Basic information

2022/0094(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
New Regulation on Construction Products Repealing Regulation 2011/305 2008/0098(COD) Amending Regulation 2019/1020 2017/0353(COD) **Subject** 2.10.03 Standardisation, EC/EU standards and trade mark, certification, compliance 3.40.07 Building industry 3.70.20 Sustainable development 6.20.02 Export/import control, trade defence, trade barriers **Legislative priorities** Joint Declaration 2022 Joint Declaration 2023-24	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
IMCO Internal Market and Consumer Protection	DOLESCHAL Christian (EPP)	21/04/2022
	Shadow rapporteur GRAPINI Maria (S&D) GOZI Sandro (Renew) GRUFFAT Claude (Greens/EFA) FIDANZA Carlo (ECR) BASSO Alessandra (ID) KONEČNÁ Kateřina (The Left)	

Committee for opinion	Rapporteur for opinion	Appointed
BUDG Budgets	The committee decided not to give an opinion.	
ENVI Environment, Public Health and Food Safety (Associated committee)	MATTHIEU Sara (Greens/EFA)	05/09/2022
ITRE Industry, Research and Energy	ARIMONT Pascal (EPP)	05/05/2022

Council of the European Union	
European Commission	Commission DG: Internal Market, Industry, Entrepreneurship and SMEs — Commissioner: BRETON Thierry
European Economic and Social Committee	

Key events

Date	Event	Reference	Summary
30/03/2022	Legislative proposal published	COM(2022)0144	Summary
18/05/2022	Committee referral announced in Parliament, 1st reading		
15/09/2022	Referral to associated committees announced in Parliament		
23/05/2023	Vote in committee, 1st reading		
02/06/2023	Committee report tabled for plenary, 1st reading	A9-0207/2023	Summary
11/07/2023	Decision by Parliament, 1st reading	T9-0253/2023	Summary
11/07/2023	Results of vote in Parliament		
11/07/2023	Matter referred back to the committee responsible for interinstitutional negotiations		
13/02/2024	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	PE758.887 GEDA/A/(2024)000829	
10/04/2024	Decision by Parliament, 1st reading	T9-0188/2024	Summary
10/04/2024	Results of vote in Parliament		
05/11/2024	Act adopted by Council after Parliament's 1st reading		
27/11/2024	Final act signed		
18/12/2024	Final act published in Official Journal		

Technical information

Procedure reference	2022/0094(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Repealing Regulation 2011/305 2008/0098(COD) Amending Regulation 2019/1020 2017/0353(COD)
Legal basis	Rules of Procedure EP 57_o Treaty on the Functioning of the European Union TFEU 114

Other legal basis	Rules of Procedure EP 165
Mandatory consultation of other institutions	European Economic and Social Committee
Stage reached in procedure	Procedure completed
Committee dossier	IMCO/9/08752

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE738.491	14/11/2022	
Amendments tabled in committee		PE739.670	20/12/2022	
Amendments tabled in committee		PE739.827	20/12/2022	
Amendments tabled in committee		PE739.828	20/12/2022	
Committee opinion	ENVI	PE736.636	09/02/2023	
Committee opinion	ITRE	PE738.659	15/05/2023	
Committee report tabled for plenary, 1st reading/single reading		A9-0207/2023	02/06/2023	Summary
Text adopted by Parliament, partial vote at 1st reading /single reading		T9-0253/2023	11/07/2023	Summary
Text agreed during interinstitutional negotiations		PE758.887	02/02/2024	
Text adopted by Parliament, 1st reading/single reading		T9-0188/2024	10/04/2024	Summary

Council of the EU

Document type	Reference	Date	Summary
Coreper letter confirming interinstitutional agreement	GEDA/A/(2024)000829	02/02/2024	
Draft final act	00012/2024/LEX	27/11/2024	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2022)0144	30/03/2022	Summary
Document attached to the procedure	SEC(2022)0167	31/03/2022	
Document attached to the procedure	SWD(2022)0087	31/03/2022	
Document attached to the procedure	SWD(2022)0088	31/03/2022	
Document attached to the procedure	SWD(2022)0089	31/03/2022	
Commission response to text adopted in plenary	SP(2024)377	29/07/2024	

Follow-up document	COM(2025)0772	16/12/2025	

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	PT_PARLIAMENT	COM(2022)0144	21/12/2022	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES2765/2022	26/10/2022	

Additional information

Source	Document	Date
European Parliament	Briefing	13/03/2024
European Commission	EUR-Lex	

Meetings with interest representatives published in line with the Rules of Procedure

