



Supporting study for the Review of the Construction Products Regulation: Evaluation

Annexes to the Final Report

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2. Annex II: Methodology

The evaluation is carried out in line with the Better Regulation Guidelines¹. It evaluates the relevance, effectiveness, efficiency, coherence and EU added value of the CPR. For each of these five overall evaluation criteria, the Terms of Reference for the study provided a number of specific evaluation questions which form the main basis for analysing the evidence and drawing conclusions.

The geographical scope of the evaluation is the EU. Data has been collected across all the EU Member States, although more in-depth research was carried out in 10 Member States, namely: Belgium, Denmark, France, Germany, Ireland, Italy, Poland, Romania, Spain, United Kingdom².

The evaluation builds on a significant amount of existing information, including several studies undertaken in recent years on different aspects of the performance of the CPR, in particular the *Supporting study for the Fitness Check on the construction sector: EU internal market and energy efficiency legislation* (Economisti Associati, Milieu and CEPS, 2016), the study on *Economic Impacts of the Construction Products Regulation* (VVA Europe, DTI & TNO, 2016), *Cross-Border Trade for Construction Products* (CSIL Centre for Industrial Study & CRESME Ricerche, 2017), and the Commission's 2016 CPR Implementation Report. Summaries of the Technical Platform meetings held in 2016 and 2017 on different aspects of the CPR were also included in the evidence base, as well as a number of other sources (a full biography will be provided in the final evaluation report). Two recently published surveys on information needs of users and of Member State authorities will furthermore be incorporated in the final evaluation analysis.

In addition, primary data collection was undertaken to supplement the already existing evidence:

- Scoping interviews,
- Semi-structured interviews ,
- An online survey,
- A company phone survey,
- The Public Consultation on EU rules for products used in the construction of buildings and infrastructure works,
- This validation workshop.

The answers to the evaluation questions draw on all the analysis of the evidence from different relevant data sources. The table below summarizes key findings from each evaluation question and specifies the sources used.

¹ https://ec.europa.eu/info/files/better-regulation-guidelines-evaluation-and-fitness-checks_en

² Those countries are considered representative of the 5 main construction business systems in the EU and represent more than 80% of the EU turnover in the sector. Finally, they cover the various EU geographical sub-regions, and both large and small Member States.

Table 1: Key findings for evaluation questions

| Evaluation Question (EQ) | Key findings | Sources of evidence ³ |
|--|---|---|
| EFFECTIVENESS | | |
| <p>EQ1: To what extent has the CPR made the internal market for construction products a reality?</p> <p>To what extent has the CPR achieved its objectives?</p> <p>To what extent has the simplification potential expected at the time of the adoption of the CPR been achieved?</p> | <p>Impact of CPR on cross-border trade is not statistically significant. Majority of stakeholders think that cross-border trade has increased due to the CPR. Limited, if any, increase in competition. Market surveillance is ineffective. No clear impact on product choice for end-users. Common technical language has created transparency and better information for users on product performance. But product information is not always deemed sufficient (not addressing fitness for use) and not easily understandable for end-users. Lack of understanding of specific role of the CE marking under the CPR. Obstacles to the Internal Market still exist in the form of national marks and certifications. But voluntary marks /certification seen in a positive light by some stakeholders. Overall, objectives only partly achieved.</p> <p>Simplification potential partly achieved through Article 36, but simplification effects not achieved for SMEs/micro-enterprises.</p> | <p>Secondary sources:</p> <ul style="list-style-type: none"> • Study on Cross-border trade for construction products (CSIL Centre et al., 2017) • Survey on users' need for information on construction products, 2018 • Survey on information needs among Member States authorities • CPR Implementation Report • CPR REVIEW - Feed-back on roadmap • Supporting study for the fitness check on the construction sector, 2016 • Study on the Implementation of the Construction Products Regulation • 2008 IA • Evaluation of the relevance of EOTA's tasks, 2016 • Summaries of Technical Platform meetings • REFIT Platform opinions • RAPEX database <p>Primary sources:</p> <ul style="list-style-type: none"> • Scoping interviews • Semi-structured, in-depth interviews with experts and public |

³ For secondary sources, please refer to bibliography for detailed references. For details of primary sources refer to ch. 4 of the main report

| Evaluation Question (EQ) | Key findings | Sources of evidence ³ |
|---|---|---|
| | | authorities in the 10 selected countries <ul style="list-style-type: none"> • Online survey with public authorities and experts in the other EU countries • Company phone survey • Public consultation |
| <p>EQ 2: What are the factors that have influenced positively and negatively the achievements observed? In particular, which obstacles to the internal market for construction products still remain?</p> | <p>Main factors that influence (negatively) the achievements:</p> <ul style="list-style-type: none"> • Insufficient and ineffective market surveillance and enforcement • Lengthy standardisation procedures • And remaining obstacles (see below) <p>Differences between Member States with respect to climate and national building traditions are de facto obstacles to the Internal Market but can be accommodated within a harmonised Internal Market.</p> <p>National marks, although reduced, still exist and constitute an obstacle. But voluntary marks viewed by many stakeholders as beneficial for allowing documentation of aspects beyond information contained in the CE marking/the DoP.</p> | <ul style="list-style-type: none"> • Semi-structured interviews • Study on the Implementation of the Construction Products Regulation • Summaries of Technical Platform meetings • REFIT Platform opinions • |
| <p>EQ 3: Has the CPR had unintended positive or negative consequences or collateral effects? To what extent has the CPR followed / allowed for technological, scientific and social development (or do adaptation mechanisms in place allow the CPR to do so)?</p> | <p>Few unintended consequences or collateral effects have been identified, some stakeholders see lack of fitness for use information as collateral effect.</p> <p>Overall, CPR neither hinders nor fosters innovation. The ETA system is viewed positively, but slow adoption of standards may hamper innovation.</p> <p>Adaptation mechanisms (legislative tools allowing to amend annexes, to adopt delegated and implementing acts, to mandate and cite new or updated harmonised standard) seen as a good tool to support innovation but in practice too time-consuming (process too long).</p> | <ul style="list-style-type: none"> • Evaluation of the relevance of EOTA's tasks, 2016 • Semi-structured interviews • Online survey • Company phone survey • Public consultation |
| <p>EFFICIENCY</p> | | |

| Evaluation Question (EQ) | Key findings | Sources of evidence ³ |
|---|--|--|
| <p>EQ 4: What are the benefits and how beneficial are they for the various stakeholders' groups?</p> | <p>Most common benefits identified by stakeholders include access to foreign market, existence of common rules/common language, uniform information for end-users and to some extent a bigger focus on quality. Some manufacturers benefit from improving their production processes as a result of implementation of factory production control (FPC) to comply with CPR requirements. Benefits for NBs and TABs include more business opportunities for their services. It is not possible to quantify benefits.</p> | <ul style="list-style-type: none"> • Study on Economic Impacts of the Construction Products Regulation 2016 • Study on Cross-border trade for construction products, 2017 • Supporting study for the fitness check, 2016 • Semi-structured interviews • Online survey • Company phone survey |
| <p>EQ 5: What are the regulatory and administrative costs and are they affordable for the various stakeholders' groups? Is there evidence that the CPR has caused unnecessary regulatory burden?</p> | <p>The administrative burden on manufacturers is estimated to range from 1.31% of turn-over for micro-enterprises to 0.07% of turnover for large enterprises. There are significant economies of scale. Costs thus vary considerably both depending on company size and on product type/number of different products manufactured by the company. The costs are mainly borne by manufacturers. Costs for distributors are much more limited than for manufacturers. Significant costs for end-users were not identified. Significant cost reductions were foreseen for CPR but in fact costs have increased, constituting in the order of 0.6%-1.1% of the sector's turnover. Regulatory and administrative costs are mainly linked to supply of the DoP and the CE marking. Significant cost savings can be attributed to the possibility to provide the DoP by electronic means. The efficiency of the DoP and the CE marking is negatively impacted by the overlap between the information required in the DoP and in the CE marking.</p> | <ul style="list-style-type: none"> • Study on Economic Impacts of the Construction Products Regulation, 2016 • Supporting study for the fitness check, 2016 • Implementation Report, 2016 • Feedback on the Roadmap • 2008 Impact Assessment • Public consultation • Scoping interviews • Semi-structured interviews |
| <p>EQ 6:</p> | <p>It is not possible to judge whether the CPR has been cost-effective in quantitative terms.</p> | <ul style="list-style-type: none"> • Semi-structured interviews • Online survey • Public consultation |

| Evaluation Question (EQ) | Key findings | Sources of evidence ³ |
|--|---|---|
| <p>To what extent has the CPR been cost effective?</p> <p>Are the costs proportionate to the benefits attained? What are the factors influencing the proportionality of costs?</p> | <p>Overall, costs are assessed as proportionate, but proportionality depends to a large extent on the industry/product type, and especially on the size of the company. Furthermore, substantial costs of compliance experienced by manufacturers who did not have FPC in place, while those that already had such systems experience only marginal costs.</p> | |
| RELEVANCE | | |
| <p>EQ 7:</p> <p>To what extent are the objectives of the CPR appropriate to meet the needs and problems it is expected to meet and solve?</p> | <p>Good correspondence between needs addressed by the CPR and its objectives.</p> <p>Needs that are not explicitly addressed include information for end-users on product safety and fitness for use, and issues related to sustainability (including, in the longer term, circular economy).</p> | <ul style="list-style-type: none"> • Semi-structured interviews • Public consultation |
| <p>EQ 8:</p> <p>Is there a demand and a potential for more cross-border trade between Member States?</p> | <p>Overall there is potential for more cross-border trade, but the potential varies considerably depending on the type of product (some products tend not to be traded over longer distances).</p> | <ul style="list-style-type: none"> • Semi-structured interviews • Company phone survey |
| COHERENCE | | |
| <p>EQ 9:</p> <p>To what extent do the CPR features work together sufficiently well? Are there any inconsistencies, overlaps or gaps?</p> | <p>The CPR is largely internally coherent, with the exception of an overlap between the information provided in the CE marking and the DoP.</p> <p>Conflict between mandatory standards being the key instrument for harmonisation and the slow process for adoption of standards, and the lack of clarity of simplification articles which is a key factor in their low uptake, constitute barriers for the CPR to achieve key objectives.</p> | <ul style="list-style-type: none"> • Semi-structured interviews • Online survey |
| <p>EQ 10:</p> <p>To what extent is the CPR consistent with other legislation pieces applying on the same stakeholders? Are there any</p> | <p>The CPR is not entirely consistent with other pieces of legislation applying to the same stakeholders.</p> <p>European legislation (partially) conflicting or overlapping with the CPR include Ecodesign Directive and several other product/technical directives.</p> <p>Conflicts with Standardisation Regulation.</p> | <ul style="list-style-type: none"> • Supporting study for the fitness check, 2016 • Summaries of Technical Platform meetings • Feedback on the Roadmap • Semi-structured interviews |

| Evaluation Question (EQ) | Key findings | Sources of evidence ³ |
|---|--|---|
| inconsistencies, overlaps or gaps? | Some conflicts (and potential conflicts) exist with Member States legislation making use of the common technical language to set national requirements for construction works, and coexisting with the CPR. | <ul style="list-style-type: none"> • Online survey • Public consultation • |
| EU added value | | |
| EQ 11: What is the added value of the CPR compared to what could be achieved at merely national level? | The EU added value of the CPR is the strengthening of the Internal Market, with common rules and a common technical language, and easier access for economic operators to cross-border markets. | <ul style="list-style-type: none"> • Semi-structured interviews • Online survey • Supporting study for the fitness check (Economisti Associati et al., 2016) |
| EQ 12: Do the needs and challenges addressed by the CPR correspond to the needs of an EU internal market? Do the needs and challenges addressed by the CPR continue to require (harmonisation) action at EU level? | The needs and challenges addressed by the CPR are all related to the smooth functioning of the Internal Market. As it is not likely that these needs and challenges could be addressed at national level, there is a continued need for harmonisation at EU level. | <ul style="list-style-type: none"> • Semi-structured interviews • Online survey |
| EQ 13: What would be the most likely consequences of repealing the CPR? | The most likely consequences of repealing the CPR would be a fragmentation of the market, dismantling the positive impacts achieved with respect to improved conditions for cross-border trade, and Member States putting up new or strengthened barriers. (This question was not addressed in great detail since repeal is one of the three main options being analysed in the Impact Assessment part of the study). | <ul style="list-style-type: none"> • Semi-structured interviews • Online survey |

3. Annex III: Data collection tools

The data collection phase consisted of desk research, semi-structured interviews, online survey, company phone survey, public consultation and a validation workshop. The following sections provide a more detailed description of the activities performed under each task.

3.1. Semi-structured interviews

The goal of the semi-structured interviews was to perform 80 phone interviews with stakeholders across 10 Member States (Belgium, Denmark, France, Germany, Ireland, Italy, Poland, Romania, Spain, UK). These countries are considered representative of the five main construction business systems in the EU, and in terms of output they produce more than 80% of the EU turnover in the sector (2013 data from Eurostat SBS). In addition, they cover the various EU geographical sub-regions, and both large and small Member States.

In addition to the Member State level stakeholders, semi-structured interviews were conducted with SME representatives. 18 organisations were contacted to gain specific insight from this sector. Three EU level organisations and one national level organisation agreed to be interviewed, while others either did not respond despite several contact attempts or indicated a lack of sufficient knowledge of the topic.

The table below provides a summary of interview results.

Table 2: Completion rates for interviews by stakeholder category

| Member State | Business representatives | Technical bodies | Public authorities and testing /certification bodies | Other | TOTAL |
|--------------|--------------------------|------------------|--|----------|-----------------|
| Belgium | 4 | 2 | 1 | 1 | 8 |
| Denmark | 3 | 3 | 2 | 0 | 8 |
| France | 2 | 4 | 2 | 0 | 8 |
| Germany | 3 | 3 | 3 | 0 | 9 |
| Ireland | 1 | 0 | 1 | 0 | 2 |
| Italy | 3 | 5 | 1 | 0 | 9 |
| Poland | 4 | 2 | 2 | 0 | 8 |
| Romania | 0 | 4 | 1 | 0 | 5 |
| Spain | 1 | 2 | 5 | 0 | 8 |
| UK | 1 | 4 | 2 | 0 | 7 |
| + SME reps | 0 | 0 | 0 | 4 | 4 |
| TOTAL | 22 | 29 | 20 | 5 | 76 (95%) |

With some countries, such as Ireland and Romania, the response rate among stakeholders was limited, and especially in the case of Ireland, the number of relevant stakeholder was also relatively small. In the end, 95% target rate was achieved.

3.2. Online survey

The purpose of the online survey was to complement the semi-structured interviews by going beyond the selected 10 Member States and giving relevant stakeholders from other Member States the chance to contribute to the study by answering a set of specific, targeted questions. The online survey followed the structure of the interviews. Together with the public consultation results, it helped to cross-check and refine the EU-28 conclusions that are based on fieldwork in the 10 MS where semi-structured interviews took place.

307 stakeholders were identified by the study team. The number of stakeholders per country varied somewhat, as in some countries such as Malta and the Nordic countries the same authority is responsible for multiple relevant tasks. The stakeholders were contacted by the study team via email, providing a description of the study and a link to the survey. Four rounds of reminder emails were also sent over the survey period, and follow-up calls made, to maintain a steady response rate.

In the end, 101 online surveys were completed, representing 34% of the total number of stakeholders contacted. The survey was closed on the 30th of November.

Table 3: Online surveys completed

| Country | End user organisation | Manufacturer organisation | Market surveillance authority | National contact point | Standardisation body | Testing and certification body | Other | Total |
|----------------|-----------------------|---------------------------|-------------------------------|------------------------|----------------------|--------------------------------|-------|-------|
| Austria | 1 | 3 | 1 | 1 | | 9 | 1 | 16 |
| Bulgaria | | 3 | 2 | 1 | 1 | 9 | | 16 |
| Croatia | | 3 | 1 | | | 1 | 1 | 6 |
| Cyprus | | | 1 | | | | | 1 |
| Czech Republic | | | 1 | | | | 1 | 2 |
| Estonia | | | 1 | 1 | | 3 | | 5 |
| Finland | | 1 | 1 | | | 2 | 1 | 5 |
| Greece | | 2 | | | | | 1 | 3 |
| Hungary | 1 | | 1 | | | 2 | 1 | 5 |
| Ireland | | | | | | | 1 | 1 |
| Italy | | 1 | | | | | | 1 |
| Latvia | | | | 1 | | 2 | | 3 |
| Lithuania | | | 4 | | | 2 | 1 | 7 |
| Luxembourg | | | 1 | 1 | | 1 | | 3 |
| Malta | | | | | 1 | | | 1 |
| Netherlands | | | | | | 1 | | 1 |
| Portugal | | | 2 | 1 | | 1 | 1 | 5 |

Supporting study for the Review of the Construction Products Regulation: Evaluation

| | | | | | | | | |
|--------------|---|----|----|---|---|----|----|-----|
| Slovakia | | | 1 | 1 | | 1 | | 3 |
| Slovenia | | | 1 | 1 | | 4 | 2 | 8 |
| Spain | | 1 | | | | | | 1 |
| Sweden | | 2 | | 1 | 1 | 1 | 2 | 7 |
| UK | | 1 | | | | | | 1 |
| Total | 2 | 17 | 18 | 9 | 3 | 39 | 13 | 101 |

3.3. Company phone survey

The company phone survey collected views from a representative sample of individual companies from across the value chain, with a focus on small and micro companies established in the 10 Member States covered by the in-depth research. The purpose of these focused interviews was to gather data on effectiveness, efficiency, relevance, and EU added value and to assess the impacts of the proposed policy options.

The goal was to conduct 750 company interviews in the 10 MS. The sample was based on the Dun & Bradstreet Database of companies, which includes a very large number of enterprises from across Europe. The sample characteristics were as follows:

- Geographic coverage: 10 MS (Belgium, Denmark, France, Germany, Ireland, Italy, Poland, Romania, Spain, United Kingdom).
- Company size: 90% SME's, 10% large companies; based on expected 90% incidence rate (i.e. 90% of the respondents are eligible to participate in the company phone survey which means that they actually operate in one of the sectors covered by the study – see next bullet point for sector coverage).
- Sector coverage and sample size per sector/country. Sample size: n=500 interviews of 20 minutes duration across the 10 countries amongst construction production manufacturers; n=250 interviews of 10 minutes duration across the 10 countries, divided over the other sub-categories: Importers; Distributors / suppliers; Builders; Construction companies; Designers (architects, specifiers, etc.); Raw material suppliers; Professional end users.

The following table presents the interviews completed for each country.

Table 4: Targets, completion and progress of the company phone survey

| Countries | Manufacturers | Importers / distributors | Professional end users | Raw material suppliers | Total |
|--------------|---------------|--------------------------|------------------------|------------------------|------------|
| Belgium | 11 | 6 | 13 | 1 | 31 |
| Denmark | 18 | 4 | 5 | 3 | 30 |
| France | 34 | 9 | 21 | 7 | 71 |
| Germany | 51 | 10 | 27 | 15 | 103 |
| Ireland | 17 | 8 | 14 | 5 | 44 |
| Italy | 79 | 17 | 15 | 31 | 142 |
| Poland | 44 | 8 | 19 | 5 | 76 |
| Romania | 18 | 4 | 16 | 1 | 39 |
| Spain | 55 | 17 | 12 | 9 | 93 |
| UK | 49 | 12 | 40 | 6 | 107 |
| Total | 376 | 95 | 182 | 83 | 736 |

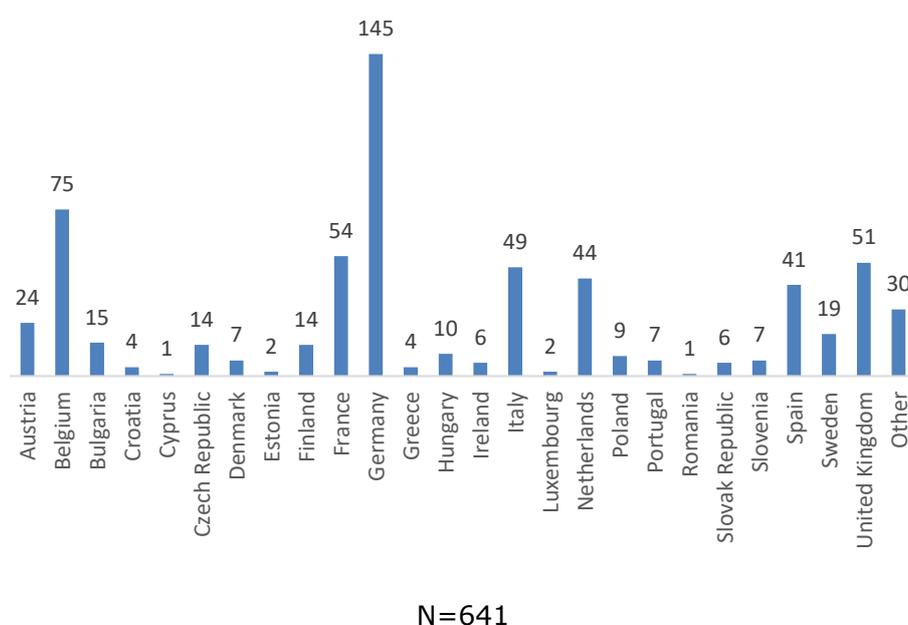
The sample was selected using the Dun and Bradstreet database of companies and sector definitions. The overall incidence rate (companies eligible to participate in the company phone survey because they operate in one of the target sectors of the study) was found to be significantly lower than anticipated (21.5% compared to the anticipated 90%). In response, the study team focused the interviews on countries where more eligible construction products manufacturers were available, and increased the number of interviews with other stakeholder groups, including builders, architects, etc. In the end, 98% of the target number of responses were achieved.

3.4. Open public consultation

The public consultation was launched on 22 January 2018 and remained open until 16 April 2018. In total, 641 online questionnaires have been completed. Among those, no complete duplicates have been found. In addition to these 641 completed online questionnaires, 96 complementary documents (position papers etc.) have been submitted.

In terms of geographic distribution of the participants, including both individual and professional respondents, the picture looks as follows:

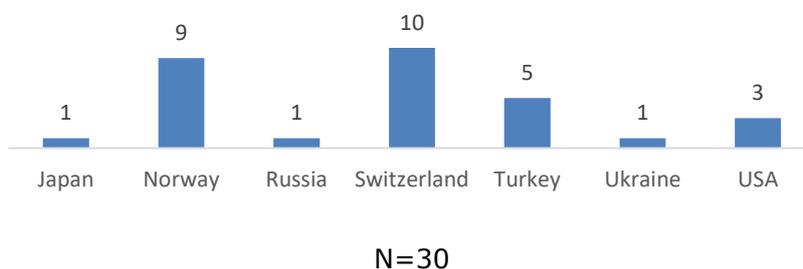
Figure 1: Geographic distribution of participants



By far the largest number of participants (22.6%) comes from Germany. Participation from other countries is roughly in line with the size of their population and/or economic importance, with France, the UK and Italy all representing around 8% of participants. The particularly high participation from Belgium (11%) is explained by the number of European umbrella organisations with seat in Brussels that have participated.

Looking at the participation from third countries only, we see the following distribution:

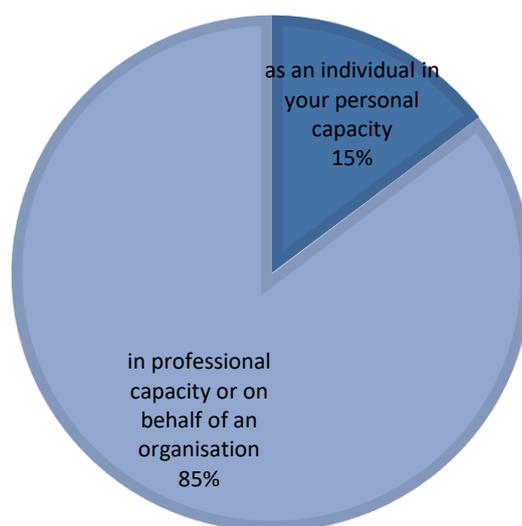
Figure 2: Participation from third countries



The strong participation from both Switzerland and Norway is not surprising, as both countries directly apply the CPR.

547 questionnaires have been completed in professional capacity, 94 in personal capacity:

Figure 3: Distribution by professional/personal capacity



N=641

Split up by country, the numbers are as follows:

Table 5: Respondent distribution by country

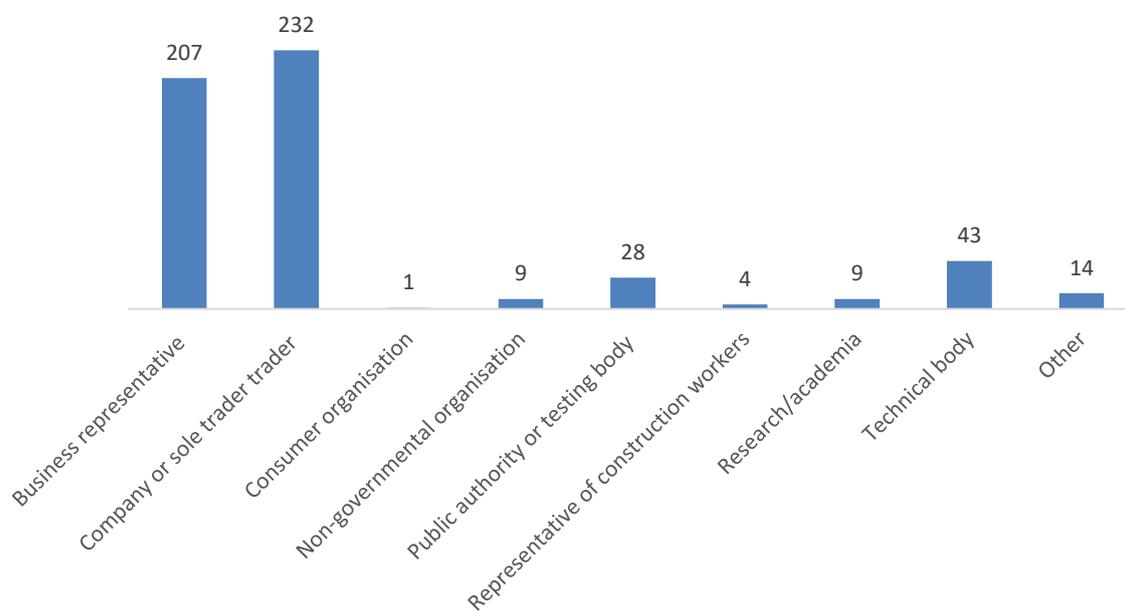
| | Austria | Belgium | Bulgaria | Croatia | Cyprus | Czech Republic | Denmark | Estonia | Finland | France | Germany | Greece | Hungary | Ireland | Italy | Luxembourg | Netherlands | Poland | Portugal | Romania | Slovak Republic | Slovenia | Spain | Sweden | United Kingdom | Other | Total |
|---------------|---------|---------|----------|---------|--------|----------------|---------|---------|---------|--------|---------|--------|---------|---------|-------|------------|-------------|--------|----------|---------|-----------------|----------|-------|--------|----------------|-------|-------|
| as individual | 2 | 7 | 2 | | | 2 | | 1 | 1 | 8 | 15 | 1 | 5 | 2 | 6 | | 5 | | 4 | 1 | 3 | 4 | 11 | | 13 | 1 | 94 |

| | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|-----------------|-----------|-----------|-----------|----------|----------|-----------|----------|----------|-----------|-----------|------------|----------|-----------|----------|-----------|----------|-----------|----------|----------|----------|----------|----------|-----------|-----------|-----------|-----------|------------|
| as professional | 22 | 68 | 13 | 4 | 1 | 12 | 7 | 1 | 13 | 46 | 130 | 3 | 5 | 4 | 43 | 2 | 39 | 9 | 3 | | 3 | 3 | 30 | 19 | 38 | 29 | 547 |
| Total | 24 | 75 | 15 | 4 | 1 | 14 | 7 | 2 | 14 | 54 | 145 | 4 | 10 | 6 | 49 | 2 | 44 | 9 | 7 | 1 | 6 | 7 | 41 | 19 | 51 | 30 | 641 |

Hungary, the Slovak Republic and Slovenia were the only three countries where there were just as many (or even more) respondents who participated as individuals as there were respondents who participated in their professional capacity. In all other countries, the vast majority of participants responded on behalf of an organisation.

Broken down by type of organisation, the distribution can be seen in the following graph:

Figure 4: Respondent distribution by type of organisation



N=547

The vast majority of participants are companies, making up 42.4% of participants; organisations representing businesses (incl. industry associations, chamber of commerce, professional organisation) constitute 37.8% of participants. Technical bodies account for 7.9% percent of participants and public authorities or testing bodies for 5.1%. It is notable that only 1 single consumer organisation (representing 0.2%) has participated.

