive advantages. After the publication of the new EADs, this knowledge is free to be used by any other manufacturers to apply for own ETAs.

Since the implementation of the CPR in 2013, substantial efforts have been undertaken by all stakeholders (i.e. European Commission, Industry Associations, European Parliament, EU Member States and national Technical Assessment Bodies) to optimize and improve the processes and the communication to the construction industry relating to the ETA-route. Optimization took place on processes and documents (EAD, ETA, Declaration of

² EADS and ETAs: Added value to the construction sector (1 June 2020); CISIL – Centre for Industrial Sector; <https://www.eota.eu/ckfinder/userfiles/files/2020-csil-eota-report-0109.pdf>

Performance). The industry has provided continuous constructive feedback and invested in the respective automation of processes in all sectors.

Today, the general EAD / ETA process is transparent. However, there are some areas which still deserve improvements: Some roles and responsibilities and the timing of process steps are to be further developed. **Construction Fixings Europe strongly believes that this should be dealt with within the present legal framework with some procedural refinements, namely of Annex II of the CPR.** New ideas like the preliminary CE marking for products not covered by a harmonized European Standards, or their possible exclusion from the scope of the CPR do not take into account market requirements and are therefore not acceptable for the manufacturers and end users of those products.

In addition, we support all concepts to **simplify CE marking of construction products** by digital instruments, which will benefit the manufacturers as well as the end users and market surveillance authorities.

Construction Fixings Europe - A sub-association of European Tool Committee CEO

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