Rapporteurs, Shadow Rapporteurs and Committee Chairs

Transparency

Name	Role	Committee	Date	Interest representatives
DOLESCHAL Christian	Rapporteur	IMCO	05/11/2024	Building Smart Deutschland
DOLESCHAL Christian	Rapporteur	IMCO	05/06/2024	Eurogypsum
DOLESCHAL Christian	Rapporteur	IMCO	01/03/2024	Fischerwerke GmbH
DOLESCHAL Christian	Rapporteur	IMCO	08/02/2024	Europacable
DOLESCHAL Christian	Rapporteur	IMCO	07/12/2023	Bundesarchitektenkammer e.V. DIN Deutsches Institut für Normung e. V. Deutsche Bauchemie e.V. Hauptverband der Deutschen Bauindustrie HDB/ZDB
DOLESCHAL Christian	Rapporteur	IMCO	05/12/2023	natureplus e.V.
DOLESCHAL Christian	Rapporteur	IMCO	02/11/2023	Bundesministerium für Wohnen, Stadtentwicklung und Bauwesen
DOLESCHAL Christian	Rapporteur	IMCO	11/09/2023	Wirtschaftsrat der CDU e.V.

MATTHIEU Sara	Rapporteur	ENVI	11/09/2023	ECOS
DOLESCHAL Christian	Rapporteur	IMCO	05/09/2023	Bundesverband der Kalksandsteinindustrie e.V.
DOLESCHAL Christian	Rapporteur	IMCO	04/09/2023	DIN Deutsches Institut für Normung e. V. Technische Universität München
DOLESCHAL Christian	Rapporteur	IMCO	24/05/2023	Wienerberger AG
ARIMONT Pascal	Rapporteur for opinion	ITRE	24/05/2023	Wienerberger AG
DOLESCHAL Christian	Rapporteur	IMCO	23/05/2023	Zentralverband Deutsches Baugewerbe
DOLESCHAL Christian	Rapporteur	IMCO	22/05/2023	Fischerwerke
DOLESCHAL Christian	Rapporteur	IMCO	15/05/2023	Stahlwerk Annahuette Max Aicher
MATTHIEU Sara	Rapporteur	ENVI	03/05/2023	ECOS
GRUFFAT Claude	Shadow rapporteur	IMCO	27/04/2023	FR Perm Rep
GRUFFAT Claude	Shadow rapporteur	IMCO	26/04/2023	Fédération Française du Batiment
GRUFFAT Claude	Shadow rapporteur	IMCO	20/04/2023	ECOS / EEB
KONEČNÁ Kateřina	Shadow rapporteur	IMCO	27/03/2023	Plastics Recyclers Europe
DOLESCHAL Christian	Rapporteur	IMCO	24/03/2023	HECK Wall Systems GmbH
DOLESCHAL Christian	Rapporteur	IMCO	24/03/2023	NSG Pilkington AG
DOLESCHAL Christian	Rapporteur	IMCO	20/03/2023	SIMON PROtec Deutschland GmbH
BASSO Alessandra	Shadow rapporteur	IMCO	07/03/2023	European Building Automation and Controls Association
KONEČNÁ Kateřina	Shadow rapporteur	IMCO	16/02/2023	Deutscher Gewerkschaftsbund Kommission Arbeitsschutz und Normung
KONEČNÁ Kateřina	Shadow rapporteur	IMCO	25/01/2023	Dansk Standard
GRUFFAT Claude	Shadow rapporteur	IMCO	20/01/2023	ECOS
MIHAYLOVA Iskra	Shadow rapporteur for opinion	ITRE	12/01/2023	Construction Products Europe AISBL
KONEČNÁ Kateřina	Shadow rapporteur	IMCO	09/12/2022	Association Française des Organismes de Certification des Produits de Construction FIDAL
KONEČNÁ Kateřina	Shadow rapporteur	IMCO	08/12/2022	Plastics Recyclers Europe
DOLESCHAL Christian	Rapporteur	IMCO	07/12/2022	Hauptverband der Deutschen Bauindustrie Zentralverband des Deutschen Baugewerbes
GRUFFAT Claude	Shadow rapporteur	IMCO	07/12/2022	ECOS
KONEČNÁ Kateřina	Shadow rapporteur	IMCO	07/12/2022	Environmental Coalition on Standards
DOLESCHAL Christian	Rapporteur	IMCO	06/12/2022	DIN Deutsches Institut für Normung e. V.