By type of organisation and by country, the breakdown is as follows:

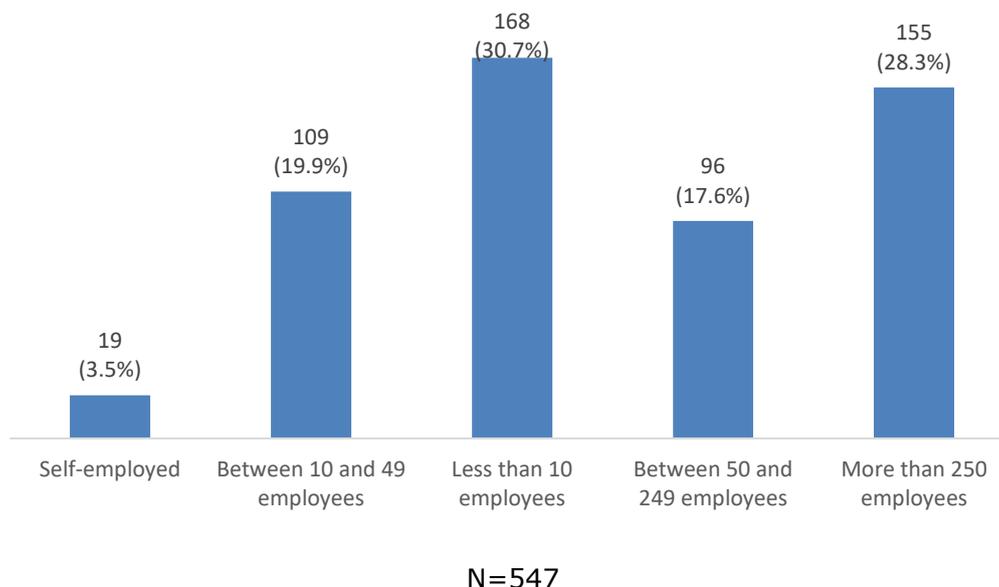
Table 6: Respondent distribution by organisation and country

| | Business representative | Company or sole trader | Consumer organisation | Non-governmental organisation | Public authority or testing body | Representative of construction workers | Research/ academia | Technical body | Other | Total |
|-----------------|-------------------------|------------------------|-----------------------|-------------------------------|----------------------------------|--|--------------------|----------------|-----------|------------|
| Austria | 9 | 8 | | 1 | 1 | | 1 | 1 | 1 | 22 |
| Belgium | 49 | 12 | | | 2 | | | 3 | 2 | 68 |
| Bulgaria | | 6 | 1 | | 1 | | | 5 | | 13 |
| Croatia | | 2 | | | 1 | | | | 1 | 4 |
| Cyprus | | | | | 1 | | | | | 1 |
| Czech Republic | 2 | 5 | | | 2 | 1 | | 2 | | 12 |
| Denmark | 2 | 4 | | | | | | 1 | | 7 |
| Estonia | 1 | | | | | | | | | 1 |
| Finland | 1 | 11 | | | | | | 1 | | 13 |
| France | 16 | 23 | | 1 | 1 | | 1 | 4 | | 46 |
| Germany | 42 | 65 | | 5 | 4 | | 3 | 4 | 7 | 130 |
| Greece | | 2 | | | | | | 1 | | 3 |
| Hungary | 1 | 1 | | | 1 | | | 2 | | 5 |
| Ireland | 2 | 2 | | | | | | | | 4 |
| Italy | 16 | 24 | | | | | 1 | 1 | 1 | 43 |
| Luxembourg | | 2 | | | | | | | | 2 |
| Netherlands | 22 | 9 | | 1 | 1 | 1 | 1 | 3 | 1 | 39 |
| Other | 9 | 12 | | | 3 | 1 | | 4 | | 29 |
| Poland | 1 | 5 | | | | | | 3 | | 9 |
| Portugal | 2 | 1 | | | | | | | | 3 |
| Slovak Republic | 1 | | | 1 | 1 | | | | | 3 |
| Slovenia | | 2 | | | | | | 1 | | 3 |
| Spain | 12 | 9 | | | 3 | | 2 | 4 | | 30 |
| Sweden | 6 | 8 | | | 3 | | | 1 | 1 | 19 |
| United Kingdom | 13 | 19 | | | 3 | 1 | | 2 | | 38 |
| Total | 207 | 232 | 1 | 9 | 28 | 4 | 9 | 43 | 14 | 547 |

It can be seen that from all countries with a significant number of participants, by far the strongest participation is equally from individual companies and business representatives.

Broken down by size of organisation, the distribution can be seen in the following graph:

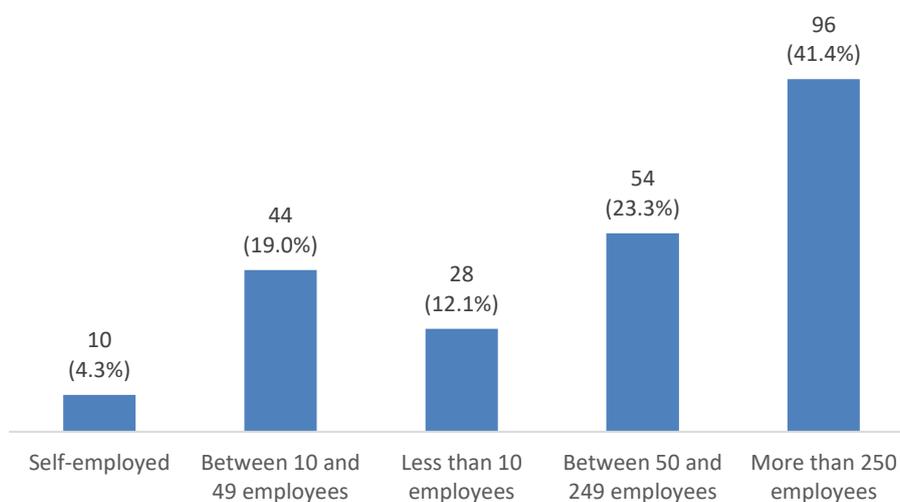
Figure 5: Respondent distribution by size of organisation



Organisations with less than 10 employees make up the largest share of participants, followed by organisations with more than 250 employees. This overview may however be somewhat misleading, as it includes all types of organisations, not just companies.

For the purpose of this consultation, it will therefore be of particular interest to select only the 232 companies that have participated and analyse their size, which is done in the following graph:

Figure 6: Companies by size



N=232

This shows that by far the largest share (41.4%) of the companies that have participated have more than 250 employees. It also shows that only 28 of the 168 organisations with less than 10 employees are companies.

Continuing to look only at the 232 companies and segmenting both by size of organisation and by country, the breakdown is as follows:

Table 7: Companies by size and country

| | Self-employed | < 10 employees | 10 - 49 employees | 50 - 249 employees | ≥ 250 employees | Total |
|----------------|---------------|----------------|-------------------|--------------------|-----------------|------------|
| Austria | | 1 | 2 | 1 | 4 | 8 |
| Belgium | | 1 | 2 | 4 | 5 | 12 |
| Bulgaria | | 1 | 2 | 2 | 1 | 6 |
| Croatia | | | | | 2 | 2 |
| Czech Republic | | 1 | | | 4 | 5 |
| Denmark | | | 1 | | 3 | 4 |
| Finland | 2 | 1 | | 2 | 6 | 11 |
| France | 1 | 2 | 3 | 4 | 13 | 23 |
| Germany | 1 | 13 | 12 | 14 | 25 | 65 |
| Greece | | 1 | 1 | | | 2 |
| Hungary | | 1 | | | | 1 |
| Ireland | 1 | | | 1 | | 2 |
| Italy | 3 | 2 | 10 | 5 | 4 | 24 |
| Luxembourg | | | | 1 | 1 | 2 |
| Netherlands | | 1 | 3 | 1 | 4 | 9 |
| Poland | | | | 3 | 2 | 5 |
| Portugal | | | | 1 | | 1 |
| Slovenia | | 1 | 1 | | | 2 |
| Spain | | | 2 | 5 | 2 | 9 |
| Sweden | 2 | | | 2 | 4 | 8 |
| United Kingdom | | 2 | 5 | 4 | 8 | 19 |
| Other | | | | 4 | 8 | 12 |
| Total | 10 | 28 | 44 | 54 | 96 | 232 |

The above table shows that there are two countries with a particularly strong participation of large companies, which are Germany and France.

3.5. Validation workshop

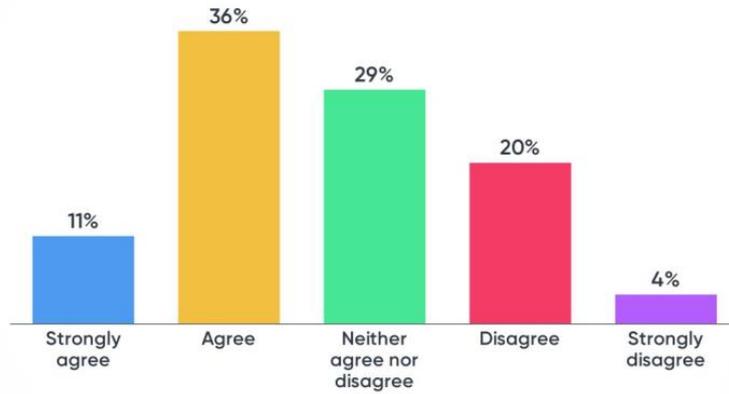
Validation workshop took place on 3 May 2018, at the premises of DG GROW. In total, 96 stakeholders participated. The workshop presented and discussed the key preliminary findings of the evaluation and collected input for the accompanying impact assessment. Concerning the latter, the following questions for discussion were posed:

- Do you agree that these are the key problem areas that need to be addressed in the review of the CPR?
- What other problems should be addressed in the current review?
- Do you agree that the proposed solutions address the problems with the current CPR as identified earlier?
- What other solutions do you think would be required to fully address these problems?
- Do you agree with the assessment of the different options? Why not?
- What further impacts do you expect? Consider, for instance, impacts on innovation, legal certainty, coherence / overlaps with other initiatives.
- Do you agree that these are the key problem areas that need to be addressed in the review of the CPR?
- What other problems should be addressed in the current review?
- Do you agree that the proposed solutions address the problems with the current CPR as identified earlier?
- What other solutions do you think would be required to fully address these problems?

The responses to these questions were written down and incorporated into the analysis. In addition to these discussion questions, the stakeholders were surveyed on key CPR aspects / questions. The results are provided below:

The CPR provides sufficient legal clarity

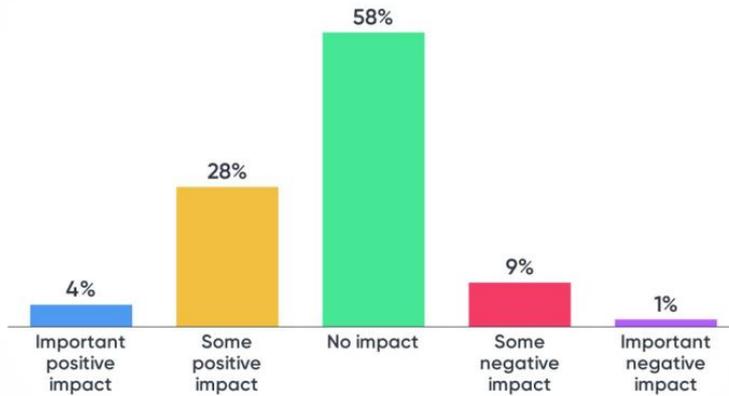
Mentimeter



55

What is the impact of the CPR on innovation?

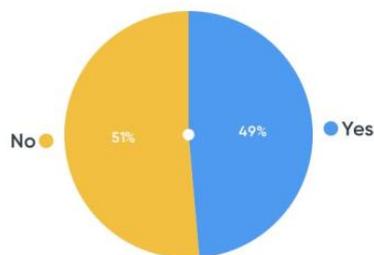
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69

Should the CPR address the issue of fitness for use?

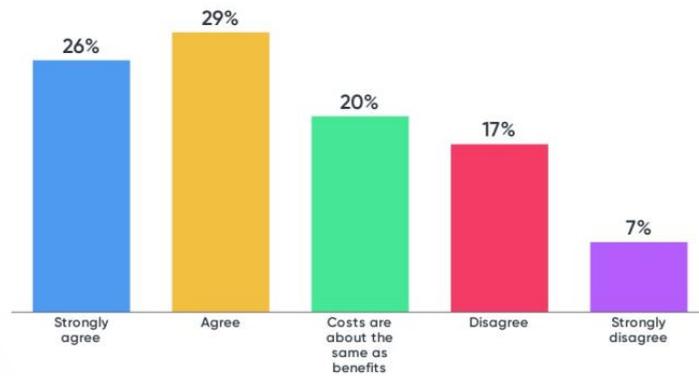
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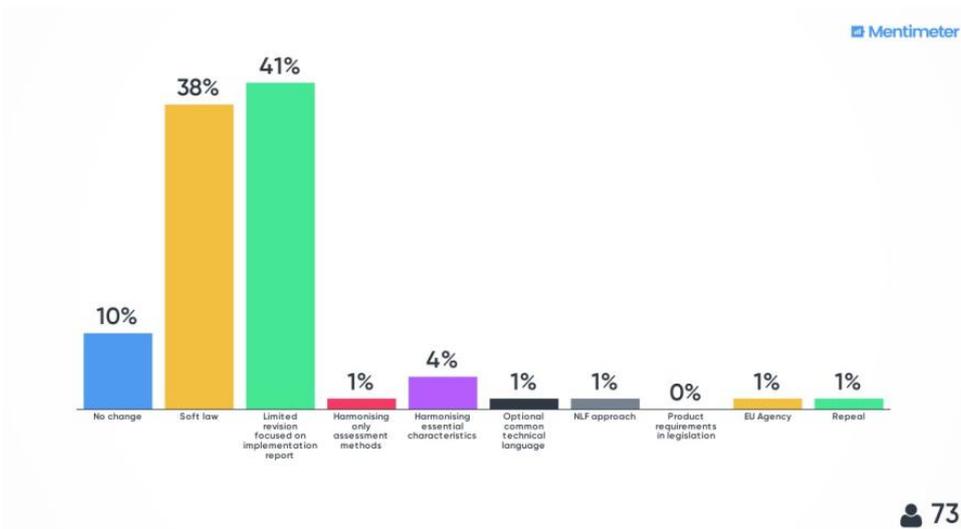
72

The benefits of common European legislation on construction products outweigh the costs associated with compliance

Mentimeter



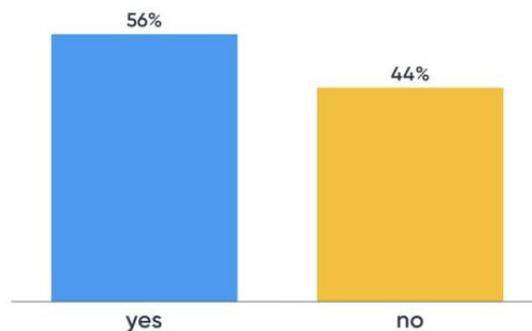
69



73

Should it be possible for MS to set additional requirements for the performance of construction products on top of those included in the hEN?

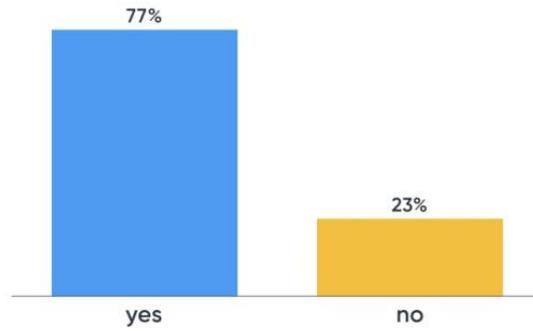
Mentimeter



72

Should it be possible to complete mandatory standards with voluntary information?

Mentimeter



71

4. Annex IV: List of interviewees

| MS | Stakeholder | Category | Sub-category |
|----|---|---|--|
| BE | Belgian Federal Public Service for the Economy, SMEs, Self-Employed and Energy | Public authorities and testing/certification bodies | Product Contact Point |
| BE | Directorate-General for the Economic Inspection of the Belgian Federal Public Service for the Economy, SMEs, Self-Employed and Energy | Public authorities and testing/certification bodies | Market Surveillance Authority |
| BE | Belgian Pre-cast Concrete Federation (FEBE) | Business representatives | Industry association |
| BE | Belgian Construction Federation | Business representatives | Industry association |
| BE | Bouwunie - Flemish federation of construction SMEs | Business representatives | Industry association |
| BE | Belgian association of the Construction Materials Producers (BMP PMC) | Business representatives | Industry association |
| BE | Belgian Federation of the General Construction Entrepreneurs | Business representatives | Professional organisation |
| BE | SGS Belgium BV | Technical bodies | Technical Assessment Body |
| BE | Belgian Construction Service Association | Technical bodies | Notified Body |
| BE | Bureau de Normalisation (NBN) | Technical bodies | Standardisation Body |
| DK | Danske Byggematerialer (Danish Building Materials) | Business representatives | Industry association |
| DK | DI Byggematerialer (Confederation of Danish Industries, Construction products section) | Business representatives | Industry association |
| DK | Varmeisoleringsforeningen, VIF (Insulation Association) | Business representatives | Industry association |
| DK | VinduesIndustrien (window manufacturers) | Business representatives | Industry association |
| DK | ETA-DANMARK A/S | Technical bodies | Technical Assessment Body |
| DK | FORCE Certification A/S | Technical bodies | Notified Body |
| DK | Dansk Standard (Danish Standards) | Technical bodies | Standardisation Body |
| DK | Dancert | Technical bodies | Notified Body |
| DK | Danish Transport, Construction and Housing Authority | Public authorities and testing/certification bodies | Market surveillance authority |
| DK | DANAK | Public authorities and testing/certification bodies | National Accreditation Body |
| DK | 3f (United Federation of Danish Workers) | Other stakeholders | Building construction worker association |
| FR | DG for Enterprises of the French Ministry of the Economy and Finances | Public authorities and testing/certification bodies | Product Contact Point |
| FR | DG for Competition, Consumption and Fraud Prevention of the French Ministry of the Economy and Finances | Public authorities and testing/certification bodies | Market Surveillance Authority |
| FR | French Concrete Industry Association | Business representatives | Industry association |
| FR | French Association of the Construction Materials, Products, Components and Equipment Industries | Business representatives | Industry association |
| FR | French Union of Wood Constructors | Business representatives | Professional organisation |
| FR | French Chamber of Fine and Special Steel Producers | Business representatives | Professional organisation |
| FR | CSTB - Centre Scientifique et Technique du Bâtiment | Technical bodies | Notified Body |
| FR | SGS France | Technical bodies | Technical Assessment Body |
| FR | ACERBOIS - Association pour la certification des éléments, ouvrages en bois lamellés et dérivés, à usage structuraux | Technical bodies | Notified Body |
| FR | French Standardisation Association | Technical bodies | Standardisation Body |

| | | | |
|----|---|---|---|
| DE | Federal Institute for Materials Research and Testing (Bundesanstalt für Materialforschung und -prüfung) | Public authorities and testing/certification bodies | Product Contact Point |
| DE | Government of the District of Düsseldorf (Bezirksregierung Düsseldorf, Dezernat 35) | Public authorities and testing/certification bodies | Market Surveillance Authority |
| DE | Ministry of the Interior of the Free State of Saxony (Sächsisches Staatsministerium des Innern) | Public authorities and testing/certification bodies | Market Surveillance Authority |
| DE | Confederation of the German Construction Industry (Hauptverband der Deutschen Bauindustrie) | Business representatives | Industry association |
| DE | German Association of Steel and Metal processing Industry (Wirtschaftsverband Stahl- und Metallverarbeitung e.V.) | Business representatives | Industry association |
| DE | German Window and Facade Association (Verband Fenster + Fassade) | Business representatives | Industry association |
| DE | Architects' Delegation Germany (Bund Deutscher Baumeister Architekten und Ingenieure) | Business representatives | Professional organisation |
| DE | Federal Institute for Materials Research and Testing (Bundesanstalt für Materialforschung und -prüfung) | Public authorities and testing/certification bodies | Testing and certification body |
| DE | IMA Dresden | Technical bodies | Technical Assessment Body |
| DE | TÜV Rheinland | Technical bodies | Notified Body |
| IE | Irish Concrete Association | Business representatives | Industry association |
| IE | Building Materials Federation | Business representatives | Industry association |
| IE | Construction Industry Federation | Business representatives | Industry association |
| IE | Department of Environment, Heritage and Local Government | Public authorities and testing/certification bodies | Product Contact Point |
| IE | Building Control Unit, Department of Environment, Heritage and Local Government | Public authorities and testing/certification bodies | Market Surveillance Authority |
| IE | National Standards Authority of Ireland | Technical bodies | Notified Body |
| IE | The Royal Institute of the Architects of Ireland | Other stakeholders | |
| IE | Building and Allied Trades Unions | Other stakeholders | Building construction worker association |
| IE | Irish Green Building Council | Other stakeholders | Environmental NGO |
| IT | ICIM SPA | Technical bodies | Notified Body |
| IT | Ministero dello Sviluppo Economico | Public authorities and testing/certification bodies | National Public Authority / Institution in charge of CPR issues |
| IT | Autorità Garante della Concorrenza e del Mercato | Public authorities and testing/certification bodies | Market Surveillance Authority |
| IT | Bureau Veritas | Technical bodies | Technical Assessment Body |
| IT | Confindustria Bergamo | Business representatives | Industry association |
| IT | Confindustria Bergamo | Business representatives | Industry association |
| IT | Consiglio Superiore dei Lavori Pubblici | Public authorities and testing/certification bodies | National Public Authority / Institution in charge of CPR issues |
| IT | UNICMI (Mechanical Constructions for Buildings) | Business representatives | Industry association |
| IT | ASSOBETON - Associazione Nazionale Industrie Manufatti Cementizi | Business representatives | Industry association |
| IT | Federacciai | Business representatives | Industry association |
| IT | (Unioni Costruttori Chiusure Tecniche) (Fire Doors) | Business representatives | Industry association |
| IT | Collegio Ingegneri e Architetti di Milano | Business representatives | Professional organisation |
| IT | IMQ SPA | Technical bodies | Notified Body |
| IT | CSI S.p.A. | Technical bodies | Technical Assessment Body |
| IT | AICE-ANIE (Cavi Elettrici) | Business representatives | Industry association |
| IT | AICE-ANIE (Cavi Elettrici) | Business representatives | Industry association |

| | | | |
|----|--|---|---------------------------------|
| IT | ATECAP - Associazione Tecnico Economica del Calcestruzzo Preconfezionato | Business representatives | Industry association |
| IT | Assovetro, Associazione Nazionale degli Industriali del Vetro | Business representatives | Industry association |
| IT | UNI - Ente Nazionale Italiano di Unificazione | Technical bodies | Standardisation Body |
| IT | UMAN - Unione costruttori materiali antincendio | Business representatives | Industry association |
| PL | Atlas | Business representatives | Professional organisation |
| PL | GDDKiA | Public authorities and testing/certification bodies | Road authority |
| PL | PMR | Business representatives | Professional organisation |
| PL | Stowarzyszenie Producentów Betonów | Business representatives | Industry association |
| PL | ZPR Media S.A. "Murator Plus" | Other stakeholders | Consumer organisation |
| PL | Związek Polskie Okna i Drzwi | Business representatives | Professional organisation |
| PL | Naczelna Organizacja Techniczna | Technical bodies | Technical Assessment Body |
| PL | Polski Związek Inżynierów i Techników Budownictwa | Technical bodies | Technical Assessment Body |
| PL | Główny Urząd Nadzoru Budowlanego | Public authorities and testing/certification bodies | Inspector / Enforcement Officer |
| PL | Urząd Dozoru Technicznego | Public authorities and testing/certification bodies | Testing and certification body |
| PL | Polski Komitet Normalizacji | Public authorities and testing/certification bodies | National Accreditation Body |
| PL | Polska Izba Inżynierów Budownictwa | Technical bodies | Standardisation Body |
| RO | Asociația Producătorilor de Materiale pentru Construcții din România | Business representatives | Industry association |
| RO | Patronatul din industria cimentului și al altor produse minerale pentru construcții din România | Business representatives | Industry association |
| RO | Patronatul Producătorilor de Agregate Minerale | Business representatives | Industry association |
| RO | Consiliul Național al Intreprinderilor Private Mici și Mijlocii din România - CNIPMMR | Business representatives | Industry association |
| RO | Asociația Producătorilor de Construcții Metalice din România, APCMR | Business representatives | Industry association |
| RO | Asociația pentru Securitatea la Incendiu a Construcțiilor | Business representatives | Industry association |
| RO | Asociația Auditorilor Energetici pentru Clădiri din România | Business representatives | Professional organisation |
| RO | Patronatul Societăților din Construcții (PSC) | Business representatives | Professional organisation |
| RO | Asociația Română a Antreprenorilor de Construcții - ARACO | Business representatives | Professional organisation |
| RO | UNIUNEA NAȚIONALĂ A PATRONATULUI ROMÂN - Construction branch | Business representatives | Professional organisation |
| RO | Ordinul Arhitecților din România | Business representatives | Professional organisation |
| RO | Asociația Inginerilor Constructori Proiectanți de Structuri (AICPS) | Business representatives | Professional organisation |
| RO | Asociația Inginerilor Constructori din România (AICR) | Business representatives | Professional organisation |
| RO | Asociația Română a Inginerilor Consultanți | Business representatives | Professional organisation |
| RO | APDP România | Business representatives | Professional organisation |
| RO | Association for Private Property (APP) | Other stakeholders | Consumer organisation |
| RO | Asociația Green Revolution | Other stakeholders | Environmental NGO |
| RO | General Inspectorate for Emergency Situations | Public authorities and testing/certification bodies | Market Surveillance Authority |
| RO | State Inspectorate for Construction | Public authorities and testing/certification bodies | Market Surveillance Authority |
| RO | Ministry of Regional Development and Public Administration - General Technical Directorate, Standards and Regulation | Public authorities and testing/certification bodies | Product Contact Point |

| | | | |
|----|--|---|---|
| RO | Institutul de Cercetari in Transporturi INCERTRANS SA | Technical bodies | Notified Body |
| RO | Institutul National de Cercetare-Dezvoltare in Constructii, Urbanism si Dezvoltare Teritoriala Durabila | Technical bodies | Notified Body |
| RO | Institutul de Cercetari pentru Echipamente si Tehnologii in Constructii "ICECON" SA | Technical bodies | Notified Body |
| RO | QUALITAS | Technical bodies | Notified Body |
| RO | CEPROCIM | Technical bodies | Notified Body |
| RO | Institutul de Cercetari in Transporturi - INCERTRANS S.A. | Technical bodies | Notified Body |
| RO | SRAC CERTSERV | Technical bodies | Notified Body |
| RO | AEROQ | Technical bodies | Notified Body |
| RO | Institutul National de Cercetare - Dezvoltare in Constructii, Urbanism si Dezvoltare Teritoriala Durabila - URBAN-INCERC | Technical bodies | Notified Body |
| RO | SC QUALITY - CERT SA | Technical bodies | Notified Body |
| RO | SRAC CERT SRL | Technical bodies | Notified Body |
| RO | Laboratorul Central SA | Technical bodies | Notified Body |
| RO | SC RINA SIMTEX - ORGANISMUL DE CERTIFICARE SRL | Technical bodies | Notified Body |
| RO | CERTIND SA | Technical bodies | Notified Body |
| RO | SUCERT - RO SRL | Technical bodies | Notified Body |
| RO | Societatea de Certificare ICECON CERT SRL | Technical bodies | Notified Body |
| RO | SC ALL CERT PRODUCT SRL | Technical bodies | Notified Body |
| RO | SC RAD CERT SRL | Technical bodies | Notified Body |
| RO | SC GCP CERTIFICARI SRL | Technical bodies | Notified Body |
| RO | SC ELECTRIC PRODUCTS CERTIFICATION INDEPENDENT BODY - OICPE SRL | Technical bodies | Notified Body |
| RO | Romanian Standards Association | Technical bodies | Standardisation Body |
| RO | Patronatul Producatorilor de Tamplarie Termoizolanta PPTT | Business representatives | Industry association |
| RO | ORGANIZATIA PATRONALA A PRODUCATORILOR DE BCA | Business representatives | Industry association |
| RO | ASPAPLAST - Asociatia Patronala a Prelucratorilor de Mase Plastice din Romania | Business representatives | Industry association |
| RO | Asociatia Producatorilor de Polistiren Expandat din Romania | Business representatives | Industry association |
| RO | Romanian Chamber of Commerce and Industry | Business representatives | Chamber of Commerce |
| ES | ANDECE (Asociación Nacional de la Industria del Prefabricado de Hormigón) | Business representatives | Industry association |
| ES | AEDED (Asociación española de demolición , descontaminación, corte y perforación) | Business representatives | Industry association |
| ES | ANFAPA | Business representatives | Industry association |
| ES | Camara de Comercio de Bilbao | Business representatives | Chamber of Commerce |
| ES | Colegio de aparejadores de Madrid | Business representatives | Professional organisation |
| ES | AENOR Certificación | Technical bodies | Notified Body |
| ES | ITEC | Technical bodies | Technical Assessment Body |
| ES | UNE Normalización Española | Technical bodies | Standardisation Body |
| ES | David Lorenzo timber consultancy | Technical bodies | Individual practitioner |
| ES | Ministerio de Economía Industria y competitividad | Public authorities and testing/certification bodies | National Public Authority / Institution in charge of CPR issues |
| ES | Eusko Jaurlaritza. Consejeria de Industria | Public authorities and testing/certification bodies | Market Surveillance Authority |
| ES | ENAC | Public authorities and testing/certification bodies | National Accreditation Body |
| ES | Ministerio de Economía Industria y competitividad | Public authorities and testing/certification bodies | Notifying Authority |

| | | | |
|----|---|---|--|
| ES | Departamento de Desarrollo Económico y Territorial. Diputación Foral de Bizkaia | Public authorities and testing/certification bodies | Inspector / Enforcement Officer |
| ES | Applus | Public authorities and testing/certification bodies | Testing and certification body |
| ES | ENAR | Public authorities and testing/certification bodies | Building controller |
| ES | Subdirección General de Inspección, Certificación y Asistencia Técnica del Comercio Exterior Dirección General de Comercio e Inversiones SECRETARÍA DE ESTADO DE COMERCIO MINISTERIO DE ECONOMÍA Y COMPETITIVIDAD | Public authorities and testing/certification bodies | Product Contact Point |
| ES | ADIF | Public authorities and testing/certification bodies | Tendering / contracting authority |
| ES | Departamento de Desarrollo Económico y Territorial. Diputación Foral de Bizkaia | Public authorities and testing/certification bodies | Road authority |
| ES | GBCE | Other stakeholders | Environmental NGO |
| ES | Fundación Laboral de la construcción | Other stakeholders | Building construction worker association |
| UK | Department for Communities & Local Government Building Regulations & Standards Division | Public authorities and testing/certification bodies | Product Contact Point |
| UK | TUV SUD BAPT | Technical bodies | Notified Body |
| UK | Calibso Limited (trading as Bluesky Certification) | Technical bodies | Notified Body |
| UK | Interscience Communications Ltd | Technical bodies | Notified Body |
| UK | British Approvals Service for Cables (BASEC) | Technical bodies | Notified Body |
| UK | 4ward Testing Ltd | Technical bodies | Notified Body |
| UK | Pavement Testing Services Ltd | Technical bodies | Notified Body |
| UK | TWI CERTIFICATION LTD | Technical bodies | Notified Body |
| UK | TRADA Technology Limited trading as BM TRADA | Technical bodies | Notified Body |
| UK | Cambridge Fire Research Limited | Technical bodies | Notified Body |
| UK | Steel Construction Certification Scheme Ltd | Technical bodies | Notified Body |
| UK | CEM INTERNATIONAL LTD | Technical bodies | Notified Body |
| UK | Lucideon CICS Limited | Technical bodies | Notified Body |
| UK | Build Check Limited | Technical bodies | Notified Body |
| UK | VINCI Technology Centre UK Limited | Technical bodies | Notified Body |
| UK | Impact Laboratories Limited trading as Impact Solutions | Technical bodies | Notified Body |
| UK | USW Commercial Services Limited | Technical bodies | Notified Body |
| UK | Building Investigation and Testing Services (Surrey) Limited | Technical bodies | Notified Body |
| UK | Department for Communities and Local Government - Building Regulations and Standards Divisions | Public authorities and testing/certification bodies | Market Surveillance Authority |
| UK | Chartered Trading Standards Institute | Public authorities and testing/certification bodies | Market Surveillance Authority |
| UK | BRE Group | Public authorities and testing/certification bodies | Testing and certification body |
| UK | United Kingdom Accreditation Service (UKAS) | Public authorities and testing/certification bodies | Testing and certification body |
| UK | The Construction Industry Council (CIC) | Business representatives | Industry association |
| UK | Construction Products Association | Business representatives | Industry association |
| UK | Chartered Association of Building Engineers | Business representatives | Professional organisation |
| UK | Chartered Institute of Buildings | Business representatives | Professional organisation |
| UK | Chartered Institute of Architectural Technologists | Business representatives | Professional organisation |
| UK | The British Standards Institution (BSI) | Technical bodies | Standardisation Body |
| UK | EXOVA (UK) Ltd | Technical bodies | Technical Assessment Body |
| UK | FM Approvals Ltd | Technical bodies | Technical Assessment Body |
| UK | IFC Certification Limited | Technical bodies | Technical Assessment Body |