KONEČNÁ Kateřina	Shadow rapporteur	IMCO	01/12/2022	Deutscher Gewerkschaftsbund EUROPEAN FEDERATION OF BUILDING AND WOODWORKERS EUROPEAN TRADE UNION CONFEDERATION Kommission Arbeitsschutz und Normung
BASSO Alessandra	Shadow rapporteur	IMCO	23/11/2022	AFOCERT
DOLESCHAL Christian	Rapporteur	IMCO	23/11/2022	FEhS - Institut für Baustoff-Forschung e.V.
DOLESCHAL Christian	Rapporteur	IMCO	23/11/2022	European Organisation for Technical Assessment
DOLESCHAL Christian	Rapporteur	IMCO	22/11/2022	Bundesverband der Deutschen Ziegelindustrie e.V.
DOLESCHAL Christian	Rapporteur	IMCO	16/11/2022	Bundesverband Deutscher Fertigbau e.V.
BASSO Alessandra	Shadow rapporteur	IMCO	15/11/2022	Confartigianato Imprese European Builders Confederation Small Business Standards
MIHAYLOVA Iskra	Shadow rapporteur	ITRE	14/11/2022	Glass for Europe
ROS SEMPERE Marcos	Rapporteur for opinion	ENVI	25/10/2022	Eurocities
PIETIKÄINEN Sirpa	Shadow rapporteur for opinion	ENVI	19/10/2022	ROCKWOOL A/S
MIHAYLOVA Iskra	Shadow rapporteur for opinion	ITRE	13/10/2022	CEMBUREAU
MATTHIEU Sara	Rapporteur	ENVI	13/10/2022	Deputy mayor of Helsinki Anni Sinnemäki
PIETIKÄINEN Sirpa	Rapporteur for opinion	ENVI	13/10/2022	Helsinki EU Office City of Helsinki
DOLESCHAL Christian	Rapporteur	IMCO	12/10/2022	EOTA German Concrete and Construction Technology Association German Industry Association for Manufacturers of Construction Chemicals European Manufacturer Association for Structural Devices EURIMA LBP SIGHT COBOD
ARIMONT Pascal	Rapporteur for opinion	ITRE	12/10/2022	ECOCEM
ARIMONT Pascal	Rapporteur for opinion	ITRE	11/10/2022	FIEC - European Construction Industry Federation.
MATTHIEU Sara	Rapporteur	ENVI	11/10/2022	Ecocem
GRUFFAT Claude	Shadow rapporteur	IMCO	30/09/2022	Construire en Chanvre
MATTHIEU Sara	Rapporteur	ENVI	22/09/2022	ECOS
DOLESCHAL Christian	Rapporteur	IMCO	18/07/2022	Bauer Gruppe Stahlbauunternehmen Maurer SE
DOLESCHAL Christian	Rapporteur	IMCO	18/07/2022	Klebl GmbH
DOLESCHAL Christian	Rapporteur	IMCO	06/07/2022	Deutsche Gesellschaft für Baurecht
GRUFFAT Claude	Shadow rapporteur	IMCO	30/06/2022	Eurocities
DOLESCHAL				Hauptverband der Deutschen Bauindustrie

Christian	Rapporteur	IMCO	24/06/2022	Zentralverband des Deutschen Baugewerbes
DOLESCHAL Christian	Rapporteur	IMCO	28/04/2022	Construction Products Europe

Other Members

Transparency

Name	Date	Interest representatives
GUERREIRO Francisco	07/12/2022	ZERO - ASSOCIAÇÃO SISTEMA TERRESTRE SUSTENTÁVEL
PLUMB Rovana	28/11/2022	Plastic Recyclers Europe
GALLÉE Malte	11/10/2022	Ecocem Materials Ltd 701646744539-02

Final act

Regulation 2024/3110
OJ OJ L 18.12.2024 — Summary

Delegated acts

Reference	Subject
2026/2659(DEA)	Examination of delegated act
2026/2773(DEA)	Examination of delegated act
2026/2971(DEA)	Examination of delegated act
2026/2625(DEA)	Examination of delegated act

New Regulation on Construction Products

2022/0094(COD) - 02/06/2023 - Committee report tabled for plenary, 1st reading/single reading

The Committee on the Internal Market and Consumer Protection adopted the report by Christian DOLESCHAL (EPP, DE) on the proposal for a regulation of the European Parliament and of the Council laying down harmonised conditions for the marketing of construction products, amending Regulation (EU) 2019/1020 and repealing Regulation (EU) 305/2011.

The committee responsible recommended that the position of the European Parliament adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

Purpose of the Regulation

The revised Construction Products Regulation (CPR) should:

- lay down conditions for the placing and making available on the market of construction products defining harmonised rules for expressing the environmental and safety performance and life-cycle assessment of construction products in relation to their essential characteristics;

- establish obligations incumbent on economic operators dealing with construction products or their components or with double use products, including the de-installation and reuse of those products.

This Regulation contributes to the efficient functioning of the internal market by ensuring the free movement of safe and sustainable construction products in the Union and to the objectives of a green and digital transition by preventing and reducing the impact that construction products have on the environment and on the health and safety of people.

‘**Construction product**’ means any product or a kit which is produced and placed on the market or supplied to the construction site for incorporation in a permanent manner in construction works or parts thereof within the Union, including 3D-printed products or other items covered by this Regulation.

Reducing complexity

The CPR is a piece of legislation that should be understandable and implementable by economic actors throughout the value chain. The amendments therefore aim to clarify, reduce bureaucratic burden and - in same cases - delete provisions that present a real risk of regulatory overreach.

Legislators should be careful not to create uncertainty by introducing unnecessary adjustments.

Division of powers

Members believe that Member States should set the safety level of construction works in accordance with their responsibilities to their citizens, while the EU sets the framework conditions for the internal market. Member States should remain competent to adopt provisions relating to construction works. The harmonised zone should also apply to public contracts, grants or other positive incentives with the exception of fiscal incentives.

Essential characteristics of products

The essential characteristics of construction products should be identified by the Commission, taking into account the regulatory needs of the Member States and Union safety, environmental, circularity and climate objectives.

Members consider that **priority should be given to the elaboration of standards**.

The Commission should be able to supplement the Regulation by adopting delegated acts where this is genuinely necessary in the interests of the internal market: for example, in the event of unjustified delays in adopting standards, where there is an urgent need to adopt standards or where essential characteristics are not covered by the standard.

Product information requirements

All construction products covered by this Regulation should, prior to their placing on the market, satisfy the product information requirements set out in Annex I Part C3. The product information requirements set out in Annex I Part C3 may be specified for the respective product family or category by means of delegated acts adopted by the Commission or by means of standards following a standardisation request made by the Commission.

Construction products standards

Construction products standards should be established by the European standardisation organisations on the basis of a standardisation request issued by the Commission. The Commission should adopt implementing acts laying down a clear and stable set of rules for the whole standardisation process including roles, responsibilities, competences and the general procedural deadlines for all stakeholders involved as well as templates to be used.

Digital gateway

To facilitate this communication, Member States should register in the Single Digital Gateway all their national regulatory and administrative measures directly or indirectly influencing the usability of construction products on their territory.

Supply of the declaration of performance and of the declaration of conformity

To simplify supply chain communication, declarations of performance and declarations of conformity should additionally be made available in a **machine-readable format**. This would allow the user via an app to check conformity with the application rules of the Member State where the product is used. An important prerequisite for machine-readable declarations is a standardised IT format, which is required for each harmonised technical specification.

Obligations of all economic operators

The economic operator should be able to present all documentation, including the declaration of performance and the declaration of conformity, to the authorities using the digital construction products passports.

Unless the safety of the products or the safety of the construction works is adversely affected, the manufacturer would be subject to the following obligations:

- design and manufacture products and their packaging in such a way that the protection of human health and their overall environmental sustainability are maximised, including for climate and biodiversity, as well as energy and resource efficiency, indoor air quality and the avoidance of substances of concern unless a lower level:

- ensure that, where technically and economically feasible and without impacting the safety of construction works, by 10 years after the adoption of performance classes in accordance with Article 4(4), point (a), or Article 5(2), all products placed on the market fall within the two highest environmental performance classes established;

- without creating unjustified barriers to the single market, give preference to local, reusable, sustainably sourced bio-based or recyclable materials, materials gained from re-use or recycling and by-products, while taking into account the environmental and climate impacts of transporting such materials;

- comply with the minimum recycled content obligations and other limit values relating to aspects of environmental sustainability, including climate sustainability, biodiversity and the efficient use of energy and resources, set out in the harmonised technical specifications;

- make available, at least in the permalinks of their own websites or by means of QR codes and in the digital product passport, relevant instructions for use.

Establishment of a digital passport for construction products

Members introduced a new article stipulating that the Commission should adopt delegated acts to establish a digital passport for construction products. The digital passport should contain the declaration of performance or the combined declaration of performance and conformity, product information and technical documentation.

The digital passport should be accessible **free of charge** to all economic operators, customers, users and authorities by means of QR codes, a bar code, an RFID chip or a permalink.

The digital passports should be accessible on the manufacturer's website, in its database or on an online platform chosen by the manufacturer of the products concerned for ten years after the last product has been placed on the market. The Commission should establish and maintain a register storing the information contained in the construction product passports by means of delegated acts.

Legal and planning certainty for the transition period

While the Commission proposes that Regulation (EU) 305/2011 be repealed with effect from 1 January 2045, Members propose that that Regulation be repealed with effect from the date of entry into force of this Regulation, with some exceptions which would be repealed with effect from **10 years** after its date of entry into force.