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|----|--|--------------------------|----------------------|------------|
| UK | UK CARES | Technical bodies | Technical Body | Assessment |
| UK | UL INTERNATIONAL (UK) LTD | Technical bodies | Technical Body | Assessment |
| UK | Warrington Certification Limited | Technical bodies | Technical Body | Assessment |
| UK | BRITISH BOARD OF AGRÉMENT (BBA) | Technical bodies | Technical Body | Assessment |
| EU | The European Consumer Organisation (BEUC) | Business representatives | Industry association | |
| EU | International Union of Property Owners (UIPI) | Business representatives | Industry association | |
| EU | ECTP | Business representatives | Industry association | |
| EU | Cooperatives Europe | Business representatives | Industry association | |
| EU | Cecop Cicopa Europe | Business representatives | Industry association | |
| EU | European Small Business Alliance (ESBA) | Business representatives | Industry association | |
| EU | European Association of Development Agencies (EURADA) | Business representatives | Industry association | |
| EU | Eurochambres | Business representatives | Industry association | |
| EU | Eurocommerce | Business representatives | Industry association | |
| EU | European Association of Craft, Small and Medium-sized Enterprises (UEAPME) | Business representatives | Industry association | |
| EU | BusinessEurope | Business representatives | Industry association | |
| EU | European Confederation of Young Entrepreneurs (YES) | Business representatives | Industry association | |
| EU | Zentralverband des Deutschen Handwerks (ZDH) | Business representatives | Industry association | |
| EU | European Confederation of Junior Enterprises (JADE) | Business representatives | Industry association | |
| EU | European Council of the Liberal Professions (CEPLIS) | Business representatives | Industry association | |
| EU | European Family Businesses | Business representatives | Industry association | |
| EU | European Start-up Network | Business representatives | Industry association | |
| EU | Orgalime | Business representatives | Industry association | |

5. Annex V: Questionnaires

5.1. Company phone survey questionnaire

INTRO SCRIPT

Good [day part], my name is [Enter Name] and I am calling from GDCC on behalf of VVA and the European Commission.

We are carrying out a study on the costs and benefits for companies of European legislation on construction products. The objective is to assess how well current regulations work and how they could be improved in the future.

To do this, the opinion of business is crucial. We would therefore be very grateful if you could devote a small amount of your time to help us understand how European legislation on construction products affects you and how it could be improved.

The interview will take roughly 15 minutes. Please be reassured that all data provided is confidential and will not be treated individually but at aggregate level together with the answers of other 750 enterprises.

We would like to speak to your CEO or your production manager

END INTRO SCRIPT

| Theme | Question and options |
|--|---|
| Background questions | 1. Your company is a... <ul style="list-style-type: none"> a. Construction products manufacturers b. Importer and distributor of construction products c. Building industry/ contractors d. Raw material suppliers for construction products? e. Architects /consulting engineer? |
| | 2. How many employees does your company employ? <ul style="list-style-type: none"> a. 0-9 b. 10-49 c. 50-249 d. 250 and + |
| | 3. In which country is your company based (headquarter)? (EU MS list) |
| | 4. Are your products or the products you work with covered by harmonised standards? <ul style="list-style-type: none"> a. Yes (some or all products) b. No (none of our products) c. Don't know |
| | 5. Are your products or the products you work with covered by a European Technical Assessment? <ul style="list-style-type: none"> a. Yes (some or all products) b. No (none of our products) c. Don't know |
| Baseline (this section only for those who responded a, b or c in Question 1) | 6. Does your company import/export products from/to at least one other EU Member States? <ul style="list-style-type: none"> a. Yes, we import from other EU MS and we export to other EU MS b. We export to other EU MS but we do not import from other EU MS c. We import from other EU MS but we do not export to other EU MS d. No |
| | 7. (If answer to Q6 is "c or d") Please indicate the reasons why you do not export your products to other EU Member States? (tick all that apply) <ul style="list-style-type: none"> a. Lack of capacity to export |

| | |
|--------------------------------|--|
| | <ul style="list-style-type: none"> b. Technical difficulties to transport across borders c. Your products are adapted to specific national requirements d. Information/data on how to do it efficiently is not available e. It is costly to get all information/data on other countries product requirements f. The potential countries for exporting your product have different testing methods (additional testing) g. The potential countries for exporting your product have different product requirements h. Others (please specify) i. Don't know <p>8. <i>(If answer to Q6 is "a or b")</i> What are the main barriers/obstacles that you face when exporting to other EU Member States? (tick all that apply)</p> <ul style="list-style-type: none"> a. There are no major barriers b. Technical difficulties to transport across borders c. Your products are adapted to specific national requirements d. It is costly to get all information/data on other countries product requirements e. The countries in which you are exporting your product have different testing methods (additional testing) f. The countries in which you are exporting your product have different product requirements g. Don't know h. Other, please specify <p>9. Does your company expect in the future to export or export <i>more</i> than now to other EU Member States?</p> <ul style="list-style-type: none"> a. Yes b. No c. Don't know <p>10. Has your company experienced more competition from manufacturers of other Member States over the last 4 years?</p> <ul style="list-style-type: none"> a. Yes b. No c. Don't know <p>11. Does your company expect more competition from manufacturers in other EU Member States in the future?</p> <ul style="list-style-type: none"> a. Yes b. No c. Don't know |
| Baseline (for all respondents) | <p>12. In your experience, has it become easier to sell/source construction products from other EU countries over the last 4 years compared to previously?</p> <ul style="list-style-type: none"> a. Yes significantly b. Yes to a certain extent c. There has been no change d. There has been no change but we expect it to become easier e. No, it has become more difficult f. Don't know <p>13. <i>(If answer to Q 12 is a, b or d)</i> In your view, to what extent is the current / expected ease of selling/ sourcing construction products from other EU countries due to improvements in European regulation on construction products?</p> <ul style="list-style-type: none"> a. To a significant extent due to improvements in European regulation on construction products b. To some extent due to improvements in European regulation on construction products |

| | <p>c. Not at all due to improvements in European regulation on construction products</p> <p>d. Don't know</p> <p>14. (If answer to Q 12 is c or e) What are the main reasons for difficulties in selling/sourcing construction products from other EU countries? (tick all that apply)</p> <p>a. The implementation of European regulation on construction products</p> <p>b. The economic crisis</p> <p>c. Differences in technological advancements</p> <p>d. Differences in standards</p> <p>e. Lack of distributors</p> <p>f. Lack of support for internalisation</p> <p>g. Don't know</p> <p>15. Do you think that the Declaration of Performance (DoP) provides useful information to economic operators in your sector? <i>Please select the best fitting answer.</i></p> <p>a. Yes, the DoP has considerably improved quality and quantity of information</p> <p>b. Yes, the DoP has somewhat improved quality and quantity of information</p> <p>c. No, the situation is the same as before the implementation of European legislation on construction products</p> <p>d. No, the information provided in the DoP is not useful</p> <p>e. Don't know / not aware of the DoP</p> <p>16. (If a-b under Q15) Has the improved level of information raised the level of safety for end-users?</p> <p>a. Yes</p> <p>b. No</p> <p>c. Don't know</p> | | | | | | | | | | | | | | | | | | | | | |
|--|--|---|---|---|---|---|---|------------|--|--|--|--|--|--|--|---|--|--|--|--|--|--|
| Option 1 (all respondents) | <p>17. A What would be the impact of the costs aspects on your business of the following changes:</p> <p>YOU CAN CHOOSE BETWEEN</p> <table border="1" data-bbox="359 1301 1460 2031"> <thead> <tr> <th data-bbox="359 1301 560 1547"></th> <th data-bbox="560 1301 715 1547">Significant decrease in costs for my business (5%+)</th> <th data-bbox="715 1301 863 1547">Small decrease in costs for my business (<5%)</th> <th data-bbox="863 1301 1011 1547">No change for my business</th> <th data-bbox="1011 1301 1160 1547">Small Increase in costs for my business (<5%)</th> <th data-bbox="1160 1301 1315 1547">Significant increase in costs for my business (5%+)</th> <th data-bbox="1315 1301 1460 1547">Don't know</th> </tr> </thead> <tbody> <tr> <td data-bbox="359 1547 560 1823">Streamlining (simplification) of procedures for the issuance of European Technical Assessments</td> <td data-bbox="560 1547 715 1823"></td> <td data-bbox="715 1547 863 1823"></td> <td data-bbox="863 1547 1011 1823"></td> <td data-bbox="1011 1547 1160 1823"></td> <td data-bbox="1160 1547 1315 1823"></td> <td data-bbox="1315 1547 1460 1823"></td> </tr> <tr> <td data-bbox="359 1823 560 2031">More uniform application of European legislation on construction products across EU</td> <td data-bbox="560 1823 715 2031"></td> <td data-bbox="715 1823 863 2031"></td> <td data-bbox="863 1823 1011 2031"></td> <td data-bbox="1011 1823 1160 2031"></td> <td data-bbox="1160 1823 1315 2031"></td> <td data-bbox="1315 1823 1460 2031"></td> </tr> </tbody> </table> | | Significant decrease in costs for my business (5%+) | Small decrease in costs for my business (<5%) | No change for my business | Small Increase in costs for my business (<5%) | Significant increase in costs for my business (5%+) | Don't know | Streamlining (simplification) of procedures for the issuance of European Technical Assessments | | | | | | | More uniform application of European legislation on construction products across EU | | | | | | |
| | Significant decrease in costs for my business (5%+) | Small decrease in costs for my business (<5%) | No change for my business | Small Increase in costs for my business (<5%) | Significant increase in costs for my business (5%+) | Don't know | | | | | | | | | | | | | | | | |
| Streamlining (simplification) of procedures for the issuance of European Technical Assessments | | | | | | | | | | | | | | | | | | | | | | |
| More uniform application of European legislation on construction products across EU | | | | | | | | | | | | | | | | | | | | | | |

| | | | | | | | |
|---|--|---|--|---|---|------------|--|
| | Member States | | | | | | |
| | If the DoP was generally accepted without any need for additional national or private certificates and marks | | | | | | |
| | Simplifying the CE marking so that it would contain only the critical information and refer to the DoP for other information | | | | | | |
| <p>▪ 17. B What would be the impact of <u>market opportunities</u> on your business of the following changes:</p> <p>YOU CAN CHOOSE BETWEEN</p> | | | | | | | |
| | Significant decrease in market opps for my business | Small decrease in market opps for my business | No change in market opps for my business | Small Increase in market opps for my business | Significant increase in market opps for my business | Don't know | |
| | More uniform application of European legislation on construction products across EU Member States | | | | | | |
| | If the DoP was generally accepted without any need for additional national or private | | | | | | |

| | | | | | | | |
|---|---|--|--|--|--|--|--|
| | certificates and marks | | | | | | |
| | Increasing market surveillance and enforcement of the rules so that products that do not conform to the stated performance would not be available on the market | | | | | | |
| Option 2 A (only those who responded a in Q1) | <p>18. Does your company manufacture and install individual non-series products intended for single identified buildings?</p> <p>a. Yes b. No</p> <p>19. Does your company manufacture products on the construction site where the products are being incorporated?</p> <p>a. Yes b. No</p> <p>20. Does your company manufacture individual products (non-industrial process)?</p> <p>a. Yes b. No</p> <p>21. <i>If yes to any of the above questions (18-20) do you use the possibility not to draw up a DoP and not to CE mark the products?</i></p> <p>a. Yes b. No</p> <p>22. <i>If no to Q21, why not?</i></p> <p>a. Not a benefit for us b. Not aware of the possibility c. Not acceptable for our clients d. Conditions are too unclear.</p> <p>23. <i>For micro-enterprises only (<10 employees) (a in Q2): Are you aware that there are simplified procedures under EU law that allow micro-enterprises to replace the determination of the product type on the basis of type-testing with simplified methods (article 37of the Construction Products Regulation)?</i></p> <p style="padding-left: 40px;">▪ <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="padding-left: 40px;">▪</p> <p>24. Are you aware of the simplified procedures under EU law for products which are individually manufactured or custom-made (article 38 of the Construction Products Regulation)?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not relevant to our products</p> <p>25. <i>If yes to 23 or 24: Has your company used any of these simplified procedures?</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> I do not know</p> <p>26. <i>If yes to Q 25: what was the impact of using the simplified procedures on your costs of complying with the European legislation on construction products?</i></p> <p>a. Significant decrease in costs b. Small decrease in costs</p> | | | | | | |

| | <p>c. No decrease in costs d. Don't know</p> <p>27. <i>If no to Q. 25: Why not?</i></p> <p>a. They are not relevant for our products b. They are not simpler because we then need to develop our own methods instead c. Other, please specify:_____</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---------------------------------|---|----------------------|----------------------------|----------------------|----------------------------|----------------------|----------------------------|-------------|----------------------|--|--|--|--|--|--|---------------------------------|--|--|--|--|--|--|-----------------|--|--|--|--|--|--|
| <p>Option 2 B 1 all</p> | <p>28. In your opinion, compared to today's situation, what would be the impact on your business <u>on the following aspects</u> if harmonised standards were limited only to contain testing methods – no essential characteristics, no details on assessment and verification of constancy of performance and no technical assessment criteria for the product? Please select an option for the different categories.</p> <p>You can choose between</p> <table border="1" data-bbox="360 813 1487 1245"> <thead> <tr> <th></th> <th>Significant decrease (5%+)</th> <th>Small decrease (<5%)</th> <th>No change</th> <th>Small Increase (<5%)</th> <th>Significant increase (5%+)</th> <th>Don't know}</th> </tr> </thead> <tbody> <tr> <td>Costs to my business</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>New market opportunities abroad</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Product quality</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table> | | Significant decrease (5%+) | Small decrease (<5%) | No change | Small Increase (<5%) | Significant increase (5%+) | Don't know} | Costs to my business | | | | | | | New market opportunities abroad | | | | | | | Product quality | | | | | | |
| | Significant decrease (5%+) | Small decrease (<5%) | No change | Small Increase (<5%) | Significant increase (5%+) | Don't know} | | | | | | | | | | | | | | | | | | | | | | | |
| Costs to my business | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| New market opportunities abroad | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Product quality | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>Option 2 B 2 all</p> | <p>29. In your opinion, compared to today's situation, what would be the impact on your business <u>on the following aspects</u> if the harmonised European standard for product covered only a few essential characteristics (mainly thermal performance; drinking water safety/quality; structural integrity of construction works; fire safety) and leave all other characteristics to national rules and national marks?</p> <p>You can choose between:</p> <table border="1" data-bbox="360 1494 1487 1928"> <thead> <tr> <th></th> <th>Significant decrease (5%+)</th> <th>Small decrease (<5%)</th> <th>No change</th> <th>Small Increase (<5%)</th> <th>Significant increase (5%+)</th> <th>Don't know}</th> </tr> </thead> <tbody> <tr> <td>Costs to my business</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>New market opportunities abroad</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Product quality</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table> | | Significant decrease (5%+) | Small decrease (<5%) | No change | Small Increase (<5%) | Significant increase (5%+) | Don't know} | Costs to my business | | | | | | | New market opportunities abroad | | | | | | | Product quality | | | | | | |
| | Significant decrease (5%+) | Small decrease (<5%) | No change | Small Increase (<5%) | Significant increase (5%+) | Don't know} | | | | | | | | | | | | | | | | | | | | | | | |
| Costs to my business | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| New market opportunities abroad | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Product quality | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>Option 2 B 3</p> | <p>30. Would your company make use of harmonised standards if under the EU law they were made voluntary?</p> <ul style="list-style-type: none"> ▪ a.Yes | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| | <ul style="list-style-type: none"> ▪ b.No ▪ c. Don't know <p>31. <i>(if the answer to 30 is yes)</i> In your opinion, compared to today's European regulation on construction products, what would be the impact on your business of <u>the following aspects</u> when making the use of harmonised standards voluntary? Please select an option for the different categories.</p> <p>You can choose between:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 15%;"></th> <th style="width: 15%;">Significant decrease (5%+)</th> <th style="width: 15%;">Small decrease (<5%)</th> <th style="width: 15%;">No change</th> <th style="width: 15%;">Small Increase (<5%)</th> <th style="width: 15%;">Significant increase (5%+)</th> <th style="width: 15%;">Don't know}</th> </tr> </thead> <tbody> <tr> <td>Costs to my business</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>New market opportunities abroad</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Product quality</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table> | | Significant decrease (5%+) | Small decrease (<5%) | No change | Small Increase (<5%) | Significant increase (5%+) | Don't know} | Costs to my business | | | | | | | New market opportunities abroad | | | | | | | Product quality | | | | | | |
|---------------------------------|--|----------------------|----------------------------|----------------------|----------------------------|----------------------|----------------------------|-------------|----------------------|--|--|--|--|--|--|---------------------------------|--|--|--|--|--|--|-----------------|--|--|--|--|--|--|
| | Significant decrease (5%+) | Small decrease (<5%) | No change | Small Increase (<5%) | Significant increase (5%+) | Don't know} | | | | | | | | | | | | | | | | | | | | | | | |
| Costs to my business | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| New market opportunities abroad | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Product quality | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>Option 2 C</p> | <p>In the following, we ask some questions related to the possibility of defining a set of common European legal product requirements for construction products, e.g. a minimum density, a minimum mechanical strength and minimum durability.</p> <p>32. What effect would defining such a set of common European legal product requirements have for your company:</p> <ul style="list-style-type: none"> a. Our product development would continue unchanged b. We would focus on the optimisation of our products with regard to the common European requirements. c. Don't know / Not relevant for us <p>33. With regard to pricing of your products, what effect would you expect such common European requirements to have:</p> <ul style="list-style-type: none"> a. We would not expect any changes b. We would expect higher prices c. We would expect lower prices d. Don't know / not relevant <p>34. What would be the impact on your business <u>of the following aspects</u> if legal product requirements were introduced across MS, e.g. minimum reaction to fire class, minimum mechanical strength, minimum thermal resistance? Please select an option for the different categories.</p> <p>You can choose between:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 15%;"></th> <th style="width: 15%;">Significant decrease (5%+)</th> <th style="width: 15%;">Small decrease (<5%)</th> <th style="width: 15%;">No change</th> <th style="width: 15%;">Small Increase (<5%)</th> <th style="width: 15%;">Significant increase (5%+)</th> <th style="width: 15%;">Don't know}</th> </tr> </thead> <tbody> <tr> <td>Costs to my business</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table> | | Significant decrease (5%+) | Small decrease (<5%) | No change | Small Increase (<5%) | Significant increase (5%+) | Don't know} | Costs to my business | | | | | | | | | | | | | | | | | | | | |
| | Significant decrease (5%+) | Small decrease (<5%) | No change | Small Increase (<5%) | Significant increase (5%+) | Don't know} | | | | | | | | | | | | | | | | | | | | | | | |
| Costs to my business | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| | New market opportunities abroad | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---------------------------------|---|----------------------|-----------|----------------------|----------------------------|-------------|--|--|----------------------------|----------------------|-----------|----------------------|----------------------------|-------------|----------------------|--|--|--|--|--|--|---------------------------------|--|--|--|--|--|--|-----------------|--|--|--|--|--|--|--|----------------------------|----------------------|-----------|----------------------|----------------------------|-------------|----------------------|--|--|--|--|--|--|---------------------------------|--|--|--|--|--|--|-----------------|--|--|--|--|--|--|
| | Product quality | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Option 3 | <p>35. In your opinion, what would be the impact on your business <u>on the following aspects</u> in case of removing harmonised standards, EADs/ETAs, the obligation to draw up a DoP and the CE marking and leaving it to each EU Member State to regulate construction products?</p> <p>You can choose between:</p> <table border="1"> <thead> <tr> <th></th> <th>Significant decrease (5%+)</th> <th>Small decrease (<5%)</th> <th>No change</th> <th>Small Increase (<5%)</th> <th>Significant increase (5%+)</th> <th>Don't know}</th> </tr> </thead> <tbody> <tr> <td>Costs to my business</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>New market opportunities abroad</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Product quality</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table> <p>36. What would be the impact on your company <u>on the following aspects</u> if there was no EU regulation and only national certification/marketing schemes were made obligatory in other EU Member States than your own:</p> <p>You can choose between:</p> <table border="1"> <thead> <tr> <th></th> <th>Significant decrease (5%+)</th> <th>Small decrease (<5%)</th> <th>No change</th> <th>Small Increase (<5%)</th> <th>Significant increase (5%+)</th> <th>Don't know}</th> </tr> </thead> <tbody> <tr> <td>Costs to my business</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>New market opportunities abroad</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Product quality</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table> | | | | | | | | Significant decrease (5%+) | Small decrease (<5%) | No change | Small Increase (<5%) | Significant increase (5%+) | Don't know} | Costs to my business | | | | | | | New market opportunities abroad | | | | | | | Product quality | | | | | | | | Significant decrease (5%+) | Small decrease (<5%) | No change | Small Increase (<5%) | Significant increase (5%+) | Don't know} | Costs to my business | | | | | | | New market opportunities abroad | | | | | | | Product quality | | | | | | |
| | Significant decrease (5%+) | Small decrease (<5%) | No change | Small Increase (<5%) | Significant increase (5%+) | Don't know} | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Costs to my business | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| New market opportunities abroad | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Product quality | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Significant decrease (5%+) | Small decrease (<5%) | No change | Small Increase (<5%) | Significant increase (5%+) | Don't know} | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Costs to my business | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| New market opportunities abroad | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Product quality | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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|-----------------|---|----------------------------|----------------------|-----------|----------------------|----------------------------|-------------|
| | <p>37. What would be the impact on your company <u>on the following aspects</u> if there was no EU regulation and only national certification/marketing schemes were made obligatory in your own Member State:</p> <p>You can choose between:</p> | | | | | | |
| | | Significant decrease (5%+) | Small decrease (<5%) | No change | Small Increase (<5%) | Significant increase (5%+) | Don't know} |
| | Costs to my business | | | | | | |
| | New market opportunities abroad | | | | | | |
| Product quality | | | | | | | |

5.2. Interview questionnaire

**DG for Internal Market,
Industry, Entrepreneurship
and SMEs**



**Supporting Study for the joint evaluation and impact
assessment for the Construction Products Regulation (CPR)
review**

Interview guide for interviews with stakeholders in 10 selected Member States

The European Commission has awarded the Joint Institute for Innovation Policy (JIIP), Valdani Vicari & Associati (VVA), the Danish Technological Institute (DTI) and Global Data Collection (GDCC) **a study on a joint evaluation and impact assessment for the Construction Products Regulation (EU) No 305/2011 (the CPR).**

The objective of the study is to provide an informed retrospective analysis of the performance of the CPR and the extent to which it has met its original objectives as well as a prospective analysis to feed into a **potential revision of the CPR** within the mandate of this Commission.

This document presents a list of questions on which the study team would like to invite your views. We are very grateful for your input which will feed into the European Commission’s ongoing review of the CPR.

Please do not hesitate to contact Laura Todaro at VVA (l.todaro@vva.it) with any questions you may have about the study or the interview.

| | |
|--|--|
| Name and position of interviewee: | |
| Name of organisation: | |
| Country: | |
| Type of organisation: <ul style="list-style-type: none"> • Business representatives: industry associations, chambers of commerce, professional organisations. • Technical bodies: notified bodies, technical assessment bodies, standardisation bodies, individual practitioners, EOTA. • Public authorities and testing bodies⁴: national accreditation bodies, market surveillance authorities, certification bodies and product contact points, etc. • Other stakeholders: building and construction worker associations, consumer organisations, environmental NGOs. | |
| Sector: (specify if relevant, particularly for manufacturer organisations and end-user organisations) | |

⁴ Testing body can be both public authorities and private entities.

Questions about evaluation of EU legislation on construction products

1. **To what extent do you think that EU legislation on construction products has had an impact (negative or positive) on issues such as**
 - a. **Cross-border market opportunities for economic actors (manufacturers)**
 - b. **Competition in your national market**
 - c. **Better product choice for end-users**
 - d. **Better information for end-users**
 - e. **Innovation in the construction products sector**
 - f. **Product safety**
 - g. **Cost of production**
 - h. **Are there other important impacts of the CPR – negative or positive?**

2. **From your viewpoint: Which obstacles to the internal market for construction products still remain? How significant are these obstacles?**

Examples of obstacles could be national marks or other national requirements, national building traditions, issues related to market surveillance, etc.

3. **Which benefits, if any, has EU legislation on construction products brought for your organisation or those whom your organisation represents?**

Benefits could be related e.g. to reduced costs; simplification; competition; better access to other national markets; increased cross-border trade; better information to end-users; more product choice for end-users; better health and safety; etc.

Follow-up question (if relevant): If you do not see any benefits, what do you think is the reason(s) for that?

4. **Are the costs of compliance commensurate to the benefits of the EU legislation on construction products?**

For instance, are the regulatory and administrative costs of the CPR affordable to the relevant stakeholders? Has the application of CPR brought unnecessary burdens?

5. **The CPR includes measures aimed at simplifying the requirements for some manufacturers (mainly small companies and those manufacturing customised products etc.). In your opinion, have these measures produced any positive effects? Why/why not?**

6. **To what extent has the EU legislation on construction products supported or hindered entry of new / innovative products in the construction sector?**

Does the CPR allow for or hinder product innovation and/or innovation in the way construction projects are carried out and organised? How and why?

Are the adaptation mechanisms in place adequate to follow or allow for innovation and technological development? (Please note: “adaptation mechanisms” are the legislative tools

allowing to amend annexes, to adopt delegated and implementing acts, to mandate and cite new or updated harmonised standards).