Members proposed that the Commission should establish, no later than six months after entry into force, a **working plan** for transition and standardisation priorities covering at least the following three-year period. The work plan should be publicly available, regularly updated and contain a list of product families considered to be priorities for issuing standardisation requests.

New Regulation on Construction Products

2022/0094(COD) - 18/12/2024 - Final act

PURPOSE: to ensure the free movement of safe and sustainable construction products in the internal market, to contribute to the green and digital transition and to protect health and safety of persons and the environment.

LEGISLATIVE ACT: Regulation (EU) 2024/3110 of the European Parliament and of the Council laying down harmonised rules for the marketing of construction products and repealing Regulation (EU) No 305/2011.

CONTENT: this regulation lays down **harmonised EU rules for construction products**. It will remove obstacles to their free movement in the market, reduce administrative burden (through digital solutions) and ensure these products are in line with circular economy principles and new construction technologies.

This regulation also establishes: (i) rights and obligations for **economic operators** dealing with construction products or their components; and (ii) obligations for other actors providing services linked to the manufacturing and commercialisation of products covered by this regulation. At the same time, it respects the fact that the right to regulate construction works is a competence of Member States.

The definition of '**construction product**' means any formed or formless physical item, including 3D-printed products, or a kit that is placed on the market, including by means of supply to the construction site, for incorporation in a permanent manner into construction works.

Working plan and preparatory phase for the development of harmonised technical specifications

To ensure that a strong link between standards and the regulatory needs of the Member States is maintained, an **expert group** will give advice to the Commission on the preparation of standardisation requests and other harmonised technical specifications. The work of the expert group will follow a working plan established on the basis of inputs from Member States in addition to overall Union priorities such as EU climate and circular economy goals. The Commission will inform the European Parliament and the Member States annually about progress in implementing the working plan.

Fixing the problems standardisation system

The new regulation facilitates the adoption of new standards. The methods and the criteria for assessing the performance of a product in relation to its essential characteristics will be laid down in harmonised standards made mandatory by means of the implementing acts.

In order to address persistent delays in the standardisation process and to increase the Commission's possibilities for action in the event of problems, the regulation provides for a **fallback solution** allowing the Commission, under specific conditions, to adopt harmonised technical specifications alone by means of implementing acts.

Digital passport

The regulation provides for the creation of a construction products digital passport system, similar to those proposed in the ecodesign regulation. The Commission will be empowered to define the functionalities and requirements of this product passport system by means of **delegated acts**.

A digital product passport will include **information** on the declaration of performance and conformity; the general product information, instructions for use and safety information; the technical documentation and the label. It should be connected to one or more data carriers; be accessible by electronic means; be accessible free of charge to all economic operators, clients, users and authorities through the data carrier; and allow actors specified in the construction digital product passport system to introduce or to update the information in the digital product passport.

Labelling requirements

In order to make informed choices, users of construction products need to be sufficiently well informed about the environmental performance of the products, their conformity with environmental requirements and the degree of fulfilment of manufacturer's environmental obligations in this regard. Therefore, the Commission is empowered to adopt delegated acts to establish specific labelling requirements.

Public procurement

Public procurement amounts to 14 % of Union's GDP. In order to enhance the use of sustainable construction products, the public procurement practices of the Member States will **comply with mandatory minimum performance requirements** on environmental sustainability for construction products set out by delegated acts. These rules may apply to all contracts involving construction products, including construction works contracts, where Member States wish to introduce environmental requirements for these products.

The regulation also gives Member States the possibility to **derogate** from environmental requirements in cases where applying them would result in low market offer for the required construction product, where there would be no suitable tenders and in cases where they result in disproportionate costs causing the Member State to spend more than 10% in comparison to the scenario where no requirements would apply.

Surveillance

The Commission will set up a **complaint portal** allowing any natural or legal person to share complaints about possible breaches of the Regulation. Where the Commission considers that a complaint is justified on the basis of clearly defined criteria, it will forward the complaint without undue delay to the single liaison point of the Member State concerned so that the latter can follow it up with the natural or legal person concerned.

Member States will designate, among their **market surveillance authorities**, one or more authorities that have the specific expertise needed to assess products, both technically and legally. They will also designate at least **one contact point for construction products** in their territory.

Repeal of the existing Regulation

The regulation provides for a transition period between the old legal framework and the new one, which will last 15 years from the date of entry into force of the new Regulation (until 8 January 2040).

ENTRY INTO FORCE: 7.1.2025.