7. **Do you think that there is a demand or potential for more cross-border trade between your country and other EU member states? Why/why not?**
8. **Is the CPR coherent? Do the different elements of the CPR work well together?**
Have you identified any inconsistencies, overlaps or gaps in the CPR?
9. **Is the CPR coherent with other EU legislation?**
Have you identified any inconsistencies, overlaps or gaps between the CPR and other EU legislation that applies to your specific sector or to the construction sector overall?
10. **Do you think overall that EU-level legislation (like the CPR) is necessary for strengthening the internal market for construction products?**
11. **Do you think that the same results/effects that have been achieved by EU-level legislation could have been achieved by regulating at national level? If "yes": why and how?**
12. **What are the key issues for the internal market in construction products which EU legislation on construction products should address?**

Questions about impact assessment of CPR

1. **Based on your experience with the CPR, is there a need to introduce some changes to the regulation? If yes, for which issues? Can you explain the reasons where and why the CPR should be modified? If possible, provide concrete suggestions for such changes.**
2. **Below are listed the options for changes to the CPR that are currently under consideration. Please indicate whether you think the proposed changes would be useful and what, if any, would be the impacts of these changes on your organisation and/or the stakeholders that you represent.**

[Note: the table is meant to support the interviewer during the interview. The respondent will get a version of the questionnaire with only the list of options.]

| Option | What would the impact be on the stakeholders that you represent? (all stakeholders) <i>Incl. specific questions for different types of stakeholders</i> |
|---|---|
| <p>Option 1: No legislative change but further guidance / soft law, some procedural amendments, improving implementation. Could include e.g.:</p> <ul style="list-style-type: none"> • Possible amendment of procedural rules for development | <p>Manufacturers organisations: Are these changes sufficient? What would be the impact of a change to the period during which DoP/technical documentation must be kept? (on the companies and their suppliers and users?)</p> <p>Public authorities and bodies:</p> |

| | |
|--|--|
| and adoption of EADs (streamlining of procedures) <ul style="list-style-type: none"> • Streamlining of standardisation work • Stepping up market surveillance and enforcement • Promoting uptake of simplification provisions • Improving TAB and EOTA processes | What would improved implementation (but no legislative change) mean in terms of the resources needed for your work? |
| Option 2: Revising the CPR | |
| Alternative 2a: Limited revisions (focusing on issues identified in the implementation report) <ul style="list-style-type: none"> • Simplification (e.g. for SMEs/micro-enterprises) • Improve detailed rules regarding Notified Bodies • Streamline procedures related to Technical Assessment Bodies and EOTA • Clarify interface with Standardisation Regulation and Ecodesign legislation; streamline standardisation work. | <i>Alternative relevant for all stakeholder groups except end-users.</i> <p>Manufacturers organisations: Is article 37 and 38 relevant? Why are they not being used by micro-enterprises? How could simplification provisions be changed to increase usability?</p> |
| Alternative 2b Wider revision – also touching basic principles underlying the CPR | |
| Option 2b1: Harmonise only assessment/ testing methods <ul style="list-style-type: none"> • Harmonise only assessment methods through new mandates to CEN/Cenelec; national methods allowed to be used if CEN/Cenelec cannot provide assessment method • Make current harmonised standards purely voluntary | <i>Particularly relevant for manufacturers organisations, testing and certification bodies, standardisation bodies</i> |
| Option 2b2: Harmonise specified essential characteristics <ul style="list-style-type: none"> • New mandates to CEN/Cenelec specify the essential characteristics to be covered by harmonised standards. • For those essential characteristics not specified in mandates, Member States can regulate at national level • For those essential characteristics specified in mandates but not yet covered in harmonised standards, Member States can regulate at national level on a provisional | <i>Particularly relevant for manufacturers organisations, testing and certification bodies, standardisation bodies</i> |

| | |
|--|--|
| <p>basis, provided that they formally notify their justifiable grounds.</p> <ul style="list-style-type: none"> • No CE marking as scope of harmonisation would vary | |
| <p>Option 2b3: Optional common technical language</p> <ul style="list-style-type: none"> • Common technical language, harmonised standards and ETAs/EADs are kept • Manufacturers are not obliged to use them but national rules may be applicable to their products • Users of construction products may be faced with products bearing the CE marking but also products covered by harmonised standards not bearing the CE marking | <p><i>Particularly relevant for manufacturers organisations</i></p> <p>End-user organisations: What would be the impact of users possibly having to deal with products covered by harmonised standards both with and without CE marking?</p> |
| <p>Alternative 2c: Shifting the balance in the present repartition of tasks between EU and Member States</p> | |
| <p>Option 2c1</p> <ul style="list-style-type: none"> • Harmonise product requirements through New Approach (lay down essential requirements in legislation, supplement by harmonised standards). Mandatory CE marking. DoP would become a Declaration of Conformity. | <p><i>Particularly relevant for manufacturers organisations, testing and certification bodies, standardisation bodies.</i></p> |
| <p>Option 2c2</p> <ul style="list-style-type: none"> • harmonise product requirements through detailed technical legislation (old approach). No development of European standards, no CE marking. | <p><i>Particularly relevant for manufacturers organisations, testing and certification bodies, standardisation bodies.</i></p> |
| <p>Option 2c3</p> <ul style="list-style-type: none"> • harmonise product requirements by means of a new Agency. No development of European standards, no CE marking. | <p><i>(Impacts on stakeholders probably similar to option 2c2). Some public authorities may be able to distinguish between the two sub-options.</i></p> |
| <p>Option 3: Repealing the CPR – no Union legislation</p> <ul style="list-style-type: none"> • Removing harmonised standards, the obligation to draw up a DoP and the CE marking and leaving it to individual EU Member States to regulate construction products. No AVCP systems determined at EU level, no roles for notified bodies or technical assessment defined at EU level, no role for EOTA, no coordination of notified bodies, | <p>All: What would be the likely consequences of the absence/repeal of CPR (i.e. regulation at national level)? Would you prefer this to having legislation at EU level? Why/why not?</p> <p>Manufacturers organisations: Would companies adapt to the different national requirements in all the different Member States or rely on Mutual Recognition to gain market access in the Member State of destination (based on their product being lawfully placed on the market of one MS)?</p> |

| | |
|--|---|
| <p>no market surveillance based on EU rules.</p> <ul style="list-style-type: none">• Relying on mutual recognition for free movement of construction products | <p>End-user organisations: What would be the impact on end-users if Union legislation were absent and only national rules apply?</p> <p>NCPs: Do you think that relying on the principle of mutual recognition rather than Union legislation would be more efficient?</p> |
|--|---|

3. Would you be interested in attending the validation workshop which will take place toward the end of the study. If yes, please provide your contact details (email/phone number, name and position) and we will send you an invitation in due course.

THANK YOU VERY MUCH FOR YOUR INPUT INTO THE REVIEW OF THE CONSTRUCTION PRODUCTS REGULATION!

5.3. Open public consultation questionnaire

| Theme | Question and options |
|------------|---|
| Background | <p>Information about respondents</p> <ol style="list-style-type: none"> 1. You are replying <ol style="list-style-type: none"> a. as an individual in your personal capacity b. in your professional capacity or on behalf of an organisation 2. Your first name (open text) 3. Your last name (open text) 4. (If Q1=a) Your country of residence (list of EU MS + other) (If Q4=other) Please specify (open text) 5. (If Q1=b) Name of the organisation (open text) 6. (If Q1=b) Postal address of the organisation (open text) 7. (If Q1=b) Country of organisation's headquarters (List of EU MS + other) (If Q7=other) please specify (open text) 8. (If Q1=b) Type of organisation <ol style="list-style-type: none"> a. Company or sole trader (manufacturer, importer, distributor, builder, designer, supplier, final user) b. Business representative (industry association, chamber of commerce, professional organisation) c. Technical body (notified body, technical assessment body, standardisation organisation, EOTA) d. Public authority or testing body (market surveillance e.g. inspectors/enforcement authorities, accreditation, notifying authority, product contact point, building controls) e. Non-governmental organisation f. Representative of construction workers g. Consumer organisation h. Research / academia i. Other (If Q8=i), please specify (open text) 9. (If Q8=a), how many employees does the enterprise have <ol style="list-style-type: none"> a. More than 250 employees b. Between 50 and 249 employees c. Between 10 and 49 employees d. Less than 10 employees e. I am self-employed 10. (If Q1=b) Is your organisation included in the Transparency Register? <i>If your organisation is not registered, we invite you to register here, although it is not compulsory to be registered to reply to this consultation – see Why a transparency register?</i> <ol style="list-style-type: none"> a. Yes b. No c. Not applicable 11. (If "yes" to Q10) Please enter your Register ID number (open text) 12. Your contribution (<i>Note that, whatever option is chosen, your answers may be subject to a request for public access to documents under Regulation (EC) N°1049/2001</i>) <ol style="list-style-type: none"> a. can be published with your organisation's information (I consent the publication of all information in my contribution in whole or in part including the name of my organisation, and I declare that nothing within my response is unlawful or would infringe the rights of any third party in a manner that would prevent publication) b. can be published provided that your organisation remains anonymous (I consent to the publication of any information in my contribution in whole or in part (which may include quotes or opinions I express) provided that it is done anonymously. I declare that nothing within my response is unlawful or would infringe the rights of any third party in a manner that would prevent the publication. |

| <p>Questionnaire</p> |  <p>13. Do you know this symbol? a. Yes, b. No</p> <p>14. (if yes) In your view what information does it provide with regard to construction products? (It is possible to select more than one reply.)</p> <ul style="list-style-type: none"> <input type="radio"/> This construction product has been assessed as to its performance in accordance with a harmonised European standard or a European Assessment Document <input type="radio"/> This construction product complies with applicable local, regional or national building requirements and can therefore be used <input type="radio"/> This construction product is safe <input type="radio"/> This construction product is environmentally sustainable <input type="radio"/> This construction product is made in the European Union <input type="radio"/> I don't know | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|---|----------------------|-----------------------|----------------------|-----------------------|---------------------------------------|-----------------------|---------------------------------------|--|--|--|--|--|--|--|-------------------------------------|--|--|--|--|--|--|---|--|--|--|--|--|--|--------------------------------|--|--|--|--|--|--|
| <p>Effectiveness</p> | <p>15. The following main elements of the EU legislation on construction products aim to provide a level playing field for all stakeholders working with construction products:</p> <ul style="list-style-type: none"> - harmonised European standards defining the performance characteristics of a product that could be tested as well as the test method that has to be used, and the reporting format for informing about the results; - a harmonised system to select testing/assessment bodies (called "Notified Bodies") and to define their precise role, so as to ensure that the testing/assessment is done in all EU Member States in the same way. <p>Please rate how you think the above main elements have impacted the following issues:</p> <table border="1" data-bbox="339 1200 1386 1964"> <thead> <tr> <th></th> <th><i>Large decrease</i></th> <th><i>Some decrease</i></th> <th><i>No effect</i></th> <th><i>Some increase</i></th> <th><i>Large increase</i></th> <th><i>I don't know or not applicable</i></th> </tr> </thead> <tbody> <tr> <td>Market opportunities for companies in other Member States than their own</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Competition in your national market</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Market opportunities for EU companies in countries outside the EU</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Ability for small companies to</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table> | | <i>Large decrease</i> | <i>Some decrease</i> | <i>No effect</i> | <i>Some increase</i> | <i>Large increase</i> | <i>I don't know or not applicable</i> | Market opportunities for companies in other Member States than their own | | | | | | | Competition in your national market | | | | | | | Market opportunities for EU companies in countries outside the EU | | | | | | | Ability for small companies to | | | | | | |
| | <i>Large decrease</i> | <i>Some decrease</i> | <i>No effect</i> | <i>Some increase</i> | <i>Large increase</i> | <i>I don't know or not applicable</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Market opportunities for companies in other Member States than their own | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Competition in your national market | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Market opportunities for EU companies in countries outside the EU | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Ability for small companies to | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| | compete with big companies | | | | | | | | | | | | | | | | | | |
| | Product choice for end-users | | | | | | | | | | | | | | | | | | |
| | Product information for end-users | | | | | | | | | | | | | | | | | | |
| | Innovation in the construction products sector | | | | | | | | | | | | | | | | | | |
| | Product safety | | | | | | | | | | | | | | | | | | |
| | Overall cost of production | | | | | | | | | | | | | | | | | | |
| | Administrative costs to apply SME and simplification provisions | | | | | | | | | | | | | | | | | | |
| | Other impacts, please specify (max free text 1000 characters) | | | | | | | | | | | | | | | | | | |
| | You may elaborate on issues which are the most important or applicable in your case (max free text -1000 characters): | | | | | | | | | | | | | | | | | | |
| Efficiency | <p>16. Before the introduction of harmonised European standards for construction products, you were generally using national/regional systems. Comparing the situations before and since the introduction of harmonised European standards, how would you consider that the benefits of the EU legislation on construction products [e.g. improved product information, improved product safety, increased cross-border trade, greater market opportunities, greater product choice, greater legal certainty] compare to the costs you bear [e.g. fees and charges, administrative costs, staff costs, materials costs, investment costs, hassle costs] when applying it (please tick one box)?</p> <table border="1"> <tr> <td>The costs greatly outweigh the benefits</td> <td>The costs just about outweigh the benefits</td> <td>The benefits are equal to the costs</td> <td>The benefits just about outweigh the costs</td> <td>The benefits greatly outweigh the costs</td> <td>I don't know</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table> <p>Please explain with reference to your case (max free text -1000 characters):</p> | | | | | | | The costs greatly outweigh the benefits | The costs just about outweigh the benefits | The benefits are equal to the costs | The benefits just about outweigh the costs | The benefits greatly outweigh the costs | I don't know | | | | | | |
| The costs greatly outweigh the benefits | The costs just about outweigh the benefits | The benefits are equal to the costs | The benefits just about outweigh the costs | The benefits greatly outweigh the costs | I don't know | | | | | | | | | | | | | | |
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|---------------------------------|---|---|---|---|--------------|--|--|--|--|---------------------------------|---|---|--------------|--|--|--|--|---------------------------------|---|---|--------------|--|--|--|--|
| | <p>17. In your view, could the benefits of EU legislation on construction products be achieved at a lower cost?</p> <p>a. Yes,</p> <p>b. No</p> <p>c. I don't Know</p> <p>If yes, please explain with reference to your case (max free text -1000 characters):</p> | | | | | | | | | | | | | | | | | | | | | | | | |
| Relevance | <p>18. Please tell us whether in your view the CPR addresses each of the following potential issues regarding construction products sufficiently or not (please tick the box)?</p> <ul style="list-style-type: none"> • Extent and usefulness of information available to users of construction products (professional users and consumers) <table border="1" style="width: 100%; border-collapse: collapse; margin-bottom: 10px;"> <tr> <td style="width: 25%; text-align: center;">This is not a significant issue</td> <td style="width: 25%; text-align: center;">This is a significant issue but it should not be addressed by EU legislation on construction products</td> <td style="width: 25%; text-align: center;">This is a significant issue and it should be addressed by EU legislation on construction products</td> <td style="width: 25%; text-align: center;">I don't know</td> </tr> <tr> <td style="height: 20px;"></td> <td></td> <td></td> <td></td> </tr> </table> <p>If the answer is: <i>this is a significant issue and it should be addressed by EU legislation on construction products</i> or <i>This is a significant issue but it should not be addressed by EU legislation on construction products</i>. please explain (max free text -1000 characters)</p> <ul style="list-style-type: none"> • Extent of choice available for consumers in construction products <table border="1" style="width: 100%; border-collapse: collapse; margin-bottom: 10px;"> <tr> <td style="width: 25%; text-align: center;">This is not a significant issue</td> <td style="width: 25%; text-align: center;">This is a significant issue but it should not be addressed by EU legislation on construction products</td> <td style="width: 25%; text-align: center;">This is a significant issue and it should be addressed by EU legislation on construction products</td> <td style="width: 25%; text-align: center;">I don't know</td> </tr> <tr> <td style="height: 20px;"></td> <td></td> <td></td> <td></td> </tr> </table> <p>If the answer is: <i>this is a significant issue and it should be addressed by EU legislation on construction products</i> or <i>This is a significant issue but it should not be addressed by EU legislation on construction products</i>. please explain (max free text -1000 characters)</p> <ul style="list-style-type: none"> • Legal certainty in the market for construction products <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; text-align: center;">This is not a significant issue</td> <td style="width: 25%; text-align: center;">This is a significant issue but it should not be addressed by EU legislation on construction products</td> <td style="width: 25%; text-align: center;">This is a significant issue and it should be addressed by EU legislation on construction products</td> <td style="width: 25%; text-align: center;">I don't know</td> </tr> <tr> <td style="height: 20px;"></td> <td></td> <td></td> <td></td> </tr> </table> | This is not a significant issue | This is a significant issue but it should not be addressed by EU legislation on construction products | This is a significant issue and it should be addressed by EU legislation on construction products | I don't know | | | | | This is not a significant issue | This is a significant issue but it should not be addressed by EU legislation on construction products | This is a significant issue and it should be addressed by EU legislation on construction products | I don't know | | | | | This is not a significant issue | This is a significant issue but it should not be addressed by EU legislation on construction products | This is a significant issue and it should be addressed by EU legislation on construction products | I don't know | | | | |
| This is not a significant issue | This is a significant issue but it should not be addressed by EU legislation on construction products | This is a significant issue and it should be addressed by EU legislation on construction products | I don't know | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | |
| This is not a significant issue | This is a significant issue but it should not be addressed by EU legislation on construction products | This is a significant issue and it should be addressed by EU legislation on construction products | I don't know | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | |
| This is not a significant issue | This is a significant issue but it should not be addressed by EU legislation on construction products | This is a significant issue and it should be addressed by EU legislation on construction products | I don't know | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | |

If the answer is: *this is a significant issue and it should be addressed by EU legislation on construction products* or *This is a significant issue but it should not be addressed by EU legislation on construction products*. please explain (max free text -1000 characters)

- Extent of cross-border trade between EU Member States

| | | | |
|---------------------------------|---|---|--------------|
| This is not a significant issue | This is a significant issue but it should not be addressed by EU legislation on construction products | This is a significant issue and it should be addressed by EU legislation on construction products | I don't know |
| | | | |

If the answer is: *this is a significant issue and it should be addressed by EU legislation on construction products* or *This is a significant issue but it should not be addressed by EU legislation on construction products*. please explain (max free text -1000 characters)

- Level of administrative costs for market operators to comply with the EU legislation on construction products

| | | | |
|---------------------------------|---|---|--------------|
| This is not a significant issue | This is a significant issue but it should not be addressed by EU legislation on construction products | This is a significant issue and it should be addressed by EU legislation on construction products | I don't know |
| | | | |

If the answer is: *this is a significant issue and it should be addressed by EU legislation on construction products* or *This is a significant issue but it should not be addressed by EU legislation on construction products*. please explain (max free text -1000 characters)

- Safety of construction products

| | | | |
|---------------------------------|---|---|--------------|
| This is not a significant issue | This is a significant issue but it should not be addressed by EU legislation on construction products | This is a significant issue and it should be addressed by EU legislation on construction products | I don't know |
| | | | |

If the answer is: *this is a significant issue and it should be addressed by EU legislation on construction products* or *This is a significant issue but it should not be addressed by EU legislation on construction products*. please explain (max free text -1000 characters)

- Environmental impact of construction products

| | | | |
|---------------------------------|---|---|--------------|
| This is not a significant issue | This is a significant issue but it should not be addressed by EU legislation on construction products | This is a significant issue and it should be addressed by EU legislation on construction products | I don't know |
| | | | |

| | | | | | |
|---|---|---|--|---|--|
| | | | | | |
| <p>If the answer is: <i>this is a significant issue and it should be addressed by EU legislation on construction products</i> or <i>This is a significant issue but it should not be addressed by EU legislation on construction products</i>. please explain (max free text -1000 characters)</p> <ul style="list-style-type: none"> • Energy efficiency of construction products | | | | | |
| This is not a significant issue | | This is a significant issue but it should not be addressed by EU legislation on construction products | | This is a significant issue and it should be addressed by EU legislation on construction products | |
| | | | | I don't know | |
| <p>If the answer is: <i>this is a significant issue and it should be addressed by EU legislation on construction products</i> or <i>This is a significant issue but it should not be addressed by EU legislation on construction products</i>. please explain (max free text -1000 characters)</p> <ul style="list-style-type: none"> • Innovation in general, in particular information and information processing technologies (including BIM Building information modelling) use in the construction product sector | | | | | |
| This is not a significant issue | | This is a significant issue but it should not be addressed by EU legislation on construction products | | This is a significant issue and it should be addressed by EU legislation on construction products | |
| | | | | I don't know | |
| <p>If the answer is: <i>this is a significant issue and it should be addressed by EU legislation on construction products</i> or <i>This is a significant issue but it should not be addressed by EU legislation on construction products</i>. please explain (free text - max 1000 characters)</p> | | | | | |
| Coherence | <p>19. Do you see any contradictions or overlaps between the EU Construction Products Regulation and other legislation at EU or national level (for example, rules on public procurement, rules on product safety, rules on eco-design, rules on health and safety of workers)?</p> <ul style="list-style-type: none"> <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> I don't know <p>If "yes", please explain with reference to your case (free text - max 1000 characters)</p> <p>20. Do you see any positive synergies between the EU Construction Products Regulation and other legislation at EU or national level (for example, rules on public procurement, rules on product safety, rules on eco-design, rules on health and safety of workers)?</p> <ul style="list-style-type: none"> <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> I don't know <p>If "yes", please explain with reference to your case (free text - max 1000 characters)</p> | | | | |

| | |
|--------------------------------------|--|
| <p>EU added value</p> | <p>21. Do you think there is merit in legislating on construction products at EU level compared to doing it at national level (28 (27) national regimes)?</p> <ul style="list-style-type: none"> <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Don't know <p>(If Yes or No) Please explain (free text max 1000 characters):</p> |
| <p>Options for reforming the CPR</p> | <p>22. Do you believe that the EU legislation on construction products should be maintained as it is?</p> <ul style="list-style-type: none"> <input type="radio"/> Yes, it should be maintained as it is now <input type="radio"/> Yes, but with improved implementation and enforcement <input type="radio"/> No <input type="radio"/> I don't know <p>If "yes" or "no", please explain , with particular focus on the advantages (benefits) and disadvantages (costs) this would entail (free text - max 1000 characters):</p> |
| | <p>23. (If "no" for question 22), do you think that the EU legislation on construction products should be repealed and replaced by 28 (27) national regimes?</p> <ul style="list-style-type: none"> <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> I don't know <p>If "yes" or "no", please explain, with particular focus on the advantages (benefits) and disadvantages (costs) this would entail (free text - max 1000 characters)</p> <p>24. (If "no" for question 23), what type of reform would you support?</p> <ul style="list-style-type: none"> - clarifying procedures, better aligning with other legislation and simplifying rules so as to make it easier to apply (for smaller businesses especially) <ul style="list-style-type: none"> ▪ Yes ▪ No ▪ I don't know <p>Please explain, with particular focus on the advantages (benefits) and disadvantages (costs) this would entail (free text - max 1000 characters)</p> - making European standards purely voluntary, while creating European-wide testing/assessment methods <ul style="list-style-type: none"> ▪ Yes ▪ No ▪ I don't know <p>Please explain, with particular focus on the advantages (benefits) and disadvantages (costs) this would entail (free text - max 1000 characters)</p> - having standards to cover selected essential characteristics (e.g. fire safety) but leaving flexibility to Member States to address those essential characteristics not covered by harmonised European standards <ul style="list-style-type: none"> ▪ Yes ▪ No ▪ I don't know <p>Please explain, with particular focus on the advantages (benefits) and disadvantages (costs) this would entail (free text - max 1000 characters)</p> |

| | |
|--|---|
| | <ul style="list-style-type: none"> - making EU-wide rules for assessing and communicating construction products' performance optional <ul style="list-style-type: none"> ▪ Yes ▪ No ▪ I don't know <p>Please explain, with particular focus on the advantages (benefits) and disadvantages (costs) this would entail (max free text -1000 characters)</p> - prescribing precise technical requirements which construction products have to comply with across all EU Member States <ul style="list-style-type: none"> ▪ Yes ▪ No ▪ I don't know <p>Please explain, with particular focus on the advantages (benefits) and disadvantages (costs) this would entail (free text - max 1000 characters)</p> - including in the EU framework aspects relating to the safety of construction products, so far entirely under Member States' responsibility <ul style="list-style-type: none"> ▪ Yes ▪ No ▪ I don't know <p>Please explain, with particular focus on the advantages (benefits) and disadvantages (costs) this would entail (free text - max 1000 characters)</p> - another reform <p>Please explain, with particular focus on the advantages (benefits) and disadvantages (costs) this would entail (free text - max 1000 characters)</p> |
| | <p>25. If the CE marking were no longer allowed for construction products, would you see a need for another kind of marking?</p> <ul style="list-style-type: none"> ○ Yes ○ No ○ I don't know <p>If "yes," please explain what kind of marking and why, with particular focus on the advantages (benefits) and disadvantages (costs) this would entail (free text – max 1000 characters)</p> |
| | <p>26. Do you believe that the use of the RAPEX system (i.e. the Rapid Alert System for dangerous non-food products posing a risk to the health and safety of consumers for construction products is the right tool to help ensure their safety in use?</p> <p><i>The Rapid Alert System for dangerous non-food products ("RAPEX") enables quick exchange of information between 31 European countries and the European Commission about dangerous non-food products posing a risk to health and safety of consumers. This allows enforcement authorities in the countries that are members of the network to swiftly follow up on the notifications and to screen their markets for the possible presence of these unsafe products. Since 2010, the Rapid Alert System also covers professional products and products posing risks other than those affecting health and safety (such as risks to the environment).</i></p> <ul style="list-style-type: none"> ○ Yes ○ No ○ I don't know |

| | |
|--|--|
| | If "no": would you see other tools that should be used? (free text – max 1000 characters) |
| | <p>27. If you wish to add further information - within the scope of this questionnaire - please feel free to do so here (max free text - 1000 words)</p> <p>Please feel free to upload a concise document, such as a position paper. The maximal file size is 1MB. Please note that the uploaded document will be published alongside your response to the questionnaire which is the essential input to this open public consultation. The document is an optional complement and serves as additional background reading to better understand your position.</p> |

THANK YOU VERY MUCH FOR YOUR INPUT INTO THE REVIEW OF THE CONSTRUCTION PRODUCTS REGULATION!

5.4. Online survey questionnaire



CPR Evaluation and Impact Assessment

Welcome

The European Commission has awarded the Joint Institute for Innovation Policy (JIIP), Valdani Vicari & Associati (VVA), the Danish Technological Institute (DTI) and Global Data Collection (GDCC) a **study on a joint evaluation and impact assessment for the Construction Products Regulation** (EU) No 305/2011 (the CPR).

The objective of the study is to provide an informed retrospective analysis of the performance of the CPR and the extent to which it has met its original objectives as well as a prospective analysis to feed into a **potential revision of the CPR** within the mandate of this Commission.

This survey presents a list of questions on which the study team would like to invite your views. We are very grateful for your input which will feed into the European Commission's ongoing review of the CPR.

Please do not hesitate to contact Laura Todaro at VVA (l.todaro@vva.it) with any questions you may have about the study or the survey.

1. Which type of organisation/sector do you represent? *

- National contact point for the CPR
- Market surveillance authority (where different from above)
- Manufacturer organisation
- End-user organisation
- Standardisation body
- Testing and certification body
- Other

2. Which country do you operate in? *

- Austria
- Belgium
- Bulgaria
- Croatia
- Cyprus
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Latvia
- Lithuania
- Luxembourg
- Malta
- Netherlands
- Poland
- Portugal
- Romania
- Slovakia
- Slovenia
- Spain
- Sweden
- United Kingdom

3. Please rate how you think EU legislation on construction products have impacted the following issues:

| | Large decrease due to EU legislation on construction products | Some decrease due to EU legislation on construction products | No effect due to EU legislation on construction products | Some increase due to EU legislation on construction products | Large increase due to EU legislation on construction products |
|---|---|--|--|--|---|
| Market opportunities for companies in other Member States than your own | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Competition in your national market | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Product choice for end users | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Product information for end users | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Innovation in the construction products sector | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Product safety | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Cost of production | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Enter and | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

4. What has been the impact in the last 4 years of the CPR on costs for construction product manufacturers?

| | Significant decrease | Some decrease | No effect | Some increase | Significant increase |
|--|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Costs only borne by manufacturers | <input type="radio"/> |
| Costs borne by manufacturers and partly passed on to consumers/end users | <input type="radio"/> |
| Costs borne by manufacturers but fully passed on to consumers/end users | <input type="radio"/> |
| <input type="text" value="Enter another option"/> | <input type="radio"/> |

Please comment on your answers to this question:

5. In your view, how do the benefits of EU legislation on construction products compare to these costs?

- The benefits greatly outweigh the costs
- The benefits just about outweigh the costs
- The benefits are equal to the costs
- The costs just about outweigh the benefits
- The costs greatly outweigh the benefits
- Don't know

Please explain:

6. The CPR includes measures aimed at simplifying the requirements for some manufacturers (mainly small companies and those manufacturing customised products etc.). In your opinion, have these measures achieved such simplification in practice?

- Yes, significant simplification achieved
- Some simplification achieved
- No simplification achieved
- Don't know

Please explain:

7. Please assess how the following issues characterise the EU market for construction products today:

| | The current situation is unsatisfactory | The current situation is satisfactory |
|---|---|---------------------------------------|
| Cross-border trade among EU Member States | <input type="radio"/> | <input type="radio"/> |
| Product / supplier choice for distributors and end-users of construction products | <input type="radio"/> | <input type="radio"/> |
| Comprehensive product information for distributors and end-users of construction products | <input type="radio"/> | <input type="radio"/> |
| Legal certainty | <input type="radio"/> | <input type="radio"/> |
| Administrative costs for market operators | <input type="radio"/> | <input type="radio"/> |

8. In your view are there any other issues concerning construction products, construction activities, market conditions, environment or other issues that the CPR should address but does not?

9. Do you see any inconsistencies or gaps in the CPR?

- Yes
- No
- Don't know

Please explain:

10. Do you see any inconsistencies or overlaps between the CPR and other legislation at EU or national level?

- Yes
- No
- Don't know

Please explain:

11. Do you think EU rules on construction products are required to create an internal market for construction products?

- Yes
- No
- Don't know

Please explain:

12. In your view, what would be the impact of a repeal of the CPR (without replacement by another specific piece of legislation)?

13. Do you see overall a need to reform the CPR?

- Yes
- No
- Don't know

14. In which areas?

- Simplification of rules for SMEs
- Simplification of rules regarding the CE-mark and/or the Declaration of Performance
- Simplification of procedures regarding European Assessment Documents (EADs)
- Quality of standards and standardisation work
- Increase market surveillance to ensure that non-compliant products are removed from the market
- Make standards voluntary
- Harmonise assessment (testing) methods
- Introduce harmonised requirements for given essential characteristics, e.g. with respect to thermal characteristics, drinking water safety, fire safety etc.
- Optional common technical language
- Other

Please explain:

Page description:

What would the impact be on the stakeholders that you represent?

15. Option 1: No legislative change but further guidance / soft law, some procedural amendments, improving implementation.