APPLICATION: from 8.1.2026, with the exception of certain provisions which will apply from 7.1.2025 and 8.1.2027.

New Regulation on Construction Products

2022/0094(COD) - 30/03/2022 - Legislative proposal

PURPOSE: to lay down harmonised rules for the making available on the market and direct installation of construction products.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: Regulation (EU) No 305/2011 of the European Parliament and of the Council (the Construction Products Regulation or CPR) lays down harmonised conditions for the marketing of construction products. The CPR ensures the smooth functioning of the single market and the free movement of construction products in the EU. It does so through harmonised technical specifications, which provide for a common technical language on how to test and communicate the performance of construction products (e.g. reaction to fire, thermal conductivity or sound insulation).

In order to contribute to the objectives of the European Green Deal and the Circular Economy Action Plan, and to ensure safe construction products, inherent product requirements related to safety, functionality and protection of environment, including climate, are necessary.

CONTENT: the proposed Regulation seeks to achieve a **well-functioning single market for construction products**; and to make the framework apt to contribute to the objectives of the green and digital transition, particularly the modern, resource-efficient and competitive economy.

Its specific objectives aim to:

- unblock the technical harmonisation system;

- reduce national barriers to trade for products covered by the CPR;

- improve enforcement and market surveillance;

- provide more clarity (more comprehensive definitions, reducing overlaps, collision rules with other legislation) and simplification;

- reduce the administrative burden, including through simplification and digitalisation;

- ensure safe construction products;

- contribute to reducing the overall climate and environmental impact of construction products, including through the application of digital tools (Digital Product Passport).

The proposal:

- improves the standardisation process which has been underperforming and is **outdated**. In the absence of appropriate standardisation at the EU, environmental and safety performances of construction products are addressed in different ways at the national level, leading to a divergence in the requirements for economic operators;

- defines the scope, including construction products, 3D-printing related products and services, key parts, part or materials if requested by the manufacturer, kits or assemblies covered harmonised technical specification or EADs, pre-fabricated one-family houses;

- defines the basic work requirements and modalities to establish the essential characteristics (performance-based, e.g. recycled content) of construction products;

- empowers the Commission to adopt **delegated acts** defining thresholds and classes of performance in relation to the essential characteristics as well as delegated acts containing technical specifications and those concerning technical progress or to cover new risks and environmental aspects;

- defines the '**harmonised zone**', as opposed to the areas under the responsibility of Member States. In addition, it sets up a mechanism to deal with Member States imperative regulatory needs on health, safety or protection of the environment, including climate;

- lays down provisions governing the declaration of performance (DoP) and its applicable exemptions (including for micro-enterprises who do no trade cross-border, under certain conditions: for remanufactured products or for parts of construction works prepared for re-use or remanufactured);

- lays down rules on declaration of conformity (DoC). To minimise the administrative burden, the DoC should be combined with the DoP. The DoP and a DoC can be supplied in an **electronic format** or via a permalink. They should be supplied in the languages required by the Member States where the manufacturer intends to make the product available;

- sets the general principles and conditions for the **CE marking** and for use of other markings;

- defines the environmental obligations for manufacturers including the obligation to declare the mandatory sustainability characteristics, the **global warming potential**, and performance-based requirements or the **minimum recycled content**;

- provides for **simplified procedures** in order to reduce the administrative burden, particularly for SMEs and micro-enterprises;

- empowers the Commission to set up an **EU construction products database** or system to facilitate the access to product information (especially DoP, DoC and instructions for use).

New Regulation on Construction Products

2022/0094(COD) - 10/04/2024 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted 505 votes to 40, with 78 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council laying down harmonised conditions for the marketing of construction products, amending Regulation (EU) 2019/1020 and repealing Regulation (EU) 305/2011.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amends the proposal as follows:

Subject matter and objectives

The proposed Construction Products Regulation (CPR) aims to set the conditions for the placing and making available on the market of construction products by defining harmonised rules for expressing environmental and safety performance, as well as for the life-cycle assessment of construction products in relation to their essential characteristics.

The Regulation aims to contribute to the efficient functioning of the internal market by ensuring the free movement of safe and sustainable construction products in the Union. It also aims to contribute to the objectives of a green and digital transition by preventing and reducing the impact that construction products have on the environment and on the health and safety of people.

The definition of '**construction product**' means any formed or formless physical item, including 3D-printed products, or a kit that is placed on the market, including by means of supply to the construction site, for incorporation in a permanent manner into construction works.