Could include e.g.:

- Possible amendment of procedural rules for development and adoption of EADs (streamlining of procedures)
- Streamlining of standardisation work
- Stepping up market surveillance and enforcement
- Promoting uptake of simplification provisions
- Improving TAB and EOTA processes

| | Very negative impact | Negative impact | No impact | Positive impact | Very positive impact | Not relevant | Don't know |
|------------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Compliance costs | <input type="radio"/> |
| Surveillance and enforcement costs | <input type="radio"/> |
| Market opportunities | <input type="radio"/> |
| Information | <input type="radio"/> |
| Health & Safety | <input type="radio"/> |
| Environmental impact | <input type="radio"/> |

Please explain:

Option 2: Revising the CPR

16. Alternative 2a: Limited revisions (focusing on issues identified in the implementation report)

- Simplification (e.g. for SMEs/micro-enterprises)
- Improve detailed rules regarding Notified Bodies
- Streamline procedures related to Technical Assessment Bodies and EOTA
- Clarify interface with Standardisation Regulation and Ecodesign legislation; streamline standardisation work.

| | Very negative Impact | Negative Impact | No impact | Positive impact | Very positive impact | Not relevant | Don't know |
|------------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Compliance costs | <input type="radio"/> |
| Surveillance and enforcement costs | <input type="radio"/> |
| Market opportunities | <input type="radio"/> |
| Information | <input type="radio"/> |
| Health & Safety | <input type="radio"/> |
| Environmental impact | <input type="radio"/> |

Please explain:

Alternative 2b Wider revision – also touching basic principles underlying the CPR

17. Option 2b1: Harmonise only assessment/ testing methods

- Harmonise only assessment methods through new mandates to CEN/Cenelec; national methods allowed to be used if CEN/Cenelec cannot provide assessment method
- Make **current harmonised standards purely voluntary**

| | Very negative impact | Negative impact | No impact | Positive impact | Very positive impact | Not relevant | Don't know |
|------------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Compliance costs | <input type="radio"/> |
| Surveillance and enforcement costs | <input type="radio"/> |
| Market opportunities | <input type="radio"/> |
| Information | <input type="radio"/> |
| Health & Safety | <input type="radio"/> |
| Environmental impact | <input type="radio"/> |

Please explain:

18. Option 2b2: Harmonise specified essential characteristics

- New mandates to CEN/Cenelec specify the essential characteristics to be covered by harmonised standards.
- For those essential characteristics **not specified in mandates**, Member States can regulate at national level
- For those essential characteristics **specified in mandates but not yet covered in harmonised standards**, Member States can regulate at national level on a provisional basis, provided that they formally notify their justifiable grounds.
- **No CE marking** as scope of harmonisation would vary

| | Very negative impact | Negative impact | No impact | Positive impact | Very positive impact | Not relevant | Don't know |
|------------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Compliance costs | <input type="radio"/> |
| Surveillance and enforcement costs | <input type="radio"/> |
| Market opportunities | <input type="radio"/> |
| Information | <input type="radio"/> |
| Health & Safety | <input type="radio"/> |
| Environmental impact | <input type="radio"/> |

Please explain:

19. Option 2b3: Optional common technical language

- Common technical language, harmonised standards and ETAs/EADs are kept
- **Manufacturers are not obliged to use them** but national rules may be applicable to their products
- **Users of construction products** may be faced with products bearing the CE marking but also products covered by harmonised standards not bearing the CE marking

| | Very negative impact | Negative impact | No impact | Positive impact | Very positive impact | Not relevant | Don't know |
|------------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Compliance costs | <input type="radio"/> |
| Surveillance and enforcement costs | <input type="radio"/> |
| Market opportunities | <input type="radio"/> |
| Information | <input type="radio"/> |
| Health & Safety | <input type="radio"/> |
| Environmental impact | <input type="radio"/> |

Please explain:

Alternative 2c: Shifting the balance in the present repartition of tasks between EU and Member States

20. Option 2c1

- Harmonise product requirements through **New Approach** (lay down essential requirements in legislation, supplement by harmonised standards). **Mandatory CE marking. DoP would become a Declaration of Conformity.**

| | Very negative Impact | Negative Impact | No impact | Positive impact | Very positive impact | Not relevant | Don't know |
|------------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Compliance costs | <input type="radio"/> |
| Surveillance and enforcement costs | <input type="radio"/> |
| Market opportunities | <input type="radio"/> |
| Information | <input type="radio"/> |
| Health & Safety | <input type="radio"/> |
| Environmental impact | <input type="radio"/> |

Please explain:

21. Option 2c2

- Harmonise product requirements through **detailed technical legislation** (old approach). **No development of European standards, no CE marking.**

| | Very negative Impact | Negative Impact | No impact | Positive impact | Very positive impact | Not relevant | Don't know |
|------------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Compliance costs | <input type="radio"/> |
| Surveillance and enforcement costs | <input type="radio"/> |
| Market opportunities | <input type="radio"/> |
| Information | <input type="radio"/> |
| Health & Safety | <input type="radio"/> |
| Environmental impact | <input type="radio"/> |

Please explain:

22. Option 2c3

- harmonise product requirements by means of a **new Agency. No development of European standards, no CE marking.**

| | Very negative Impact | Negative Impact | No Impact | Positive Impact | Very positive impact | Not relevant | Don't know |
|------------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Compliance costs | <input type="radio"/> |
| Surveillance and enforcement costs | <input type="radio"/> |
| Market opportunities | <input type="radio"/> |
| Information | <input type="radio"/> |
| Health & Safety | <input type="radio"/> |
| Environmental impact | <input type="radio"/> |

Please explain:

23. Option 3: Repealing the CPR – no Union legislation

- Removing harmonised standards, the obligation to draw up a DoP and the CE marking and leaving it to individual EU Member States to regulate construction products. No AVCP systems determined at EU level, no roles for notified bodies or technical assessment defined at EU level, no role for EOTA, no coordination of notified bodies.
- Relying on **mutual recognition** for free movement of construction products.

| | Very negative Impact | Negative Impact | No Impact | Positive Impact | Very positive impact | Not relevant | Don't know |
|------------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Compliance costs | <input type="radio"/> |
| Surveillance and enforcement costs | <input type="radio"/> |
| Market opportunities | <input type="radio"/> |
| Information | <input type="radio"/> |
| Health & Safety | <input type="radio"/> |
| Environmental impact | <input type="radio"/> |

Please explain:

(untitled)

Would you be interested in attending the validation workshop which will take place toward the end of the study? If yes, please provide your contact details (email/phone number, name and position) and we will send you an invitation in due course.

Thank You!

Thank you very much for your input into the review of the Construction Products Regulation!

6. Annex VI: Online survey and Company phone survey results

The results of the online survey and the company phone survey (CATI) are provided as separate spreadsheets.

7. Annex VII: Background document to the validation workshop



European Commission

DG for Internal Market, Industry, Entrepreneurship and SMEs

Supporting study for the Review of the Construction Products Regulation: Evaluation and Impact assessment

Background Paper

Validation Workshop

3 May 2018, 9.30-12.30

Breydel building, Auditorium

avenue d'Auderghem 45, 1040 Bruxelles

26 April 2018

- Study conducted by VVA Economics & Policy (VVA – **study lead**), Joint Institute for Innovation Policy (JIIP), Danish Technological Institute (DTI), with the support of Global Data Collection Company (GDCC)

VVA
Valdani Vicari & Associati
ECONOMICS & POLICY

JIIP
Joint Institute for Innovation Policy

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INTRODUCTION & OBJECTIVES

o Introduction & objectives of the study

The Joint Institute for Innovation Policy (JIIP) together with Valdani and Vicari Associati Consulting (VVA), the Danish Technological Institute (DTI) and the Global Data Collection Company (GDCC) hereinafter “the study team”) have been mandated by the European Commission, Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs to carry out a Supporting Study for the joint evaluation and impact assessment for the CPR review (No 606/PP/GRO/IMA/17/1133/9924).

The overall objective of the study is to “provide an informed retrospective analysis of the performance of the CPR and the extent to which it has met its original objectives. The study will also provide a prospective analysis of appropriate evidence examining whether it will be appropriate to propose a revision of the CPR within the mandate of this Commission.”

o Objectives and structure of the workshop

The aim of this workshop is to present and validate the draft findings and conclusions from both the evaluation and impact assessment parts of the study. Our objective is to elicit stakeholder views on the results of the study and any gaps that should be considered. The results of the workshop will be incorporated in the evaluation and impact assessment final reports.

The structure of the workshop is as follows:

- **09.30 - 09.40: Opening of the workshop (Fulvia Raffaelli, Head of Unit Clean Technologies and Products)**
- **09.40 – 10.15: Background to the CPR (VVA Pierre Hausemer)**
- **10.15– 11.15: Evaluation (DTI Janne Sylvest)**
- **11.15 – 12.15: Impact Assessment (VVA Pierre Hausemer)**
- **12:15 – 12.30: Conclusions and wrap-up (VVA Pierre Hausemer)**

o Overview of the methodology

The methodology for this assignment included extensive desk research and stakeholder consultation including:

- Comprehensive analysis of all documents, studies and databases that are relevant to the review of the CPR. This included documents produced as part of the Technical Platforms as well as a review of the Rapid alert system for dangerous non-food products (RAPEX);
- 76 interviews with business representatives, technical bodies, public authorities and testing / certification bodies in 10 Member states (Belgium, Denmark, France, Germany, Ireland, Italy, Poland, Romania, Spain, UK);
- 103 responses to an online survey aimed at business representatives, technical bodies, public authorities, and testing / certification bodies across the 18 EU Member states not covered in interviews;
- 736 phone interviews with companies across the construction products value chain (construction product manufacturers, professional end-users (architects, building industry / contractors), importers and distributors, raw material suppliers) in the 10 countries covered by the interviews;

- 641 responses to the open public consultation from across the EU-28 and third countries⁵; and
- This validation workshop (95 participants registered on 25 April).

⁵ Please note that, for the open public consultation, the results presented in this document are based on a preliminary analysis as it closed on 16 April.

BACKGROUND TO THE CPR

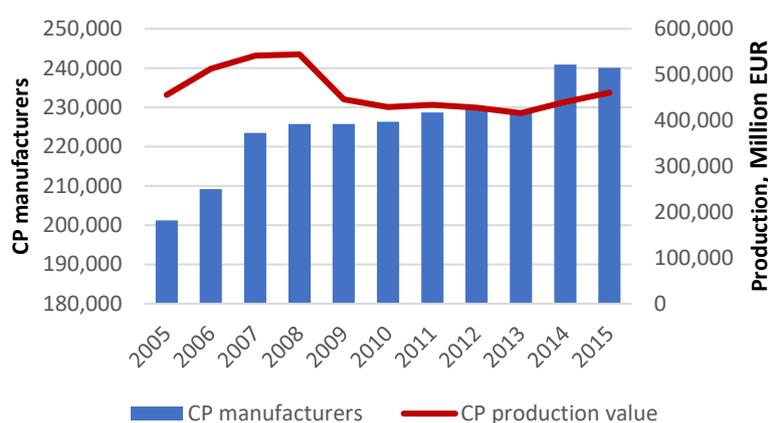
○ The market for construction products

This section presents a brief overview of key features of the construction products market - business demography, production value and intra-EU trade - based on estimates produced for this study.

Business demography and production value

Between 2005 and 2015, the number of construction products manufacturers in the EU grew to reach approximately 240,000 by the end of the period (Figure 7)⁶. While the growth rate fell between 2008 and 2013 due to the financial crisis, there was no decline in the number of manufacturers in the market and the growth rate increased again in 2014. Production value was characterised by similar fluctuations between 2005 and 2015 (Figure 7). It grew until 2008, reaching approximately 550,000 million EUR. Due to the financial crisis, production value fell sharply between 2009 and 2013. By 2015, production value had not yet reached pre-crisis levels, standing at 460,000 million EUR.

Figure 7: Number of CP manufacturers and production value



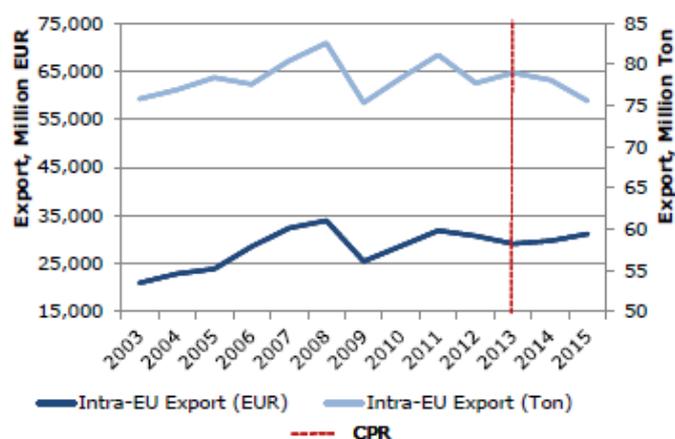
Source: Own calculation.

Intra-EU trade in construction products

Between 2003 and 2015, cross-border trade of construction products within the EU increased in terms of value and decreased slightly in terms of volume (Figure 8)⁷. The value of intra-EU exports increased by 48% (from 21 billion EUR in 2003 to 31 billion EUR in 2015 in current prices) while it decreased by 1% in terms of volume (from 59 million ton in 2003 to 58 million ton in 2015). Large fluctuations occurred during the period of interest : while trade grew until 2008, when it reached its peak both in value (34 billion EUR) and volume (71 million tons), in 2009, it fell significantly due to the financial crisis both in value (-25%) and volume (-17%).

⁶ The calculation is based on Eurostat data on production value of construction products and the number of enterprises in construction ; VVA Europe, DTI & TNO (2016) Economic Impacts of the Construction Products Regulation ; Economisti Associati, Milieu and CEPS (2016) Supporting study for the Fitness Check on the construction sector. Production value is reported in current prices.

⁷ The data is taken from CSIL & CRESME Ricerche (2017) Cross-Border Trade for Construction Products. The results are conservative because they encompass only 25 construction products. Thus, they are best used to understand the overall trend in intra-EU trade rather than specific amounts and volumes of trade.

Figure 8: Intra-EU trade for the 25 construction products (EU28)

Source: CSIL & CRESME Ricerche (2017) Cross-Border Trade for Construction Products.

○ Key provisions of the CPR

The Construction Products Regulation (EU) No 305/2011 lays down harmonised rules for marketing construction products in the EU.

The CPR approach differs from the general principles of the New Legislative Framework, mainly by defining a common technical language without defining any specific requirements for construction products. Harmonised conditions for the marketing of construction products are established by harmonising information about the performance of construction products. Member States retain responsibility for the safety, health, durability, etc. related to construction.

The common technical language, created by Harmonised European standards (hENs) and European Assessment Documents (EADs), makes it possible to (a) assess the performance of construction products; (b) ensure the availability of reliable information for professionals, public authorities and consumers; and (c) compare the performance of products from different manufacturers in different countries⁸.

The supporting testing and classification standards relevant to construction products cover characteristics related to the Basic Works Requirements for buildings, for instance resistance and reaction to fire, external fire performance and noise absorption, and release of dangerous substances into indoor air, soil, and (ground)water⁹.

The Declaration of Performance (DoP) is required for every construction product covered by a hEN, or for which a European Technical Assessment (ETA) has been issued¹⁰. A DoP

⁸ European Commission (2017) Construction Products Regulation (CPR). Available at: http://ec.europa.eu/growth/sectors/construction/product-regulation_en, accessed 31/07/2017.

⁹ European Commission (2017) Harmonised standards. Available at: https://ec.europa.eu/growth/sectors/construction/product-regulation/harmonised-standards_en, accessed 31/07/2017.

¹⁰ European Commission (2017) Declaration of Performance (DoP) and CE marking, Available at: https://ec.europa.eu/growth/sectors/construction/product-regulation/performance-declaration_en, accessed 31/07/2017.

should be supplied in the language(s) of each country where the product can be purchased¹¹ - or another language decided by the Member state.

Each construction product covered by a hEN, or for which an ETA has been issued, also must be CE marked. The Member States are obliged to allow the selling of CE marked construction products, without requiring any additional marks, certificates or testing¹². The harmonised standards are to be considered exhaustive in terms of defining all the relevant essential characteristics and assessment methods, meaning that no additional requirements by Member States are allowed.

Products outside the scope of harmonised European standards can be voluntarily CE marked. If the product in question is covered by an existing EAD, a Technical Assessment Body (TAB) can be requested to assess the product to have it CE marked, if not, a new EAD can be created. Products covered by a harmonised standard may also be exempted from CE marking if they are individually manufactured/custom-made for a given use, or if the manufacturing must maintain traditional processes for the conservation of officially protected works¹³.

Box 1 Key discussion topics

- Do the market statistics on the number of manufacturers, volume and value of manufacturing and intra-EU trade align with your experience ?
- What other relevant statistics on CP manufacturing (or up/downstream sectors) are available?

○ **Intervention logic**

The diagram on the following page shows the intervention logic for the CPR. The intervention logic is a conceptual tool used in evaluations to visualise the link between an intervention (here the CPR), the problems and needs that it tries to address and its immediate outputs, results and impacts.

Box 2 Key discussion topics

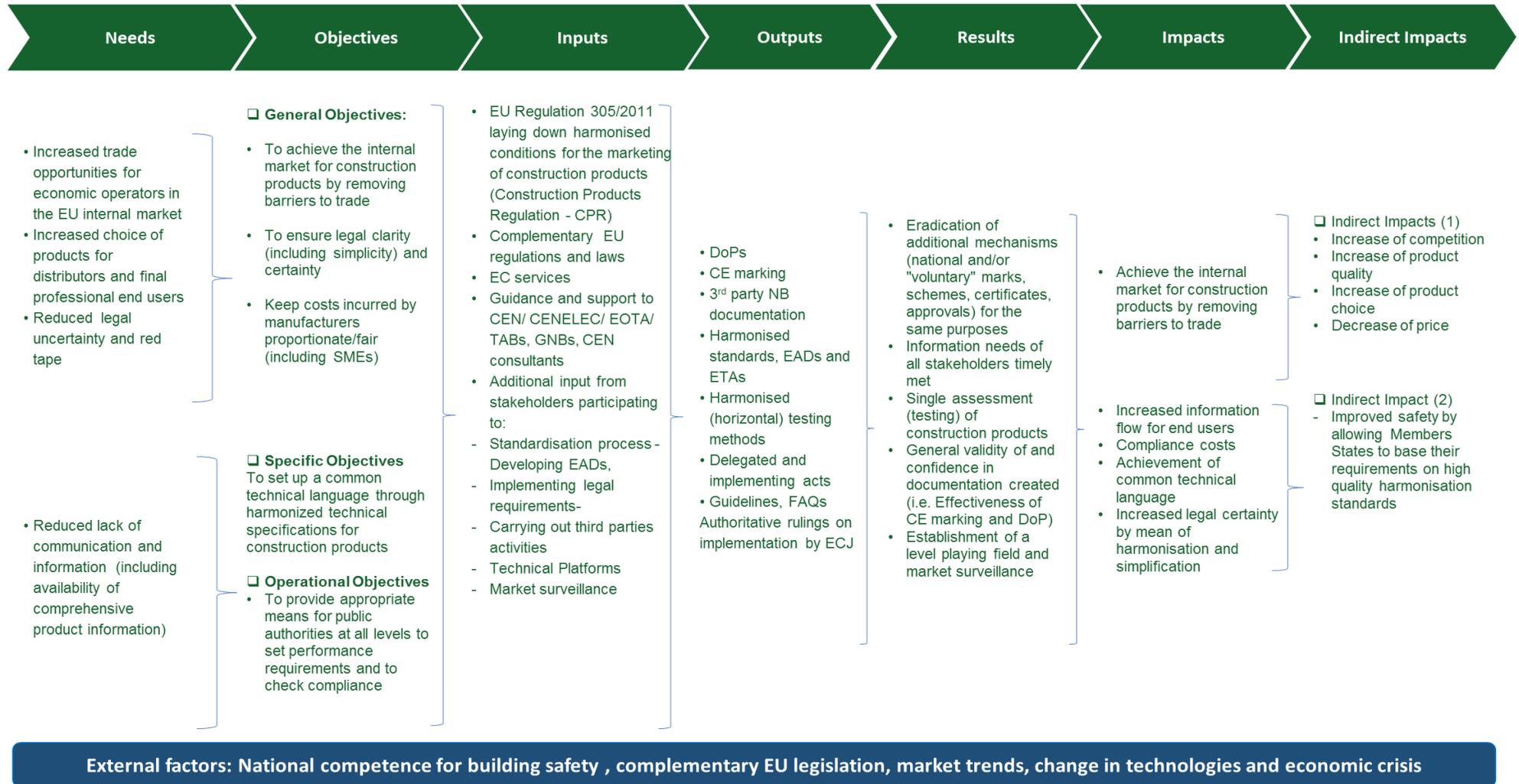
- Does the diagram on the following page align with your understanding of the CPR?
- Why? Why not?

¹¹ DoPcreator (2015), CE marking and DoP for construction products. Available at: <http://dopcreator.com/ce-marking-and-dop-for-construction-products/>, accessed 31/07/2017.

¹² European Commission (n.d.) CE marking of construction products step by step. Available at: <http://ec.europa.eu/DocsRoom/documents?tags=ce-guide>, accessed 31/07/2017.

¹³ European Commission (n.d.) CE marking of construction products step by step. Available at: <http://ec.europa.eu/DocsRoom/documents?tags=ce-guide>, accessed 31/07/2017.

Figure 9: Intervention logic diagram for the CPR





DRAFT RESULTS OF THE EVALUATION

- **Are the problems that the CPR tries to address still relevant?**

The evaluation shows that **the needs that the CPR is designed to address remain relevant** for stakeholders. In the public consultation more than 50% of respondents indicated that the following issues both are significant and should be addressed by EU legislation on construction products: (a) extent and usefulness of information available to users of construction products (professional users and consumers), (b) legal certainty in the market for construction products, (c) extent of cross-border trade between EU Member States, (d) level of administrative costs for market operators to comply with the EU legislation on construction products, (e) safety of construction products, (f) environmental impact of construction products and (g) energy efficiency of construction products. Only innovation (including BIM Building information modelling) and consumer choice were seen as irrelevant for EU legislation on construction products by a majority of respondents in the public consultation.

This result is supported by interviews and surveys which indicate that **there is potential for further intra-EU trade** in construction products but that this varies substantially depending on the type of product. Since facilitating the development of such trade is one of the key objectives of the CPR (see also the Intervention Logic above), this result supports the conclusion that the CPR remains relevant.

At the same time, **there are a number of needs that, according to stakeholders, are not addressed explicitly (or not strongly enough)**. These include: (a) information on product safety and fitness for use, (b) issues related to sustainability and (c) – perhaps more long-term – the circular economy. Specifically, with respect to product safety, many of the interviewed stakeholders highlighted that the CE marking is not a quality or safety mark with little guidance or help for the user to determine the safety of a construction product, and they consider this a flaw in the CPR.

- **Does it work?**

The key rationale for the CPR is to improve the internal market for construction products. Stakeholders point overall to easier cross-border trade due to the existence of a common technical language and common rules, including common standards. Statistically, however, **an impact of the CPR on cross-border trade for construction products cannot be demonstrated**. With respect to competition in the national markets, which would be a result of increased cross-border trade, the evidence does not point to significantly increased levels of competition. While there is no statistical link, the public consultation results indicate that a majority of respondents believe the CPR has led to an increase in market opportunities abroad and in competition in their home market.

Information to end-users has been improved and **the common technical language has created transparency** and a better possibility for users to compare products with respect to the declared performance. However, the **information provided is not always**

sufficient for the end-user to assess whether the product is fit for purpose. To some extent, stakeholders see the information on fitness for use (relating to product safety and quality) as being negatively affected compared to what was required in the CPD.

The implementation of market surveillance by many Member States has been insufficient. This also has the effect of a certain lack of confidence in the CE marking among some market actors.

There is also to some extent a **lack of understanding** among end-users of the specific role of the CE mark under the CPR.

Legal uncertainty exists, particularly due to the court cases between the European Commission and Germany, revolving around the question of whether Member States may set additional requirements for the performance of construction products on top of those set by the European standards under the CPR. Concretely, it seems that not all stakeholders, including at the level of Member States, share the European Commission's interpretation regarding the exhaustiveness of harmonisation.

The **simplification potential expected at the time of the adoption of the CPR has only been partially achieved.** The simplifications aimed at avoiding unnecessary repetition of testing (Art. 36) are widely applied but other simplifications aimed at SMEs/micro-enterprises and non-series products have not been effective.

One of the key factors that influence the less than full achievement of the internal market is **insufficient and ineffective market surveillance and enforcement**, which creates the basis for lack of trust in the legislation and thus a disincentive for companies to comply with the legislation. Another important factor for the effectiveness of the CPR are the **issues concerning the lengthy standardisation procedures.**

Obstacles to the internal market still remain in the form of national marks, although some stakeholders do not consider these as obstacles but rather a natural – and perhaps necessary – supplement to the CPR.

The CPR does not seem to have any significant impact on innovation. It neither hinders it nor fosters it. The ETA system is generally seen as a positive aspect of the CPR. However, the development of ETA/EADs is time consuming and this has a negative impact on time-to-market for innovative products when producers wish to CE mark them. With respect to whether the adaptation mechanisms in place allow the CPR to support innovation and technological development, however, the adoption of delegated acts also appears to take too long.

Box 3 Key discussion topics

- Do you agree with the overall findings of the evaluation with respect to what the CPR has achieved?
- Has the CPR achieved legal clarity? What are the key issues?
- The issue of fitness-for-use is pointed to by many stakeholders as not being sufficiently addressed by the CPR. Is it simply a mismatch between stakeholders' expectations and the CPR system, or is there a real need for change to the CPR approach in this area?
- Do you agree that the CPR does not have an impact on innovation (positive or negative)? Does compliance with the CPR divert resources away from companies' innovation activities?

○ **Is it worth it?**

The costs of the CPR are mainly borne by manufacturers, although some of these costs is passed on to buyers (end-users). The preliminary results of the public consultation show that there is no clear-cut view among stakeholders on whether the benefits of the current CPR outweigh its costs with slightly more than one third of respondents answering either way and about half of respondents considering that the results of the CPR could be achieved at lower cost.

The main benefits of the CPR, according to stakeholders, include **better access to other EU Member State markets** and the existence of the **common technical language and common rules**, including common standards. Related to this, another benefit frequently mentioned is **uniform information for end-users** which helps e.g. when checking construction products arriving at construction sites, and more **focus on quality**. The benefits can however not be quantified.

The costs of complying with the CPR are generally assessed as being commensurate to the benefits of the CPR. However, this is an assessment based on average costs. There are **economies of scale in compliance activities** (administrative costs).

In a 2016 study¹⁴, it was estimated that the share of administrative burden on turnover for the different company sizes is, on average:

- Micro-enterprises: 1.31%
- Small enterprises: 0.49%
- Medium enterprises: 0.42%
- Large enterprises: 0.07%.

Thus, the costs can be quite substantial for SMEs - particularly micro-enterprises - while, relatively speaking, they are negligible for large enterprises. While the simplifications aimed at avoiding unnecessary repetition of testing (Art. 36) are widely applied and generally successful, the expected positive impacts of **simplification aimed at SMEs/micro-enterprises and non-series products have not been achieved**. These simplified rules are seen as being unclear and difficult to apply. Their justification has also been questioned since end-users expect that products bearing the CE mark have been treated the same way regardless of the size of the company producing them.

The burden of costs also depends on the type of product and the complexity of requirements of the relevant standard, as well as the number of different products that each company produces.

Overlap of information to be provided in both the DoP and the CE mark creates unnecessary duplication of costs.

The CPR has achieved **EU added value** by facilitating access for economic operators to cross-border markets through the establishment of common rules and a common technical language. It is unlikely that improvement of the internal market in this way could have been achieved at national level.

¹⁴ VVA Europe, DTI and TNO (2016) Economic Impacts of the Construction Products Regulation, European Commission, Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs

Box 4 Key discussion topics

- The current simplification measures of the CPR aimed primarily at SMEs have not been successful. At the same time, the burden on SMEs of complying with the CPR is relatively larger than for large companies. Are there other ways to ease the burden on SMEs in complying with the CPR?
- Is it worth it? Do the benefits of having common European legislation compensate for the costs associated with compliance? Are there ways to further reduce the costs for the economic operators? Which, and how?

○ **How does it interact with other interventions?**

With respect to external coherence with other European legislation, some areas have been identified where the legislations overlap and/or are in conflict with each other. This includes particularly the Eco-Design Directive, but also the Energy Labelling Directive and its delegated acts. The CPR is different from the other internal market (or New Approach) directives, since the basic function/meaning of the CE mark is different. There are specific overlaps with a number of other EU product/technical directives (internal market directives), and standardisation procedures as defined in the Standardisation Regulation are different from those applied under the CPR.

Instances of conflict with national legislation have not been identified (no examples have been provided).

Box 5 Key discussion topics

- Do you see problematic issues of overlap or conflicts between the CPR and other legislation at EU level or at national level? Which, and how?
- Does the CPR meet Member States' regulatory needs? What are the key issues?

○ **How could it be improved?**

The public consultation shows that 80% of respondents believe there is merit in legislating on construction products at EU level compared to doing it at national level (28/27 national regimes).

At the same time, while the CPR has achieved positive impacts, there are still areas where improvements can be made. Some of these have already been discussed above. Key issues identified in the evaluation where there is room for improvement relate to:

- Legal clarity – for economic operators and for Member States,
- The standardisation process,
- Simplification,
- Product information for end-users (fitness for use),
- Market surveillance,
- The continued existence of national marks,
- Some (limited) overlaps with other EU interventions.

Box 6 Key discussion topics

- Considering the objectives of the CPR outlined above, what could be done to increase achievement of these objectives?
- Are the objectives still relevant?
- What are the main features of the CPR that you would like to see improved, and how?

DRAFT RESULTS OF THE IMPACT ASSESSMENT

- **What are the problems that need to be addressed with the review?**

The concerns identified in the evaluation can be grouped into two different problem areas which require different sets of solutions:

1. **Problems related to markets and competitiveness** include obstacles to and lack of growth in the internal market, disproportionate administrative costs and burdens for SMEs, ineffective simplification measures for SMEs; and ineffective market surveillance.
2. **Problems related to standards and information** include unclear information for end-users, overlap with existing Directives and the slow adoption of standards.

Box 7. Key discussion topics

- Do you agree that these are the key problem areas that need to be addressed in the review of the CPR?
- What other problems should be addressed in the current review?

- **What are the proposed solutions to address these problems?**

In addition to the baseline (no change), three options are being considered to remedy the above problems:

Option I: "Enhanced baseline" - No legislative change but improved implementation through guidance/soft law

Under this option, the CPR continues to be in force as it currently exists i.e. the common technical language for construction products. No changes other than those which are within the scope of the Commission's delegated and implementing powers are made.

This includes smoothening the application of the CPR, streamlining standardisation work, stepping up market surveillance and enforcement; promoting the uptake of simplification provisions, improving Technical Assessment Bodies' and EOTA's processes and improving coordination among Notified Bodies.

Option II: Legislative change: Revising the EU legislation on construction products

Under option 2, three sub-options are envisaged, all of which require a legislative revision of the CPR with various scale and scope:

- **Sub-option II.A: limited revision of the CPR focused on the issues identified in the CPR Implementation Report.**

- **Sub-option II.B: wider revision of the CPR** through three alternative scenarios:
 - o **harmonising only the assessment methods,**
 - o **harmonising specified essential characteristics,**
 - o **making the use of the common technical language optional.**

- **Sub-option II.C: profound revision touching on the balance in the present division of tasks between the EU and Member States and harmonising product requirements for construction products by prescribing their characteristics,** rather than limiting themselves to the creation of the common technical language as under the current CPR. Each scenario proposes a unique way of achieving this, ranging from:
 - o a move to the **New Legislative Framework Approach**
 - o keeping the **Old Approach by setting out product requirements in legislation**
 - o creation of an **EU agency for construction products.**

Option III: Repealing the CPR: no Union legislation on construction products

The CPR would be repealed without any substitute: no harmonised common technical language for assessing and communicating performance, no harmonised standards, no basic work requirements for construction works, no obligation to draw up a DoP or communicate it down the supply chain, no CE marking, no classes, thresholds, AVCP systems or conditions for classification determined at EU level, no roles for notified bodies or technical assessment defined at EU level, no role for EOTA, no coordination of notified bodies.

Absent Union harmonising legislation, Member States and operators would rely on the **principle of mutual recognition**¹⁵ to achieve free movement of construction products.

Box 8. Key discussion topics

- **Do you agree that the proposed solutions address the problems with the current CPR as identified earlier?**
- **What other solutions do you think would be required to fully address these problems ?**

¹⁵ Regulation (EC) No 764/2008 of the European Parliament and of the Council of 9 July 2008 laying down procedures relating to the application of certain national rules to products lawfully marketed in another Member State and repealing Decision 3052/95/EC, OJ L 218, 13.8.2008, p. 21; see also the Evaluation of the Application of the mutual recognition principle in the field of goods, <http://ec.europa.eu/DocsRoom/documents/13381>, the Inception Impact Assessment for the Initiative "Achieving more and better mutual recognition for the single market for goods", http://ec.europa.eu/smart-regulation/roadmaps/docs/2017_grow_005_mutual_recognition_revision_en.pdf (Commission proposal not yet adopted) and Communication COM(2017)0787 from the Commission to the European Parliament, the Council and the European Economic and Social Committee, The Goods Package: Reinforcing trust in the single market, <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=COM:2017:787:FIN>.

○ **What is the expected impact of these proposed solutions?**

The following impacts are analysed: costs for companies, market opportunities, product quality, market surveillance and enforcement costs, information to end-users, environment and health and safety.

The results show that the impacts of the different options considered to be relatively limited, especially as concerns information, environment and health and safety. Across several of the options, the consulted stakeholders found it difficult to make a precise assessment as they felt the options needed to be spelled out in greater detail.

- **Option I:** Overall this option was seen as generating positive impacts in all areas and a potential starting point to improve the functioning of the CPR while considering other longer-term solutions. It would improve the understanding of rules by all actors, reduce frustration by speeding up the EAD and lead to much improved acceptance of the CPR by all actors. The respondents were almost unanimous in their support for streamlining the EAD procedures and standardisation work and stepping up market surveillance and enforcement to improve the implementation of the CPR. It was however noted that the streamlining of standardisation might need to be done through other means, mainly through Regulation (EU) No. 1025/2012 on European Standardisation and acknowledged that the new COM (2017) 795 proposal on market surveillance might improve the situation regarding insufficient market surveillance. The speed of revision and update was considered a significant issue by many.
- **Option IIA:** There was general agreement among stakeholders participating across all data collection efforts in this study that this option would have a positive impact, including on cost savings, market opportunities, surveillance and enforcement cost as well as information, health and safety and the environment. However, one issue with the assessment of this option was that respondents were not fully clear what the specific changes would be under this policy option and what the differences were between this option and option I. This may be due, in part, to the fact that stakeholders may have different interpretations about what is already included in the existing CPR – in particular concerning the issue of exhaustiveness.
- **Option IIB1:** The assessment of this policy option was split between companies in the CP sector, who thought the option would bring little change or have a small positive impact, and the other actors, who thought this option posed a threat to the Single market. Broadly speaking, the dividing line was the possible introduction of voluntary/industry standards. For companies, the possibility of purely voluntary/industry standards was welcomed while the other stakeholders saw it as potentially undermining the single market.
- **Option IIB2:** The opinion of stakeholders on the potential impacts of the policy option was very mixed and the detailed analysis shows that the impact of this option would overall be quite limited in terms of actual changes on the ground (cost or market opportunities) while at the same time generating significant legislative upheaval and potentially creating new barriers to trade depending on the specific provisions that would be included under this option.
- **Option IIB3:** This policy option is expected to have little positive impact on any of the impact types under consideration and this perception is shared across all stakeholder groups. The general perception is perhaps best summarised by one market surveillance authority which said that “making the common technical

language voluntary would not cure the conceptual defects of the CPR, but it would increase uncertainty and create chaos.”

- **Option IIC1:** Stakeholders expect this policy option to have a small positive impact on market opportunities but also lead to a small increase in costs. There was significant uncertainty regarding other types of impacts with a large share of respondents unable to make an assessment.
- **Option IIC2:** This option is seen as having a negative impact by all stakeholder groups and across all of the impact types that are considered in this study. Indeed, this option was seen as “nearly impossible” because the Commission does not have the resources to draft a complete piece of European legislation regulating the wide field of construction products in detail. Similarly, developing detailed technical legislation for all construction products would be very difficult. Furthermore, this option would be a step back because it would impede standards from responding flexibly to current developments in research.
- **Option IIC3:** This option led to a very clear negative assessment across all stakeholder groups and across all impact types. While there is a need for more specific information about the role of the proposed agency to assess the option fully, thirteen respondents in the semi-structured interviews considered this option in general to be unrealistic, unclear, too big a change, or too “centralistic”.
- **Option III:** Stakeholders did not support this policy option as it is expected to have a negative impact on all impact types considered in this study. The failure of mutual recognition led to the CPD in 1989 and mutual recognition is not strong enough a tool to eliminate barriers to trade, regulatory competition.

Box 9. Key discussion questions

- Do you agree with the assessment of the different options? Why not?
- What further impacts do you expect? Consider, for instance, impacts on innovation, legal certainty, coherence / overlaps with other initiatives

- Which of the proposed solutions leads to the best outcome?

The table below summarises the impacts of each option compared with the baseline and provides an overall assessment. The two favoured options are highlighted in bold.

Figure 10 Summary of impacts compared with baseline (no action)

| Option | Administrative & compliance costs | Market opportunities / Single Market | Product quality | Surveillance and enforcement | Information | Health and safety | Environment | Overall comment |
|--------------|-----------------------------------|--------------------------------------|-----------------|------------------------------|-------------|-------------------|--------------|---|
| | 0 | 0 | 0 | 0 | 0 | 0 | 0 | Problems with markets, competitiveness, standards and information persist |
| I | + / 0 | + | 0 | + / 0 | + | + / 0 | + / 0 | Favoured but seen as potentially ineffective |
| II. A | ++ | + | 0 | + | + | + | + | Favoured but precise content needs to be specified in greater detail |
| | + / 0 | - | 0 | - | 0 | 0 | 0 | Potential cost saving due to voluntary nature of standards but threat to functioning of the Single market |

| Option | Administrative & compliance costs | Market opportunities / Single Market | Product quality | Surveillance and enforcement | Information | Health and safety | Environment | Overall comment |
|--------|-----------------------------------|--------------------------------------|-----------------|------------------------------|-------------|-------------------|-------------|---|
| | 0 | 0 | 0 | 0 | 0 | 0 | 0 | High regulatory complexity; more details needed on specific provision to assess impact; could potentially lead to barriers to trade |
| | -/0 | - | 0 | - | - | - | - | Detrimental to single market; does not address the flaws of the CPR but requires big regulatory change |
| | - | +/0 | 0 | - | + | + | + | Uncertainty about specific detail on the provisions of the option |
| | - | - | 0 | - | - | - | - | Unrealistic and difficult to implement |
| | -- | -- | 0 | -- | - | - | - | Unrealistic and difficult to implement |
| | - | - | - | - | - | - | - | Detrimental to the Single Market; a step back; would undo progress made |

Source: Own analysis, based on company phone survey, online survey, semi-structured interviews; public consultation

As the table indicates, across all the different impact types, options I and II.A were assessed most positively, followed by II.C.1 and II.B.2. This is consistent with the public consultation where 60% of respondents indicated that "EU legislation on construction products should be maintained as it is but with improved implementation and enforcement", compared with only 10% who prefer "no change". Furthermore, among the 23% who wanted more extensive change, 90% saw this as "clarifying procedures, better aligning with other legislation and simplifying rules so as to make it easier to apply, for smaller businesses especially" (i.e. the main aims of option II.A).

The main reservation that stakeholders had with regard to these options relates to their effectiveness (in general the soft law provisions under option I are seen as insufficient) and to their comprehensiveness (i.e. there are a number of specific provisions which some stakeholders thought should be included in the review alongside the proposed measures).

On the other hand, the repeal option III, II.C.3 (the establishment of an agency) and II.C.2 (Old Approach) were clearly assessed as negative. On the whole, these options were seen as a step back that could be detrimental to the Single Market without solving any of the flaws of the current regime. At the same time, these options would introduce major upheaval in the market and for regulators.

Finally, for options IIB1, IIB2 IIB3 and IIC1, stakeholders were unsure about the precise impacts they expect, since they considered the options to be specified at too high a level and impacts would depend on the precise wording of the option. In the absence of such further specification, the stakeholders considered the potential risk to the Single Market to be too high for them to support these options. This was especially the case for option IIB3 (making the common technical language optional), which stakeholders considered to be tantamount to a repeal of the CPR which would destroy the Single Market and represent a significant step backwards (see also assessment of the repeal option III).

The general results of the assessment above and specifically, the stakeholder preference for options I and II.A reflect three broader considerations which emerge strongly from the results of the qualitative data collection tools (e.g. interviews):

1. Almost all stakeholders expressed **disagreement with the option of repealing CPR** because this would put in jeopardy the adaptation and investment undertaken up to this point.
2. At the same time, **a majority of stakeholders believe that there should not be radical change of the CPR**. In addition to broad satisfaction with the principles of the current regulation, several stakeholders considered that the CPR is simply not mature enough yet for a substantial revision. This is because a number of stakeholders are still in the process of adapting to the current rules and a significant change would be disruptive to that process and, ultimately, undermine the objectives of the Regulation which aims to bring greater legal certainty.
3. **Rather, the results point to a need for incremental changes to the CPR in specific areas**. Policy option I, the preferred option for many stakeholders, proposes such incremental change while stopping short of a significant legislative intervention. For example, stakeholders suggested that this option would improve the understanding of rules by all actors, reduce frustration by speeding up the EAD, and lead to greater acceptance of the CPR by all actors. The respondents were almost unanimous in their support for streamlining the EAD procedures and standardisation work and stepping up market surveillance and enforcement to improve the implementation of the CPR. At the same time, it must be cautioned that there may be different views on what an 'incremental' change is: for some stakeholders this may include giving up on the 'exhaustiveness' of harmonisation for instance, which would, on the other hand, represent a radical change for other stakeholders.
4. **At the same time, it needs to be examined thoroughly whether all the incremental changes that are desired by stakeholders would be possible under option 1**. For instance, to cite the previous example, changes to the 'exhaustiveness' of harmonisation could not be implemented without legislative change. Similarly, with regard to the inefficiencies in process for the development and citation of harmonised specifications, the soft law interventions proposed under option 1 might not be sufficient to address this issue. In that context, it might be relevant to consider if the current problems basically relate to the current concept of harmonised specifications. Given the legal nature of harmonised specifications, the Commission has a high degree of responsibility for their content. However, in the current CPR harmonised specifications are developed by the external bodies CEN and EOTA which limits the possibilities for the Commission to control the process as well as the resulting specifications. This would point to the need for a wider ranging intervention that goes beyond the proposed option 1.
5. **"Fitness for use" has been identified as an issue for stakeholders** (i.e. the fact that products available on the market will not necessarily be fit for the applications for which people may wish to use them and that it's difficult for a user to assess on the basis of a declaration of performance if the construction product it accompanies is fit for a particular use). There is, in this case, a conflict between the expectations of some stakeholders and the common technical language approach of the current CPR, according to which the methods and criteria for the declaration of performance should be established rather than specific requirements to the products. The wish of some stakeholder to have 'fitness for use' safeguarded by the Union legislation would require a change of basic philosophy and point to policy option II.C.
6. Most stakeholder express a general satisfaction with the current common technical language approach and indicate either Policy Option I or II.A as their preference. Therefore, **other means of taken the 'fitness for use issue' into account without abandoning the common technical language**, e.g. if any sort of tools

could be provided for users of construction products to assess on the basis a declaration of performance if a particular product would be fit for a particular use.

Box 10. Key discussion questions

- Which of the options do you think should be chosen? Why?
- The analysis points to options I and II.A as the preferred way forward. What are the positives / drawbacks of these options and how could drawbacks be remedied?
- How should the issues with the proposed solutions that were identified in the assessment, be addressed? For instance:
 - Should it be possible for Member states to set additional requirements for the performance of construction products, on top of those included in the harmonised European standards?
 - Should it be possible to complete mandatory standards with voluntary information (e.g. fitness for use, installation modalities, information on environmental/social performances of the production process....) ?

8. Annex VIII: Report on the public consultation on EU rules for products used in the construction of buildings and infrastructure works

**Report on the public
consultation on EU rules for
products used in the
construction of buildings and
infrastructure works**

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1. Brief descriptive overview responses received and of the profile of respondents to the Open Public Consultation

1.1. Number of submissions

In total, 641 online questionnaires have been completed. Among those, no complete duplicates have been found. However, there were 11 “pairs” and one “triple” of respondents with identical first and last names.

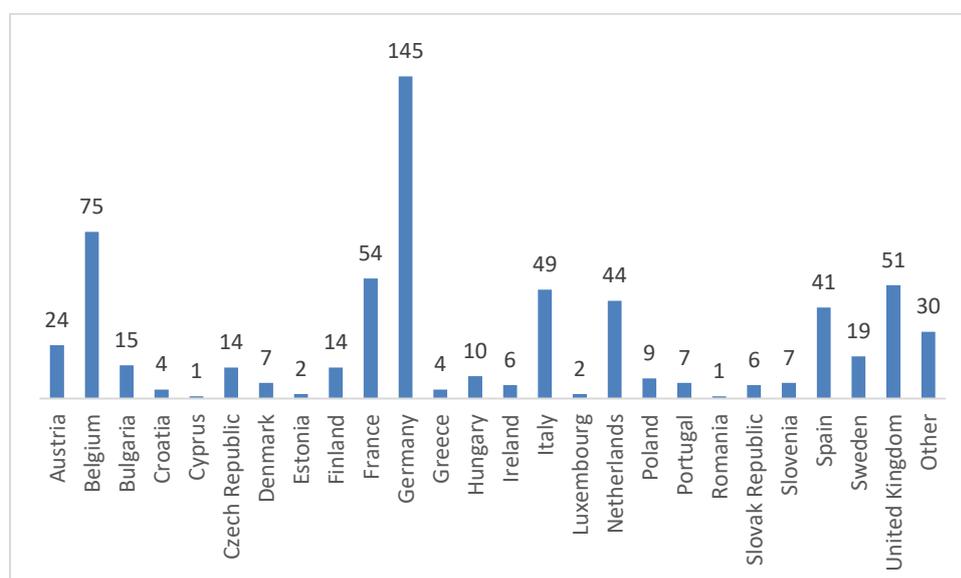
- In two of those cases, one contribution has been made in personal capacity and one in professional capacity; in both these cases, different responses have been given in the different capacities.
- In six of those cases, both contributions have been made in professional capacity but on behalf of different organisations; in four of those six cases, the responses are largely identical, in the two other, they are different.
- In the remaining four of these cases, the contributions were made on behalf of the same organisation; in three of those four cases, the responses differ significantly and in one slightly.

In addition to these 641 completed online questionnaires, 96 complementary documents (position papers etc.) have been submitted; the key messages of these are presented in section 5.2. The rest of the present report is focussing on the 641 replies provided online.

1.2. Profile of respondents

1.2.1. Distribution by country

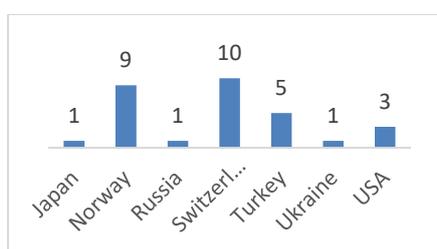
In terms of geographic distribution of the participants, including both individual and professional respondents, the picture looks as follows:



N=641

By far the largest number of participants (22.6%) comes from Germany. Participation from other countries is roughly in line with the size of their population and/or economic importance, with France, the UK and Italy all representing around 8% of participants. The particularly high participation from Belgium (11%) is explained by the number of European umbrella organisations with seat in Brussels that have participated.

Looking at the participation from third countries only, we see the following distribution:

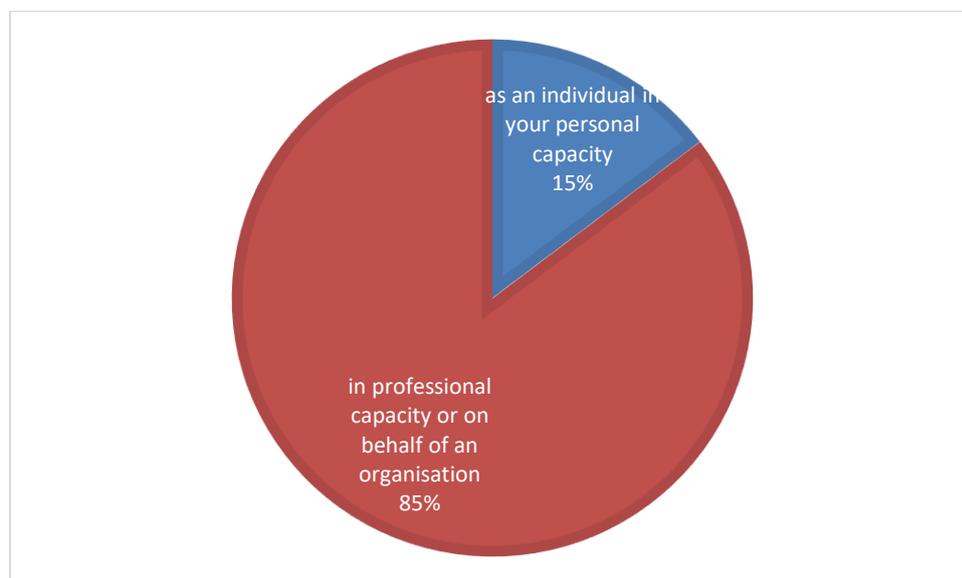


N=30

The strong participation from both Switzerland and Norway is not surprising, as both countries apply the CPR.

2. Distribution by type of respondents: individual vs. corporate – overall and by country

547 questionnaires have been completed in professional capacity, 94 in personal capacity:



N=641

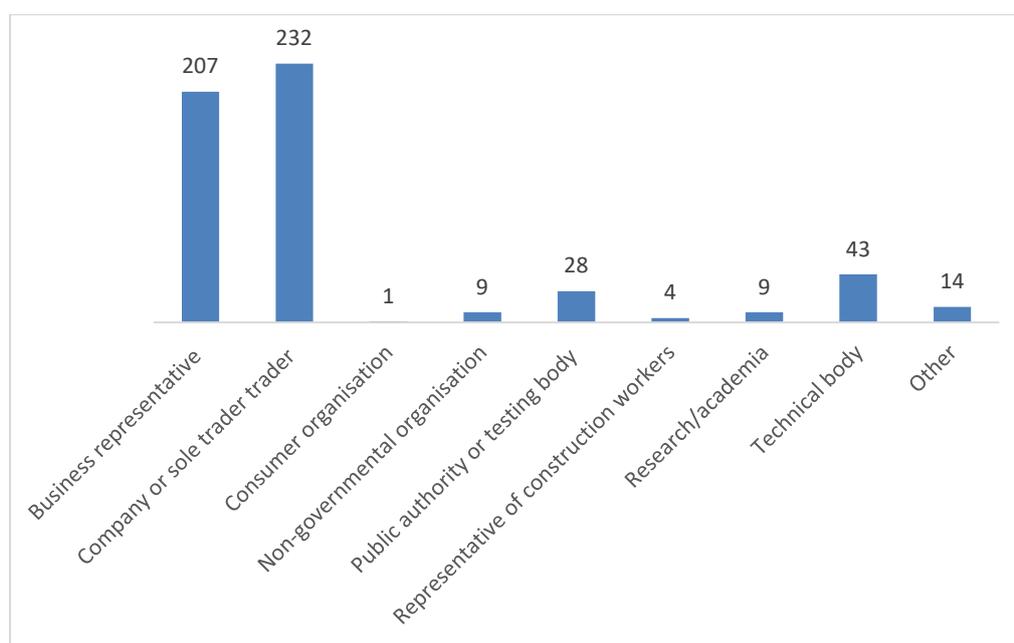
Split up by country, the numbers are as follows:

| | Austria | Belgium | Bulgaria | Croatia | Cyprus | Czech | Denmark | Estonia | Finland | France | Germany | Greece | Hungary | Ireland | Italy | Luxembourg | Netherlands | Poland | Portugal | Romania | Slovak | Slovenia | Spain | Sweden | United | Other | Total |
|-----------------|-----------|-----------|-----------|----------|----------|-----------|----------|----------|-----------|-----------|------------|----------|-----------|----------|-----------|------------|-------------|----------|----------|----------|----------|----------|-----------|-----------|-----------|-----------|------------|
| as individual | 2 | 7 | 2 | | | 2 | | 1 | 1 | 8 | 15 | 1 | 5 | 2 | 6 | | 5 | | 4 | 1 | 3 | 4 | 11 | | 13 | 1 | 94 |
| as professional | 22 | 68 | 13 | 4 | 1 | 12 | 7 | 1 | 13 | 46 | 130 | 3 | 5 | 4 | 43 | 2 | 39 | 9 | 3 | | 3 | 3 | 30 | 19 | 38 | 29 | 547 |
| Total | 24 | 75 | 15 | 4 | 1 | 14 | 7 | 2 | 14 | 54 | 145 | 4 | 10 | 6 | 49 | 2 | 44 | 9 | 7 | 1 | 6 | 7 | 41 | 19 | 51 | 30 | 641 |

Hungary, the Slovak Republic and Slovenia were the only three countries where there were just as many (or even more) respondents who participated as individuals as there were respondents who participated in their professional capacity. In all other countries, the vast majority of participants responded on behalf of an organisation.

2.1.1. Distribution of respondents by type of organisation (if applicable¹⁶) – overall and by country

Broken down by type of organisation, the distribution can be seen in the following graph:



N=547

The vast majority of participants are companies, making up 42.4% of participants; organisations representing businesses (incl. industry associations, chamber of commerce, professional organisation) constitute 37.8% of participants. Technical bodies account for 7.9% percent of participants and public authorities or testing bodies for 5.1%. It is notable that only 1 single consumer organisation (representing 0.2%) has participated.

By type of organisation and by country, the breakdown is as follows:

¹⁶ I.e. the 547 respondents who replied in their professional capacity or on behalf of an organisation

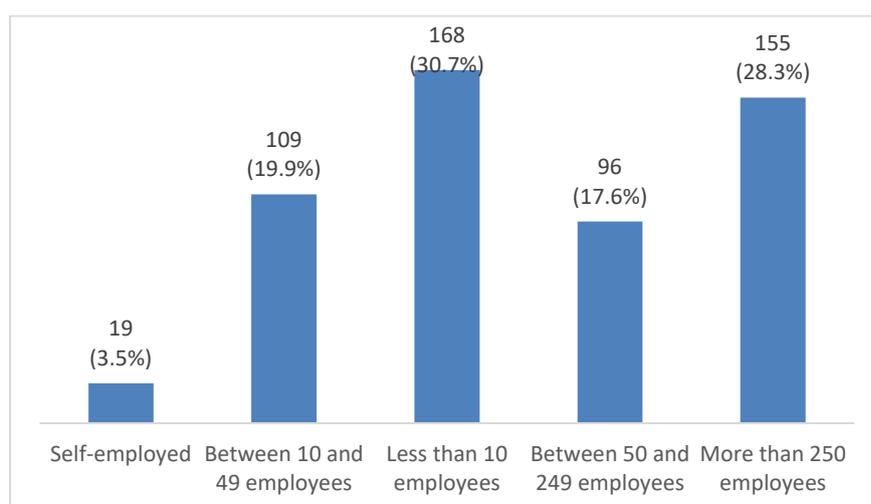
| | Business representative | Company or sole trader | Consumer organisation | Non-governmental | Public authority or testing body | Representative of construction | Research/academia | Technical body | Other | Total |
|-----------------|-------------------------|------------------------|-----------------------|------------------|----------------------------------|--------------------------------|-------------------|----------------|-------|-------|
| Austria | 9 | 8 | | 1 | 1 | | 1 | 1 | 1 | 22 |
| Belgium | 49 | 12 | | | 2 | | | 3 | 2 | 68 |
| Bulgaria | | 6 | 1 | | 1 | | | 5 | | 13 |
| Croatia | | 2 | | | 1 | | | | 1 | 4 |
| Cyprus | | | | | 1 | | | | | 1 |
| Czech Republic | 2 | 5 | | | 2 | 1 | | 2 | | 12 |
| Denmark | 2 | 4 | | | | | | 1 | | 7 |
| Estonia | 1 | | | | | | | | | 1 |
| Finland | 1 | 11 | | | | | | 1 | | 13 |
| France | 16 | 23 | | 1 | 1 | | 1 | 4 | | 46 |
| Germany | 42 | 65 | | 5 | 4 | | 3 | 4 | 7 | 130 |
| Greece | | 2 | | | | | | 1 | | 3 |
| Hungary | 1 | 1 | | | 1 | | | 2 | | 5 |
| Ireland | 2 | 2 | | | | | | | | 4 |
| Italy | 16 | 24 | | | | | 1 | 1 | 1 | 43 |
| Luxembourg | | 2 | | | | | | | | 2 |
| Netherlands | 22 | 9 | | 1 | 1 | 1 | 1 | 3 | 1 | 39 |
| Other | 9 | 12 | | | 3 | 1 | | 4 | | 29 |
| Poland | 1 | 5 | | | | | | 3 | | 9 |
| Portugal | 2 | 1 | | | | | | | | 3 |
| Slovak Republic | 1 | | | 1 | 1 | | | | | 3 |
| Slovenia | | 2 | | | | | | 1 | | 3 |

| | | | | | | | | | | |
|----------------|------------|------------|----------|----------|-----------|----------|----------|-----------|-----------|------------|
| Spain | 12 | 9 | | | 3 | | 2 | 4 | | 30 |
| Sweden | 6 | 8 | | | 3 | | | 1 | 1 | 19 |
| United Kingdom | 13 | 19 | | | 3 | 1 | | 2 | | 38 |
| Total | 207 | 232 | 1 | 9 | 28 | 4 | 9 | 43 | 14 | 547 |

It can be seen that from all countries with a significant number of participants, by far the strongest participation is equally from individual companies and business representatives.

2.1.2. Distribution of respondents by size of organisation (if applicable¹⁷) – overall and by country

Broken down by size of organisation, the distribution can be seen in the following graph:

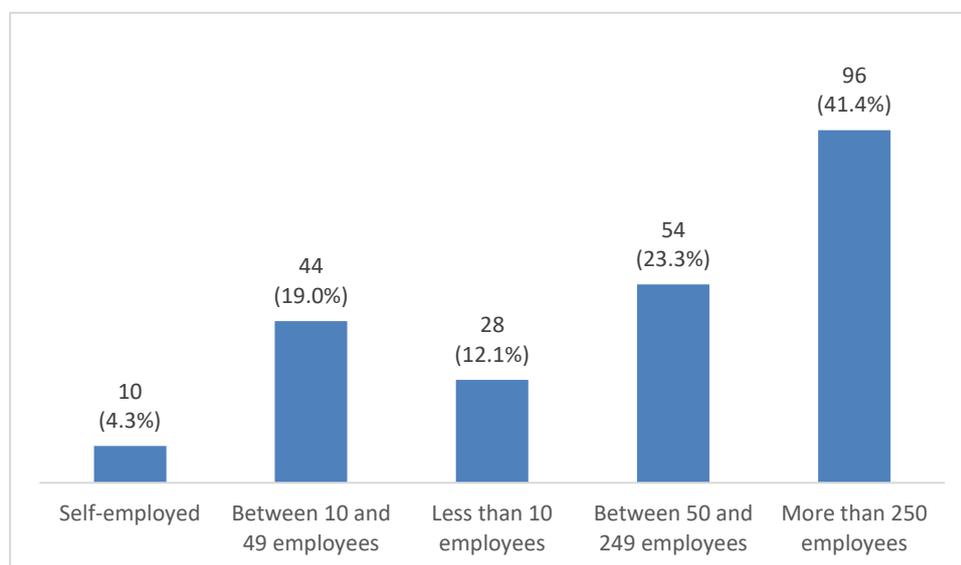


N=547

Organisations with less than 10 employees make up the largest share of participants, followed by organisations with more than 250 employees. This overview may however be somewhat misleading, as it includes all types of organisations, not just companies.