Working plan and preparatory phase for the development of harmonised technical specifications

To ensure that a strong link between standards and the regulatory needs of the Member States is maintained, an expert group should give advice to the Commission on the preparation of standardisation requests and other harmonised technical specifications. The work of the expert group should follow a working plan established on the basis of inputs from Member States in addition to overall Union priorities such as EU climate and circular

economy goals. In establishing the priorities of the working plan, the Commission should pay particular attention to the replacement of harmonised technical specifications adopted under Regulation (EU) No 305/2011.

The Commission should inform the Member States and the European Parliament on a yearly basis about progress in implementing the working plan, including information on the standardisation requests issued, the number of standards proposed by the European standardisation organisations, the average time needed for the assessment of standards by the Commission, and the ratio between standards accepted and rejected by the Commission.

Harmonisation

The Regulation provides a case-by-case harmonisation of construction products available on the market, but it also broadens the scope of the regulation to include **used and remanufactured products** through dedicated technical specifications. It clarifies the procedure for the harmonisation of products. The starting point will be a request sent to the European Committee for Standardization (CEN), which brings together the national standardisation bodies of the 27 Member States plus Iceland, Norway, North Macedonia, Serbia, Switzerland, Türkiye and the UK. If the CEN fails to deliver a standard, the Commission would be authorised to adopt fall-back implementing acts.

Construction products covered by a harmonised technical specification or a European Technical Assessment must be accompanied by general information on the product in question, **instructions for use and safety information**.

Coherence with existing legislation

The Regulation aligns the provisions for economic operators in the construction sector with the new legislative framework (the 2008 legislative package on the implementation and enforcement of internal market legislation), and the market surveillance and **ecodesign regulations**. Similarly, the provisions on notifying authorities and on member state incentives for green construction products and green **public procurement** have been aligned with the ecodesign regulation. The Council position authorises the Commission to establish mandatory environmental requirements for public procurement or incentives for the acquisition of construction products.

Harmonised zone and national measures

This Regulation, and the harmonised technical specifications adopted in accordance with it, together, establish a ‘harmonised zone’. The harmonised zone covers all products subject to harmonised technical specifications. Harmonised technical specifications should be presumed to be comprehensive, in the following respects: (a) laying down all essential characteristics and their assessment methods; (b) specifying all inherent product requirements other than those covered by other Union law; and (c) determining the applicable assessment and verification systems.

Member States should register in the **Single Digital Gateway** established by Regulation (EU) 2018/1724 all their national laws, regulations and administrative measures related to construction products on their territory covered by the harmonised zone.

Digital product passport system

The Commission should adopt delegated acts in order to set up a construction digital product passport system aligned to the extent possible to the digital product passport under the ecodesign Regulation.

The product passport should contain information on the declaration of performance and conformity, general information, instructions for use and safety information, technical documentation and labelling. It must be connected to one or more data carriers, be accessible electronically, be accessible free of charge to all economic operators, customers, users and authorities via the data carrier, and allow the actors specified in the digital passport system for construction products to enter or update the information contained in the product passport.

This Regulation should be facilitated by also involving third parties such as by the possibility of any natural or legal person to submit information on instances of non-compliance through a complaint portal established and maintained by the Commission. In handling the complaints, the Commission should take into account the relevance and substantiation of the complaint by prioritising those complaints raising issues having particularly far-reaching negative impacts for citizens or the internal market.

New Regulation on Construction Products

2022/0094(COD) - 11/07/2023 - Text adopted by Parliament, partial vote at 1st reading/single reading

The European Parliament adopted, by 498 votes to 124 with 16 abstentions, European Parliament amendments to the proposal for a regulation of the European Parliament and of the Council laying down harmonised conditions for the marketing of construction products, amending Regulation (EU) 2019 /1020 and repealing Regulation (EU) 305/2011.

The matter was referred back to the committee responsible for inter-institutional negotiations.

Purpose of the Regulation

The revised Construction Products Regulation (CPR) should:

- lay down conditions for the placing and making available on the market of construction products defining harmonised rules for expressing the environmental and safety performance and life-cycle assessment of construction products in relation to their essential characteristics;

- establish obligations incumbent on economic operators dealing with construction products or their components or with double use products, including the de-installation and reuse of those products.

This Regulation contributes to the efficient functioning of the internal market by ensuring the **free movement of safe and sustainable construction products in the Union** and to the objectives of a green and digital transition by preventing and reducing the impact that construction products have on the environment and on the health and safety of people.

'**Construction product'** means any product or a kit which is produced and placed on the market or supplied to the construction site for incorporation in a permanent manner in construction works or parts thereof within the Union, including 3D-printed products or other items covered by this Regulation.

Reducing complexity

The CPR is a piece of legislation that should be **understandable and implementable by economic actors throughout the value chain**. The amendments therefore aim to clarify, reduce bureaucratic burden and - in same cases - delete provisions that present a real risk of regulatory overreach.