¹⁷ I.e. the 547 respondents who replied in their professional capacity or on behalf of an organisation

For the purpose of this consultation, it will therefore be of particular interest to select only the 232 companies that have participated and analyse their size, which is done in the following graph:



N=232

This shows that by far the largest share (41.4%) of the companies that have participated have more than 250 employees. It also shows that only 28 of the 168 organisations with less than 10 employees are companies.

Continuing to look only at the 232 companies and segmenting both by size of organisation and by country, the breakdown is as follows:

| | Self-employed | < 10 employees | 10 - 49 employees | 50 - 249 employees | ≥ 250 employees | Total |
|----------------|---------------|----------------|-------------------|--------------------|-----------------|-------|
| Austria | | 1 | 2 | 1 | 4 | 8 |
| Belgium | | 1 | 2 | 4 | 5 | 12 |
| Bulgaria | | 1 | 2 | 2 | 1 | 6 |
| Croatia | | | | | 2 | 2 |
| Czech Republic | | 1 | | | 4 | 5 |

| | | | | | | |
|----------------|-----------|-----------|-----------|-----------|-----------|------------|
| Denmark | | | 1 | | 3 | 4 |
| Finland | 2 | 1 | | 2 | 6 | 11 |
| France | 1 | 2 | 3 | 4 | 13 | 23 |
| Germany | 1 | 13 | 12 | 14 | 25 | 65 |
| Greece | | 1 | 1 | | | 2 |
| Hungary | | 1 | | | | 1 |
| Ireland | 1 | | | 1 | | 2 |
| Italy | 3 | 2 | 10 | 5 | 4 | 24 |
| Luxembourg | | | | 1 | 1 | 2 |
| Netherlands | | 1 | 3 | 1 | 4 | 9 |
| Poland | | | | 3 | 2 | 5 |
| Portugal | | | | 1 | | 1 |
| Slovenia | | 1 | 1 | | | 2 |
| Spain | | | 2 | 5 | 2 | 9 |
| Sweden | 2 | | | 2 | 4 | 8 |
| United Kingdom | | 2 | 5 | 4 | 8 | 19 |
| Other | | | | 4 | 8 | 12 |
| Total | 10 | 28 | 44 | 54 | 96 | 232 |

The above table shows that there are two countries with a particularly strong participation of large companies, which are Germany and France.

3. Questions related to the evaluation – detailed analysis of results

3.1. Question 13: Knowledge of CE symbol

3.1.1. Complete wording of the question



“Do you know this symbol?”

3.1.2. Quantitative analysis

634 out of 641 respondents (98.9 %) indicated that they know the CE symbol. Two respondents (0.3%) answered with “no” to that question, five respondents (0.8%) left the question unanswered. The two “no” responses came from participants based in Slovakia and Ukraine, respectively, the “blanks” came from participants based in Belgium (2), Sweden (2) and the UK (1). The very high knowledge of the CE symbol among the respondents is of course not surprising, as it can be taken for granted that participants of this public consultation are familiar with and interesting in the subject matter.

3.2. Question 14: Understanding of CE symbol

3.2.1. Complete wording of the question and dependency link with other questions

This question is addressed to all 634 participants who have responded positively to question no. 13 (knowledge of the CE symbol). The complete wording of the question is:

“In your view what information does it provide with regard to construction products?”

It is specified that multiple replies are possible. The answering options are the following ones:

- a) *This construction product has been assessed as to its performance in accordance with a harmonised European standard or a European Assessment Document*
- b) *This construction product complies with applicable local, regional or national building requirements and can therefore be used*
- c) *This construction product is safe*

- d) *This construction product is environmentally sustainable*
- e) *This construction product is made in the European Union*
- f) *I don't know*

3.2.2. Quantitative analysis

Taking into account all answers (including multiple answers), the distribution is as follows:

| | | |
|--|------------|-------|
| a) This construction product has been assessed as to its performance in accordance with a harmonised European standard or a European Assessment Document | 603 | 95.1% |
| b) This construction product complies with applicable local, regional or national building requirements and can therefore be used | 73 | 11.5% |
| c) This construction product is safe | 115 | 18.1% |
| d) This construction product is environmentally sustainable | 27 | 4.3% |
| e) This construction product is made in the European Union | 37 | 5.8% |
| f) I don't know | 6 | 0.9% |
| No answer | 8 | 1.3% |
| Total | 869 | |

The right answer represent 95.1% of the replies, which however may be misleading, as multiple answers were possible and as, in addition to other possible answers that represent 41,9 %, a share of the correct replies were combined with others, showing relative uncertainty.

Looking not at individual answers but at the combinations of different answers (provided by the 634 respondents) that were given, the distribution is as follows:

| | | |
|---|-----|-------|
| A | 451 | 71.1% |
|---|-----|-------|

| | | |
|--------------|------------|-------------|
| a+b | 27 | 4.3% |
| a+b+c | 18 | 2.8% |
| a+b+c+d | 5 | 0.8% |
| a+b+c+d+e | 8 | 1.3% |
| a+b+c+e | 4 | 0.6% |
| a+b+e | 2 | 0.3% |
| a+c | 56 | 8.8% |
| a+c+d | 11 | 1.7% |
| a+c+d+e | 1 | 0.2% |
| a+c+e | 3 | 0.5% |
| a+c+f | 2 | 0.3% |
| a+d | 2 | 0.3% |
| a+e | 10 | 1.6% |
| a+f | 3 | 0.5% |
| B | 8 | 1.3% |
| b+c+e | 1 | 0.2% |
| c | 5 | 0.8% |
| c+e | 1 | 0.2% |
| e | 7 | 1.1% |
| f | 1 | 0.2% |
| No answer | 8 | 1.3% |
| Total | 634 | 100% |

Even though still more than 70% chose the correct answer and only the correct answer, these figures show that almost a third of the respondents were not completely aware of the correct meaning of the symbol.

If we break down the answers by size of enterprise, we see that among self-employed, the rate of respondents who do not know the fully correct meaning of the symbol is almost 50%:

| | Individual respondent | Self-employed | employes < 10 | employes 10 - 49 | 50 - 249 employes | ≥ 250 employes | Total | | | | | | | |
|-----------|-----------------------|---------------|---------------|------------------|-------------------|----------------|-------|-------|----|-------|-----|-------|-----|-------|
| a | 59 | 63.4% | 10 | 52.6% | 123 | 74.5% | 82 | 75.9% | 67 | 70.5% | 110 | 71.4% | 451 | 71.1% |
| a+b | 7 | 7.5% | 1 | 5.3% | 7 | 4.2% | 4 | 3.7% | 3 | 3.2% | 5 | 3.2% | 27 | 4.3% |
| a+b+c | 1 | 1.1% | 1 | 5.3% | 8 | 4.8% | 1 | 0.9% | 3 | 3.2% | 4 | 2.6% | 18 | 2.8% |
| a+b+c+d | | 0.0% | | 0.0% | 1 | 0.6% | 1 | 0.9% | | 0.0% | 3 | 1.9% | 5 | 0.8% |
| a+b+c+d+e | 3 | 3.2% | | 0.0% | 3 | 1.8% | | 0.0% | 1 | 1.1% | 1 | 0.6% | 8 | 1.3% |
| a+b+c+e | 1 | 1.1% | 1 | 5.3% | 1 | 0.6% | | 0.0% | | 0.0% | 1 | 0.6% | 4 | 0.6% |
| a+b+e | 1 | 1.1% | | 0.0% | 1 | 0.6% | | 0.0% | | 0.0% | | 0.0% | 2 | 0.3% |
| a+c | 7 | 7.5% | 1 | 5.3% | 12 | 7.3% | 5 | 4.6% | 11 | 11.6% | 20 | 13.0% | 56 | 8.8% |
| a+c+d | 3 | 3.2% | 2 | 10.5% | 1 | 0.6% | 1 | 0.9% | 3 | 3.2% | 1 | 0.6% | 11 | 1.7% |
| a+c+d+e | | 0.0% | | 0.0% | 1 | 0.6% | | 0.0% | | 0.0% | | 0.0% | 1 | 0.2% |
| a+c+e | 1 | 1.1% | | 0.0% | | 0.0% | 2 | 1.9% | | 0.0% | | 0.0% | 3 | 0.5% |
| a+c+f | | 0.0% | | 0.0% | | 0.0% | | 0.0% | | 0.0% | 2 | 1.3% | 2 | 0.3% |
| a+d | 1 | 1.1% | 1 | 5.3% | | 0.0% | | 0.0% | | 0.0% | | 0.0% | 2 | 0.3% |
| a+e | 4 | 4.3% | 1 | 5.3% | 3 | 1.8% | 1 | 0.9% | | 0.0% | 1 | 0.6% | 10 | 1.6% |
| a+f | | 0.0% | | 0.0% | | 0.0% | 2 | 1.9% | 1 | 1.1% | | 0.0% | 3 | 0.5% |
| b | 1 | 1.1% | | 0.0% | | 0.0% | 3 | 2.8% | 2 | 2.1% | 2 | 1.3% | 8 | 1.3% |
| b+c+e | | 0.0% | | 0.0% | | 0.0% | | 0.0% | | 0.0% | 1 | 0.6% | 1 | 0.2% |
| c | 1 | 1.1% | | 0.0% | | 0.0% | 1 | 0.9% | 1 | 1.1% | 2 | 1.3% | 5 | 0.8% |

| | | | | | | | | | | | | | | |
|--------------|-----------|-------------|-----------|-------------|------------|-------------|------------|-------------|-----------|-------------|------------|-------------|------------|-------------|
| c+e | | 0.0% | | 0.0% | | 0.0% | | 0.0% | 1 | 1.1% | | 0.0% | 1 | 0.2% |
| e | 1 | 1.1% | | 0.0% | 2 | 1.2% | 2 | 1.9% | 1 | 1.1% | 1 | 0.6% | 7 | 1.1% |
| f | | 0.0% | 1 | 5.3% | | 0.0% | | 0.0% | | 0.0% | | 0.0% | 1 | 0.2% |
| No answer | 2 | 2.2% | | 0.0% | 2 | 1.2% | 3 | 2.8% | 1 | 1.1% | | 0.0% | 8 | 1.3% |
| Total | 93 | 100% | 19 | 100% | 165 | 100% | 108 | 100% | 95 | 100% | 154 | 100% | 634 | 100% |

3.3. Questions 15a-j: Effectiveness

3.3.1. Complete wording of the questions

“The following main elements of the EU legislation on construction products aim to provide a level playing field for all stakeholders working with construction products:

- *harmonised European standards defining the performance characteristics of a product that could be tested as well as the test method that has to be used, and the reporting format for informing about the results;*
- *a harmonised system to select testing/assessment bodies (called "Notified Bodies") and to define their precise role, so as to ensure that the testing/assessment is done in all EU Member States in the same way.*

Please rate how you think the above main elements have impacted the following issues:

- a) Market opportunities for companies in other Member States than their own*
- b) Competition in your national market*
- c) Market opportunities for EU companies in countries outside the EU*
- d) Ability for small companies to compete with big companies*
- e) Product choice for end-users*
- f) Product information for end-users*
- g) Innovation in the construction products sector*
- h) Product safety*
- i) Overall cost of production*
- j) Administrative costs to apply SME and simplification provisions”*

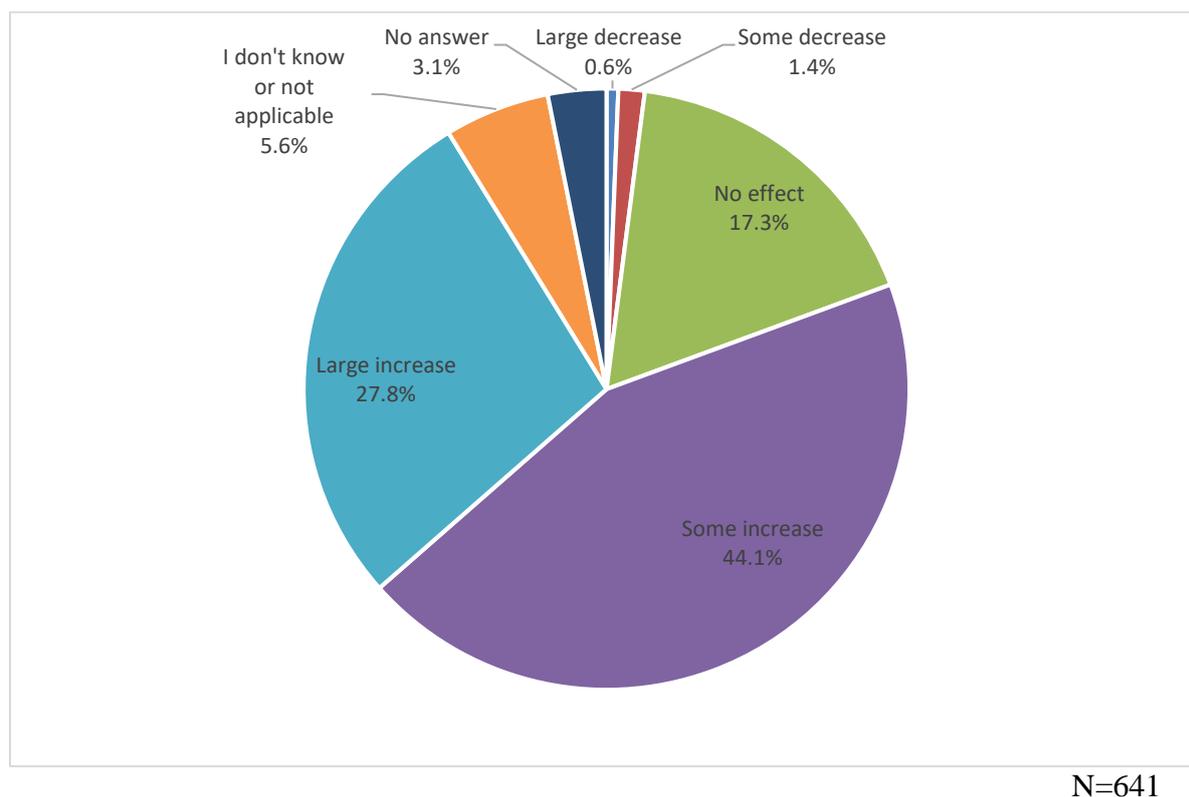
The respondents then have the possibility to specify other impacts as well as to elaborate on issues which are the most important or applicable in their case.

3.3.2. Quantitative analysis of individual issues

The detailed results per issue look as follows:

3.3.2.1 Market opportunities for companies in other Member States than their own

| | | |
|--------------------------------|-----|-------|
| Large decrease | 4 | 0.6% |
| Some decrease | 9 | 1.4% |
| No effect | 111 | 17.3% |
| Some increase | 283 | 44.1% |
| Large increase | 178 | 27.8% |
| I don't know or not applicable | 36 | 5.6% |
| No answer | 20 | 3.1% |
| TOTAL | 641 | 100% |



Taken together, 72% of participants saw “some increase” or a “large increase” for companies in other Member States. This can be regarded as quite a positive result.

Only looking at companies and segmenting them by company size, the situation looks as follows:

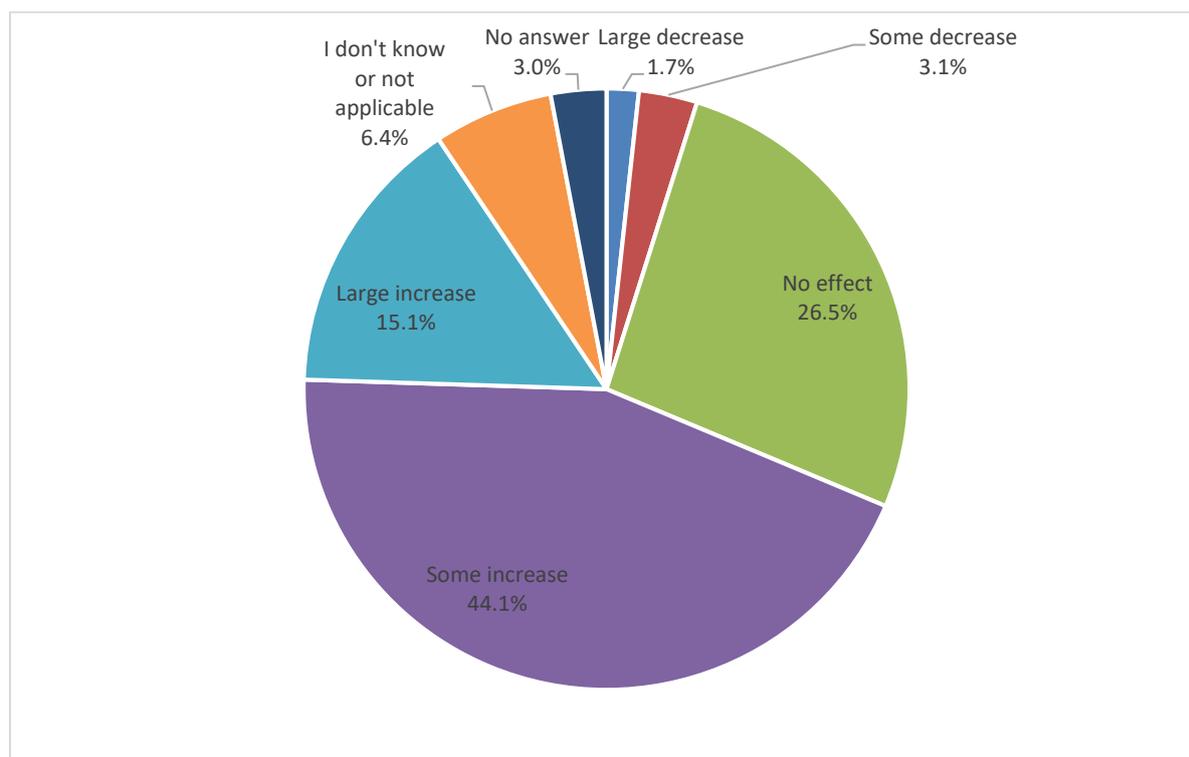
| | Self-employed | | < 10 employees | | 10 - 49 employees | | 50 - 249 employees | | ≥ 250 employees | | Total | |
|----------------|---------------|-------|----------------|-------|-------------------|-------|--------------------|-------|-----------------|-------|-------|-------|
| Large decrease | | 0.0% | | 0.0% | | 0.0% | 1 | 1.9% | | 0.0% | 1 | 0.4% |
| Some decrease | | 0.0% | | 0.0% | 2 | 4.5% | | 0.0% | 3 | 3.1% | 5 | 2.2% |
| No effect | 3 | 30.0% | 4 | 14.3% | 13 | 29.5% | 10 | 18.5% | 17 | 17.7% | 47 | 20.3% |
| Some increase | 3 | 30.0% | 9 | 32.1% | 18 | 40.9% | 22 | 40.7% | 38 | 39.6% | 90 | 38.8% |
| Large increase | 4 | 40.0% | 9 | 32.1% | 7 | 15.9% | 19 | 35.2% | 34 | 35.4% | 73 | 31.5% |

| | | | | | | | | | | | | |
|--------------------------------|-----------|-------------|-----------|-------------|-----------|-------------|-----------|-------------|-----------|-------------|------------|-------------|
| I don't know or not applicable | | 0.0% | 5 | 17.9% | 3 | 6.8% | 2 | 3.7% | 3 | 3.1% | 13 | 5.6% |
| No response | | 0.0% | 1 | 3.6% | 1 | 2.3% | | 0.0% | 1 | 1.0% | 3 | 1.3% |
| Total | 10 | 100% | 28 | 100% | 44 | 100% | 54 | 100% | 96 | 100% | 232 | 100% |

The above figures show that the positive assessment concerning the increased market possibilities seems to be fairly consistent across all company sizes. Minor differences should not be overstated due to the fact that statistical representativeness is not given.

3.3.2.2 Competition in your national market

| | | |
|--------------------------------|------------|-------------|
| Large decrease | 11 | 1.7% |
| Some decrease | 20 | 3.1% |
| No effect | 170 | 26.5% |
| Some increase | 283 | 44.1% |
| Large increase | 97 | 15.1% |
| I don't know or not applicable | 41 | 6.4% |
| No answer | 19 | 3.0% |
| TOTAL | 641 | 100% |



N=641

Also with regard to the competition on the national market, a clear majority confirms to see an increase: Taken together, nearly 60% see “some increase” or a “large increase”. This is of course consistent and a logical consequence of the fact that 72% of respondents see an increase of market opportunities in other countries (see question 15a).

Only looking at companies and segmenting them by company size, the situation looks as follows:

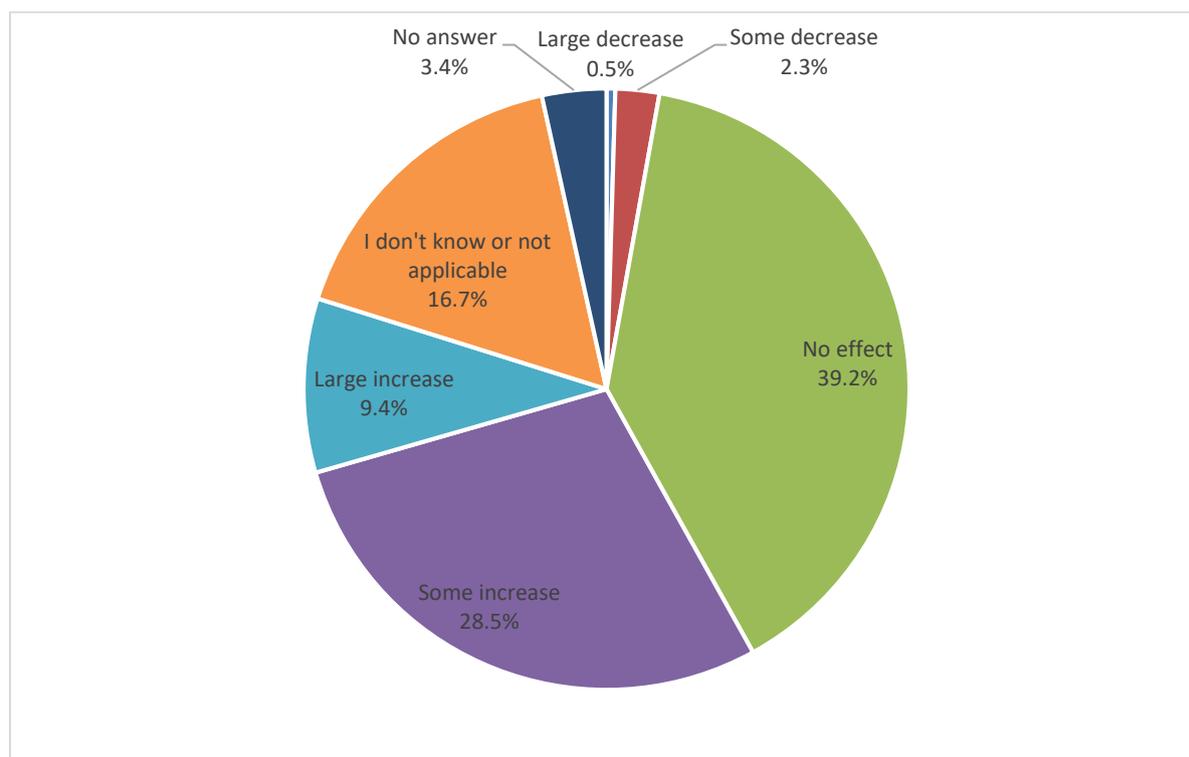
| | Self-employed | | < 10 employees | | 10 - 49 employees | | 50 - 249 employees | | ≥ 250 employees | | Total | |
|----------------|---------------|-------|----------------|-------|-------------------|-------|--------------------|-------|-----------------|-------|-------|-------|
| Large decrease | 1 | 10.0% | 1 | 3.6% | 1 | 2.3% | | 0.0% | | 0.0% | 3 | 1.3% |
| Some decrease | | 0.0% | | 0.0% | 5 | 11.4% | 2 | 3.7% | 1 | 1.0% | 8 | 3.4% |
| No effect | 2 | 20.0% | 5 | 17.9% | 16 | 36.4% | 15 | 27.8% | 24 | 25.0% | 62 | 26.7% |
| Some increase | 6 | 60.0% | 13 | 46.4% | 13 | 29.5% | 29 | 53.7% | 48 | 50.0% | 109 | 47.0% |

| | | | | | | | | | | | | |
|--------------------------------|-----------|-------------|-----------|-------------|-----------|-------------|-----------|-------------|-----------|-------------|------------|-------------|
| Large increase | 1 | 10.0% | 7 | 25.0% | 7 | 15.9% | 5 | 9.3% | 16 | 16.7% | 36 | 15.5% |
| I don't know or not applicable | | 0.0% | 1 | 3.6% | 1 | 2.3% | 3 | 5.6% | 6 | 6.3% | 11 | 4.7% |
| No response | | 0.0% | 1 | 3.6% | 1 | 2.3% | | 0.0% | 1 | 1.0% | 3 | 1.3% |
| Total | 10 | 100% | 28 | 100% | 44 | 100% | 54 | 100% | 96 | 100% | 232 | 100% |

The impact on the competition on the national market is generally confirmed by companies of all sizes, except for the segment of small enterprises (10-49 staff), where there is a balance between companies that confirm the impact and companies that see either no effect or a negative impact. Again, such differences should not be overstated as statistical representativeness is not given.

3.3.2.3 Market opportunities for EU companies in countries outside the EU

| | | |
|--------------------------------|------------|-------------|
| Large decrease | 3 | 0.5% |
| Some decrease | 15 | 2.3% |
| No effect | 251 | 39.2% |
| Some increase | 183 | 28.5% |
| Large increase | 60 | 9.4% |
| I don't know or not applicable | 107 | 16.7% |
| No answer | 22 | 3.4% |
| TOTAL | 641 | 100% |



N=641

With regard to opportunities outside the EU, there is almost parity between respondents who see no effect (39.2%) and respondents who see “some increase” or a “large increase” (38%). It is to be noted that less than 3% think there has been a negative impact and that 20.1% state that they do not know or have not answered the question.

Only looking at companies and segmenting them by company size, the situation looks as follows:

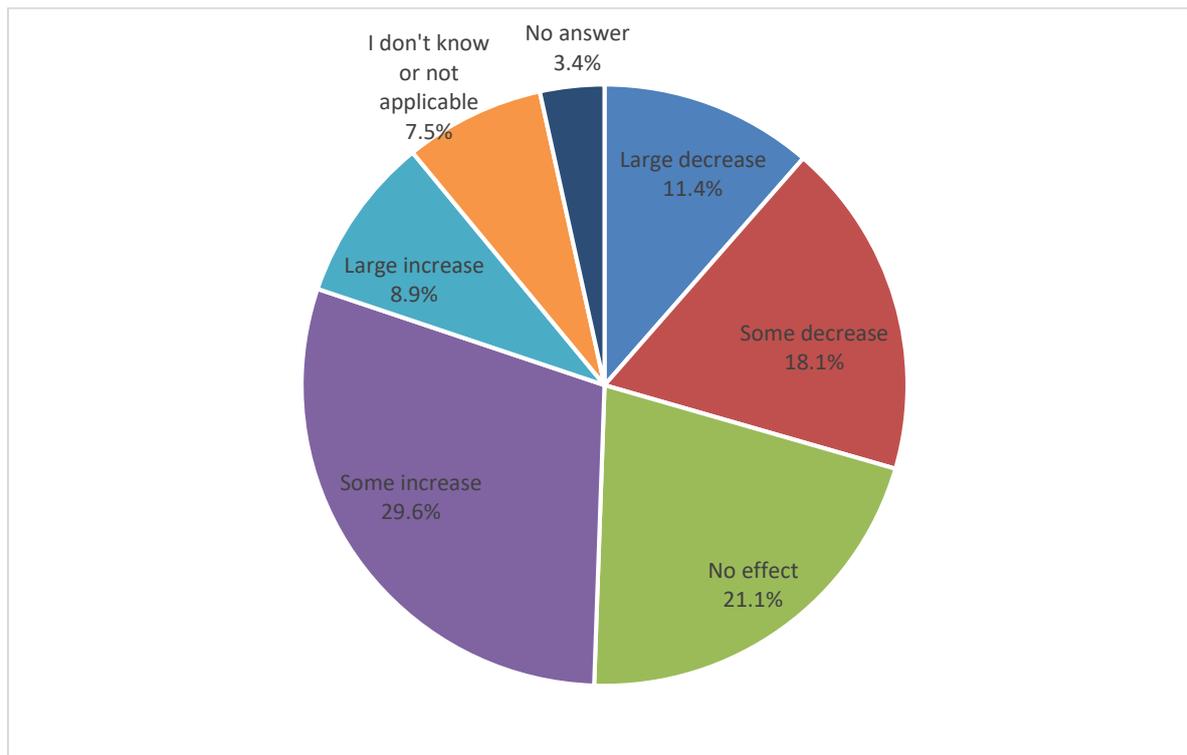
| | Self-employed | < 10 employees | 10 - 49 employees | 50 - 249 employees | ≥ 250 employees | Total |
|----------------|---------------|----------------|-------------------|--------------------|-----------------|----------|
| Large decrease | 0.0% | 0.0% | 1 2.3% | 0.0% | 0.0% | 1 0.4% |
| Some decrease | 0.0% | 1 3.6% | 2 4.5% | 2 3.7% | 1 1.0% | 6 2.6% |
| No effect | 5 50.0% | 8 28.6% | 19 43.2% | 18 33.3% | 41 42.7% | 91 39.2% |
| Some increase | 0.0% | 5 17.9% | 6 13.6% | 14 25.9% | 28 29.2% | 53 22.8% |

| | | | | | | | | | | | | |
|--------------------------------|-----------|-------------|-----------|-------------|-----------|-------------|-----------|-------------|-----------|-------------|------------|--------------|
| Large increase | 2 | 20.0% | 3 | 10.7% | 6 | 13.6% | 11 | 20.4% | 12 | 12.5% | 34 | 14.7% |
| I don't know or not applicable | 3 | 30.0% | 9 | 32.1% | 9 | 20.5% | 9 | 16.7% | 13 | 13.5% | 43 | 18.5% |
| No response | | 0.0% | 2 | 7.1% | 1 | 2.3% | | 0.0% | 1 | 1.0% | 4 | 1.7% |
| Total | 10 | 100% | 28 | 100% | 44 | 100% | 54 | 100% | 96 | 100% | 232 | 100% |

The share of companies that see either no effect or that do not know represents the majority across all company sizes. This combined share ranges between 50% in the case of medium-size enterprises (50-249 staff) and 80% in the case of self-employed.