Legislators should be careful not to create uncertainty by introducing unnecessary adjustments.

Division of powers

Members believe that Member States should set the safety level of construction works in accordance with their responsibilities to their citizens, while the EU sets the framework conditions for the internal market. Member States should remain competent to adopt provisions relating to construction works.

Essential characteristics of products

The essential characteristics of construction products should be identified by the Commission, taking into account the regulatory needs of the Member States and Union safety, environmental, circularity and climate objectives.

Members consider that **priority should be given to the elaboration of standards**. The Commission should be able to supplement the Regulation by adopting delegated acts where this is genuinely necessary in the interests of the internal market: for example, in the event of unjustified delays in adopting standards, where there is an urgent need to adopt standards or where essential characteristics are not covered by the standard.

CE marking

A CE marking should be sufficient proof of the conformity of a product with the characteristics and requirements laid down by this Regulation. Member States should not therefore introduce any barriers to their markets based on characteristics and requirements that are not covered by the harmonised zone.

Construction products standards

Construction products standards should be established by the European standardisation organisations on the basis of a standardisation request issued by the Commission. The Commission should adopt implementing acts laying down a clear and stable set of rules for the whole standardisation process including roles, responsibilities, competences and the general procedural deadlines for all stakeholders involved as well as templates to be used.

Digital gateway

To facilitate this communication, Member States should register in the Single Digital Gateway all their national regulatory and administrative measures directly or indirectly influencing the usability of construction products on their territory.

Supply of the declaration of performance and of the declaration of conformity

To simplify supply chain communication, declarations of performance and declarations of conformity should additionally be made available in a **machine-readable format**. This would allow the user via an app to check conformity with the application rules of the Member State where the product is used. An important prerequisite for machine-readable declarations is a standardised IT format, which is required for each harmonised technical specification.

Obligations of all economic operators

The economic operator should be able to present all documentation, including the declaration of performance and the declaration of conformity, to the authorities using the digital construction products passports.

Unless the safety of the products or the safety of the construction works is adversely affected, the manufacturer would be subject to the following obligations:

- design and manufacture products and their packaging in such a way that **the protection of human health and their overall environmental sustainability are maximised**, including for climate and biodiversity, as well as energy and resource efficiency, indoor air quality and the avoidance of substances of concern unless a lower level:

- ensure that, where technically and economically feasible and without impacting the safety of construction works, by 10 years after the adoption of performance classes in accordance with Article 4(4), point (a), or Article 5(2), all products placed on the market fall within the two highest environmental performance classes established;

- without creating unjustified barriers to the single market, give preference to local, reusable, sustainably sourced bio-based or recyclable materials, materials gained from re-use or recycling and by-products, while taking into account the environmental and climate impacts of transporting such materials;

- comply with the minimum recycled content obligations and other limit values relating to aspects of environmental sustainability, including climate sustainability, biodiversity and the efficient use of energy and resources, set out in the harmonised technical specifications;

- make available, at least in the permalinks of their own websites or by means of QR codes and in the digital product passport, relevant instructions for use.

Obligations relating to 3D printing of construction products

A natural or legal person who 3D prints construction products should (i) satisfy with the obligations incumbent on manufacturers when placing their products on the market; (ii) use the appropriate 3D data sets; (iii) ensure that the materials used have undergone the procedures applicable to products under the Regulation; (iv) ensure that the information provided by the manufacturer of the 3D data set and the information provided by the manufacturer of the printing equipment coincide.

Establishment of a digital passport for construction products

Members introduced a new article stipulating that the Commission should adopt delegated acts to establish a digital passport for construction products. The digital passport should contain the declaration of performance or the combined declaration of performance and conformity, product information and technical documentation.

The digital passport should be **accessible free of charge to all economic operators**, customers, users and authorities by means of QR codes, a bar code, an RFID chip or a permalink.

The digital passports should be accessible on the manufacturer's website, in its database or on an online platform chosen by the manufacturer of the products concerned for ten years after the last product has been placed on the market. The Commission should establish and maintain a register storing the information contained in the construction product passports by means of delegated acts.

Legal and planning certainty for the transition period

While the Commission proposes that Regulation (EU) 305/2011 be repealed with effect from 1 January 2045, Members propose that that Regulation be repealed with effect from the date of entry into force of this Regulation, with some exceptions which would be repealed with effect from **10 years** after its date of entry into force.

Parliament proposed that the Commission should establish, no later than six months after entry into force, a **working plan for transition and standardisation priorities** covering at least the following three-year period. The work plan should be publicly available, regularly updated and contain a list of product families considered to be priorities for issuing standardisation requests.