3.3.2.4 Ability for small companies to compete with big companies

| | | |
|--------------------------------|------------|-------------|
| Large decrease | 73 | 11.4% |
| Some decrease | 116 | 18.1% |
| No effect | 135 | 21.1% |
| Some increase | 190 | 29.6% |
| Large increase | 57 | 8.9% |
| I don't know or not applicable | 48 | 7.5% |
| No answer | 22 | 3.4% |
| TOTAL | 641 | 100% |



N=641

With respect to the ability for small companies to compete with big companies, the field is divided: 38.5% sees an increase in the ability for small companies to compete with big companies, 29.5% see a decrease and 21.1% see no impact, while 10.9 are undecided.

Only looking at companies and segmenting them by company size, the situation looks as follows:

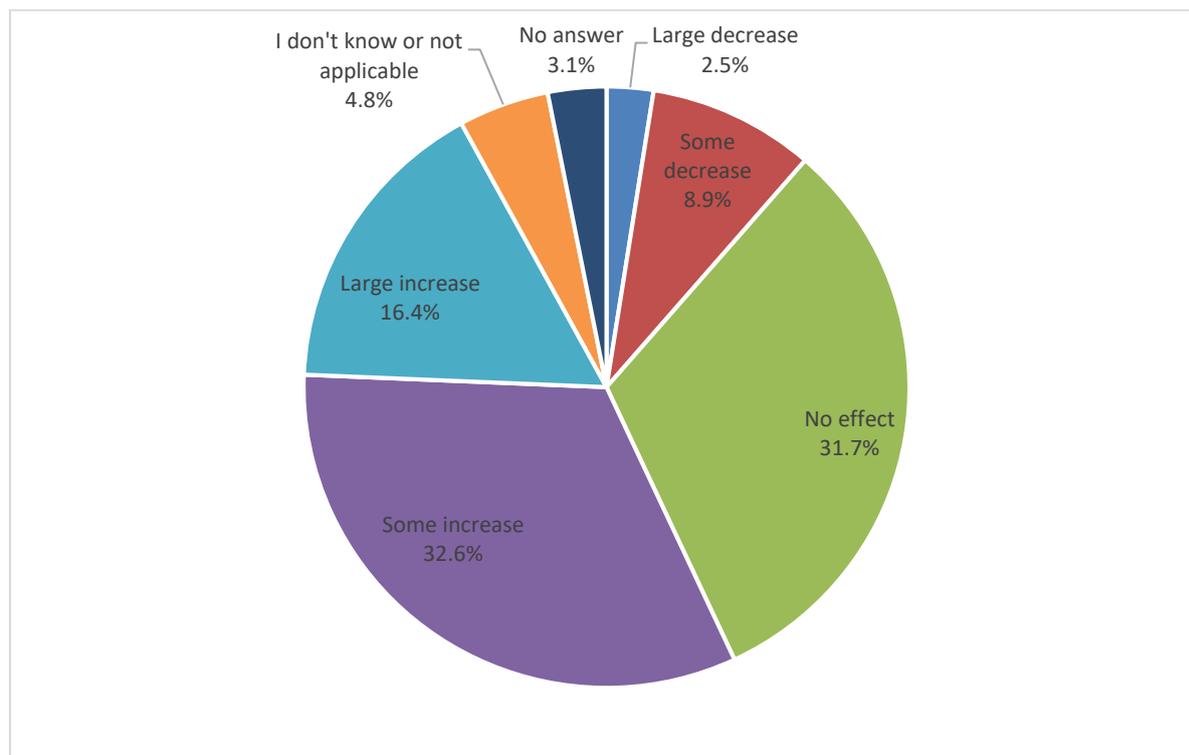
| | Self-employed | | < 10 employees | | 10 - 49 employees | | 50 - 249 employees | | ≥ 250 employees | | Total | |
|----------------|---------------|-------|----------------|-------|-------------------|-------|--------------------|-------|-----------------|-------|-----------|--------------|
| Large decrease | 3 | 30.0% | 6 | 21.4% | 8 | 18.2% | 4 | 7.4% | 10 | 10.4% | 31 | 13.4% |
| Some decrease | | 0.0% | 7 | 25.0% | 6 | 13.6% | 14 | 25.9% | 15 | 15.6% | 42 | 18.1% |
| No effect | 2 | 20.0% | 7 | 25.0% | 16 | 36.4% | 10 | 18.5% | 19 | 19.8% | 54 | 23.3% |
| Some increase | 1 | 10.0% | 4 | 14.3% | 13 | 29.5% | 14 | 25.9% | 23 | 24.0% | 55 | 23.7% |

| | | | | | | | | | | | | |
|--------------------------------|-----------|-------------|-----------|-------------|-----------|-------------|-----------|-------------|-----------|-------------|------------|-------------|
| Large increase | 2 | 20.0% | 3 | 10.7% | | 0.0% | 9 | 16.7% | 14 | 14.6% | 28 | 12.1% |
| I don't know or not applicable | 1 | 10.0% | | 0.0% | | 0.0% | 3 | 5.6% | 13 | 13.5% | 17 | 7.3% |
| No response | 1 | 10.0% | 1 | 3.6% | 1 | 2.3% | | 0.0% | 2 | 2.1% | 5 | 2.2% |
| Total | 10 | 100% | 28 | 100% | 44 | 100% | 54 | 100% | 96 | 100% | 232 | 100% |

Here it is of course very interesting to distinguish between different company sizes. It can be noted that the response on the ability for small companies to compete with big companies is least positive among micro-enterprises (25% see some or large increase, while 46.4% see some or large decrease), whereas this ratio is quite different for medium-size companies with 50-249 staff (with 42.6% of them seeing some or large increase and 33.3% seeing some or large decrease) and companies with 250 or more staff (with 38.5% of them seeing some or large increase and 26% seeing some or large decrease). Nonetheless, it should be noted once again that such differences should not be overstated as statistical representativeness is not given at this level of analysis.

3.3.2.5 Product choice for end-users

| | | |
|--------------------------------|------------|-------------|
| Large decrease | 16 | 2.5% |
| Some decrease | 57 | 8.9% |
| No effect | 203 | 31.7% |
| Some increase | 209 | 32.6% |
| Large increase | 105 | 16.4% |
| I don't know or not applicable | 31 | 4.8% |
| No answer | 20 | 3.1% |
| TOTAL | 641 | 100% |



N=641

In terms of product choice for the end-users, half of the respondents (49%) see a positive effect, as opposed to only 11.4% who see a negative effect. 31.7% see no effect, while 7.9% do not know or choose not to answer the question.

Only looking at companies and segmenting them by company size, the situation looks as follows:

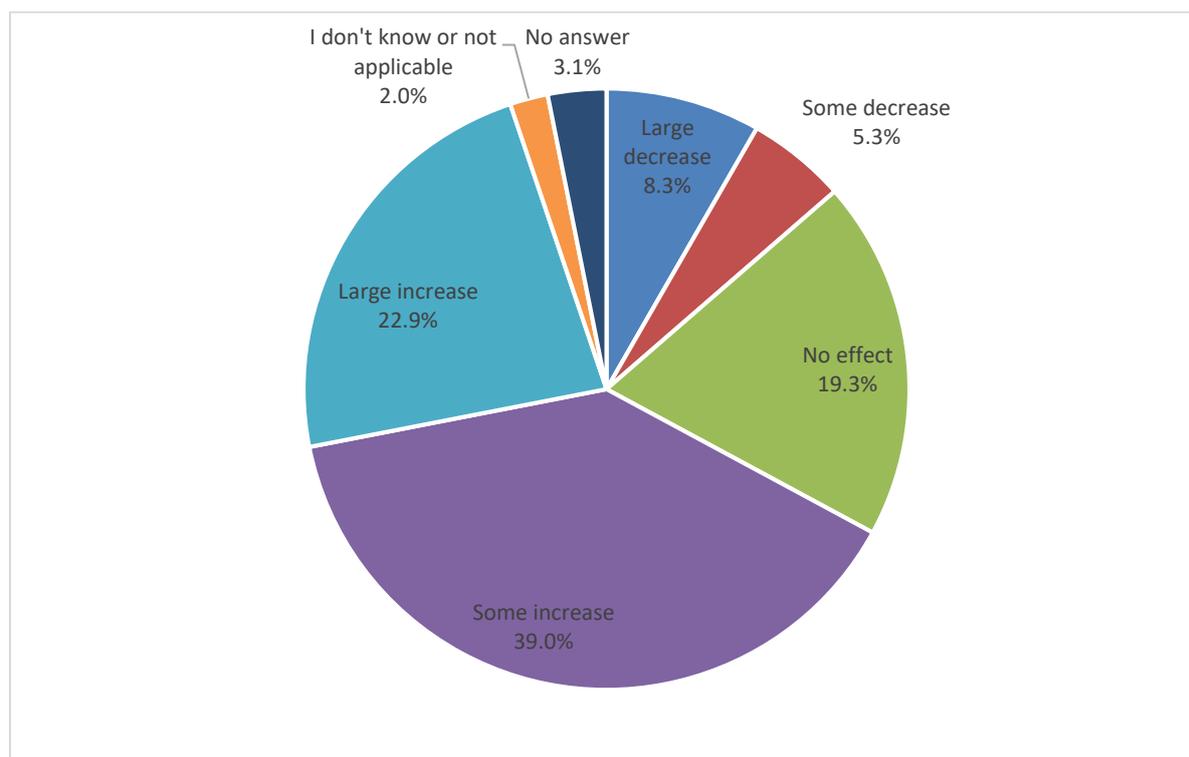
| | Self-employed | | < 10 employees | | 10 - 49 employees | | 50 - 249 employees | | ≥ 250 employees | | Total | |
|----------------|---------------|-------|----------------|-------|-------------------|-------|--------------------|-------|-----------------|-------|-------|-------|
| Large decrease | 2 | 20.0% | | 0.0% | 3 | 6.8% | | 0.0% | | 0.0% | 5 | 2.2% |
| Some decrease | | 0.0% | 4 | 14.3% | 6 | 13.6% | 5 | 9.3% | 12 | 12.5% | 27 | 11.6% |
| No effect | 4 | 40.0% | 13 | 46.4% | 13 | 29.5% | 21 | 38.9% | 29 | 30.2% | 80 | 34.5% |
| Some increase | 3 | 30.0% | 5 | 17.9% | 12 | 27.3% | 18 | 33.3% | 34 | 35.4% | 72 | 31.0% |

| | | | | | | | | | | | | |
|--------------------------------|-----------|-------------|-----------|-------------|-----------|-------------|-----------|-------------|-----------|-------------|------------|--------------|
| Large increase | 1 | 10.0% | 3 | 10.7% | 8 | 18.2% | 9 | 16.7% | 17 | 17.7% | 38 | 16.4% |
| I don't know or not applicable | | 0.0% | 1 | 3.6% | 1 | 2.3% | 1 | 1.9% | 3 | 3.1% | 6 | 2.6% |
| No response | | 0.0% | 2 | 7.1% | 1 | 2.3% | | 0.0% | 1 | 1.0% | 4 | 1.7% |
| Total | 10 | 100% | 28 | 100% | 44 | 100% | 54 | 100% | 96 | 100% | 232 | 100% |

It can be observed that there seems to be a more positive view on the impacts on product choice for end users among larger companies, with 50% of medium-size companies and 53.1% of larger companies seeing a positive effect, as opposed to only 28.6% in the case of micro-enterprises.

3.3.2.6 Product information for end-users

| | | |
|--------------------------------|------------|-------------|
| Large decrease | 53 | 8.3% |
| Some decrease | 34 | 5.3% |
| No effect | 124 | 19.3% |
| Some increase | 250 | 39.0% |
| Large increase | 147 | 22.9% |
| I don't know or not applicable | 13 | 2.0% |
| No answer | 20 | 3.1% |
| TOTAL | 641 | 100% |



N=641

In terms of product information for end-users, the responses are overwhelmingly positive, with 61.9% seeing a positive effect, as opposed to 13.6% seeing a negative effect.

Only looking at companies and segmenting them by company size, the situation looks as follows:

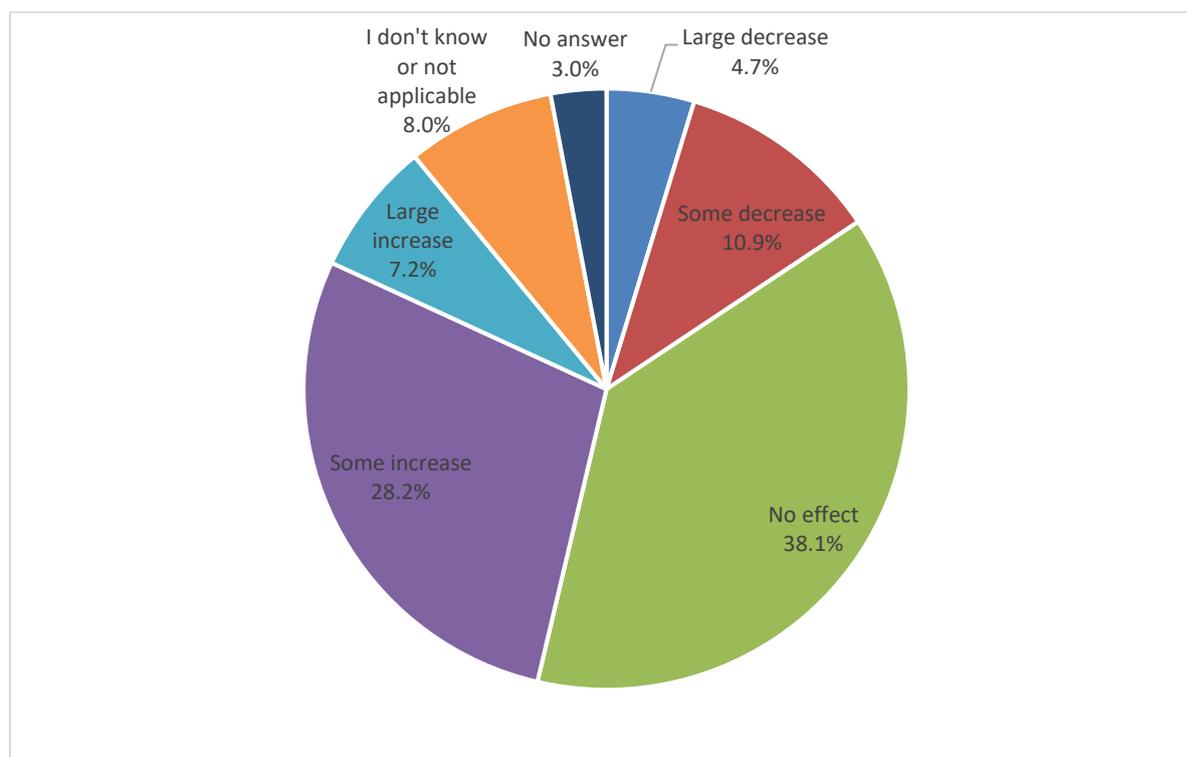
| | Self-employed | | < 10 employees | | 10 - 49 employees | | 50 - 249 employees | | ≥ 250 employees | | Total | |
|----------------|---------------|-------|----------------|-------|-------------------|-------|--------------------|-------|-----------------|-------|-----------|--------------|
| Large decrease | 2 | 20.0% | 10 | 35.7% | 5 | 11.4% | 7 | 13.0% | | 0.0% | 24 | 10.3% |
| Some decrease | | 0.0% | 2 | 7.1% | 3 | 6.8% | | 0.0% | 3 | 3.1% | 8 | 3.4% |
| No effect | 2 | 20.0% | 6 | 21.4% | 10 | 22.7% | 12 | 22.2% | 25 | 26.0% | 55 | 23.7% |
| Some increase | 4 | 40.0% | 6 | 21.4% | 15 | 34.1% | 20 | 37.0% | 41 | 42.7% | 86 | 37.1% |
| Large increase | 2 | 20.0% | 3 | 10.7% | 8 | 18.2% | 15 | 27.8% | 25 | 26.0% | 53 | 22.8% |

| | | | | | | | | | | | | |
|--------------------------------|-----------|-------------|-----------|-------------|-----------|-------------|-----------|-------------|-----------|-------------|------------|-------------|
| I don't know or not applicable | | 0.0% | | 0.0% | 1 | 2.3% | | 0.0% | 1 | 1.0% | 2 | 0.9% |
| No response | | 0.0% | 1 | 3.6% | 2 | 4.5% | | 0.0% | 1 | 1.0% | 4 | 1.7% |
| Total | 10 | 100% | 28 | 100% | 44 | 100% | 54 | 100% | 96 | 100% | 232 | 100% |

Once again, the responses to this question vary quite significantly across the different company sizes. While it would not be scientifically sound to assume any statistical representativeness, one can note that 32.1% of micro-enterprises (excluding self-employed) see some or large increase while this rate is 68.8% in the case of larger enterprises with 250 staff or more. With regard to the 10 self-employed persons to whom this question has been addressed, it may be noted that 6 out of those ten saw an increase.

3.3.2.7 Innovation in the construction products sector

| | | |
|--------------------------------|------------|-------------|
| Large decrease | 30 | 4.7% |
| Some decrease | 70 | 10.9% |
| No effect | 244 | 38.1% |
| Some increase | 181 | 28.2% |
| Large increase | 46 | 7.2% |
| I don't know or not applicable | 51 | 8.0% |
| No answer | 19 | 3.0% |
| TOTAL | 641 | 100% |



N=641

As far as innovation in the construction centre is concerned, nearly half of respondents (49%) see either no effect, does not know or chooses not to answer the question. Roughly one third (35.4%) sees a positive effect, while one sixth (15.6%) sees a negative effect.

Only looking at companies and segmenting them by company size, the situation looks as follows:

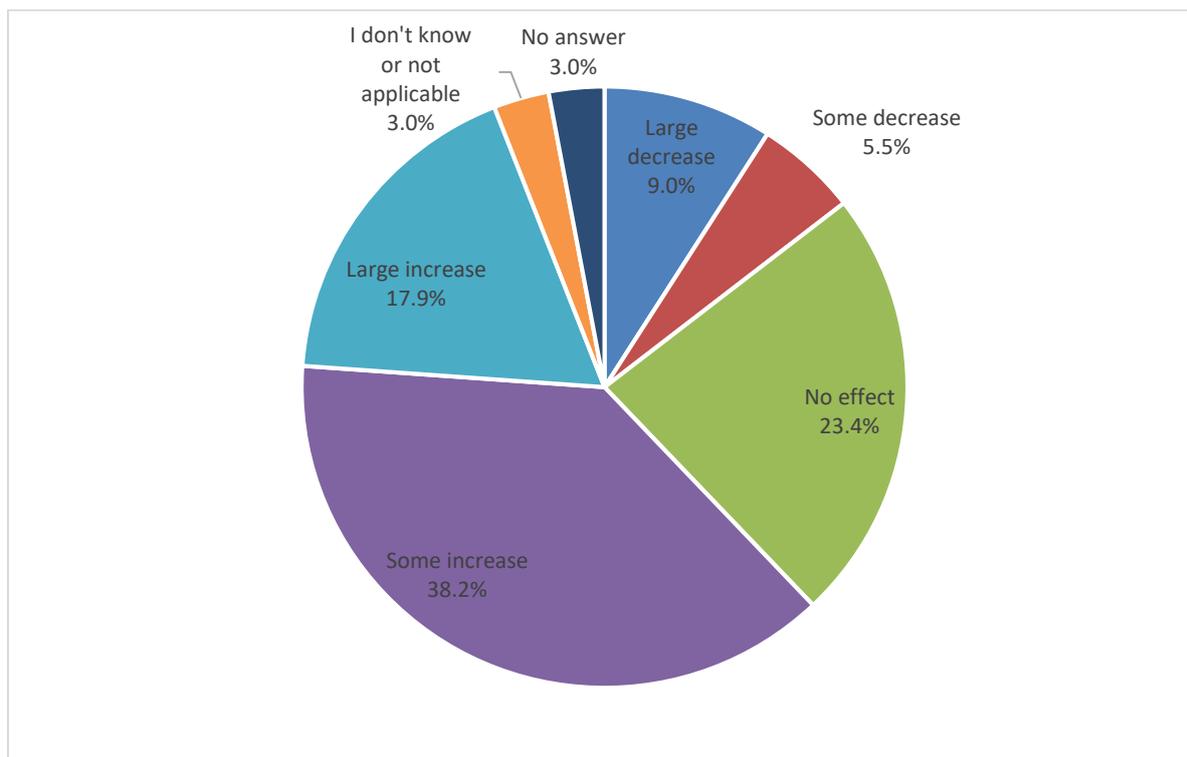
| | Self-employed | | < 10 employees | | 10 - 49 employees | | 50 - 249 employees | | ≥ 250 employees | | Total | |
|----------------|---------------|-------|----------------|-------|-------------------|-------|--------------------|-------|-----------------|-------|-------|-------|
| Large decrease | 1 | 10.0% | 3 | 10.7% | 1 | 2.3% | 3 | 5.6% | 5 | 5.2% | 13 | 5.6% |
| Some decrease | 1 | 10.0% | 1 | 3.6% | 6 | 13.6% | 7 | 13.0% | 14 | 14.6% | 29 | 12.5% |
| No effect | 3 | 30.0% | 13 | 46.4% | 18 | 40.9% | 25 | 46.3% | 32 | 33.3% | 91 | 39.2% |
| Some increase | 1 | 10.0% | 8 | 28.6% | 11 | 25.0% | 14 | 25.9% | 30 | 31.3% | 64 | 27.6% |

| | | | | | | | | | | | | |
|--------------------------------|-----------|-------------|-----------|-------------|-----------|-------------|-----------|-------------|-----------|-------------|------------|-------------|
| Large increase | 3 | 30.0% | 2 | 7.1% | 6 | 13.6% | 1 | 1.9% | 6 | 6.3% | 18 | 7.8% |
| I don't know or not applicable | 1 | 10.0% | | 0.0% | 1 | 2.3% | 4 | 7.4% | 8 | 8.3% | 14 | 6.0% |
| No response | | 0.0% | 1 | 3.6% | 1 | 2.3% | | 0.0% | 1 | 1.0% | 3 | 1.3% |
| Total | 10 | 100% | 28 | 100% | 44 | 100% | 54 | 100% | 96 | 100% | 232 | 100% |

Here the views of the companies are rather consistent. Across all company sizes, the combined rate of companies that see either no effect, does not know how to answer or decides not to answer makes up between 40% and 50% (with a slightly higher rate of 53.7%) in the case of medium-size enterprises. Looking only at those companies that do identify an effect, there is a clear majority seeing a positive effect across all company sizes.

3.3.2.8 Product safety

| | | |
|--------------------------------|------------|-------------|
| Large decrease | 58 | 9.0% |
| Some decrease | 35 | 5.5% |
| No effect | 150 | 23.4% |
| Some increase | 245 | 38.2% |
| Large increase | 115 | 17.9% |
| I don't know or not applicable | 19 | 3.0% |
| No answer | 19 | 3.0% |
| TOTAL | 641 | 100% |



N=641

With regard to product safety, more than half (56.2%) see a positive effect, as opposed to 14.5% who see a negative effect.

Only looking at companies and segmenting them by company size, the situation looks as follows:

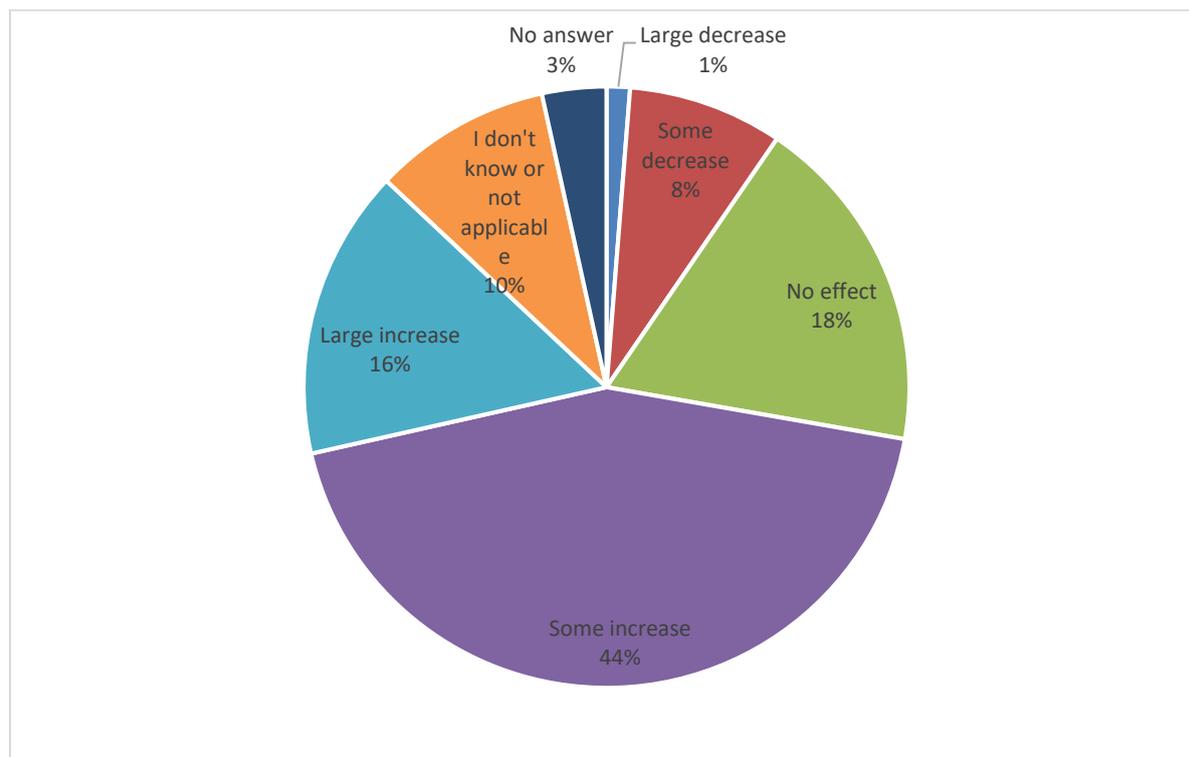
| | Self-employed | | < 10 employees | | 10 - 49 employees | | 50 - 249 employees | | ≥ 250 employees | | Total | |
|----------------|---------------|-------|----------------|-------|-------------------|-------|--------------------|-------|-----------------|-------|-----------|--------------|
| Large decrease | 2 | 20.0% | 9 | 32.1% | 7 | 15.9% | 8 | 14.8% | 3 | 3.1% | 29 | 12.5% |
| Some decrease | | 0.0% | 2 | 7.1% | 2 | 4.5% | | 0.0% | 4 | 4.2% | 8 | 3.4% |
| No effect | 3 | 30.0% | 7 | 25.0% | 8 | 18.2% | 13 | 24.1% | 31 | 32.3% | 62 | 26.7% |
| Some increase | 2 | 20.0% | 2 | 7.1% | 15 | 34.1% | 23 | 42.6% | 40 | 41.7% | 82 | 35.3% |
| Large increase | 2 | 20.0% | 6 | 21.4% | 11 | 25.0% | 9 | 16.7% | 15 | 15.6% | 43 | 18.5% |

| | | | | | | | | | | | | |
|--------------------------------|-----------|-------------|-----------|-------------|-----------|-------------|-----------|-------------|-----------|-------------|------------|-------------|
| I don't know or not applicable | 1 | 10.0% | 1 | 3.6% | | 0.0% | 1 | 1.9% | 2 | 2.1% | 5 | 2.2% |
| No response | | 0.0% | 1 | 3.6% | 1 | 2.3% | | 0.0% | 1 | 1.0% | 3 | 1.3% |
| Total | 10 | 100% | 28 | 100% | 44 | 100% | 54 | 100% | 96 | 100% | 232 | 100% |

The answers vary quite significantly depending on company size. While only 28.6% of micro-enterprises see a positive effect (and 39.3% a negative one), almost 60% of medium-size and of larger companies identify a positive effect (and only 14.8% and 7.3%, respectively, a negative effect).

3.3.2.9 Overall cost of production

| | | |
|--------------------------------|------------|-------------|
| Large decrease | 8 | 1.2% |
| Some decrease | 53 | 8.3% |
| No effect | 117 | 18.3% |
| Some increase | 280 | 43.7% |
| Large increase | 100 | 15.6% |
| I don't know or not applicable | 61 | 9.5% |
| No answer | 22 | 3.4% |
| TOTAL | 641 | 100% |



N=641

In terms of the effect on the overall cost of production, 59.3% of respondents see “some increase” or a “large” increase, which must be understood as a negative statement in this case.

Only looking at companies and segmenting them by company size, the situation looks as follows:

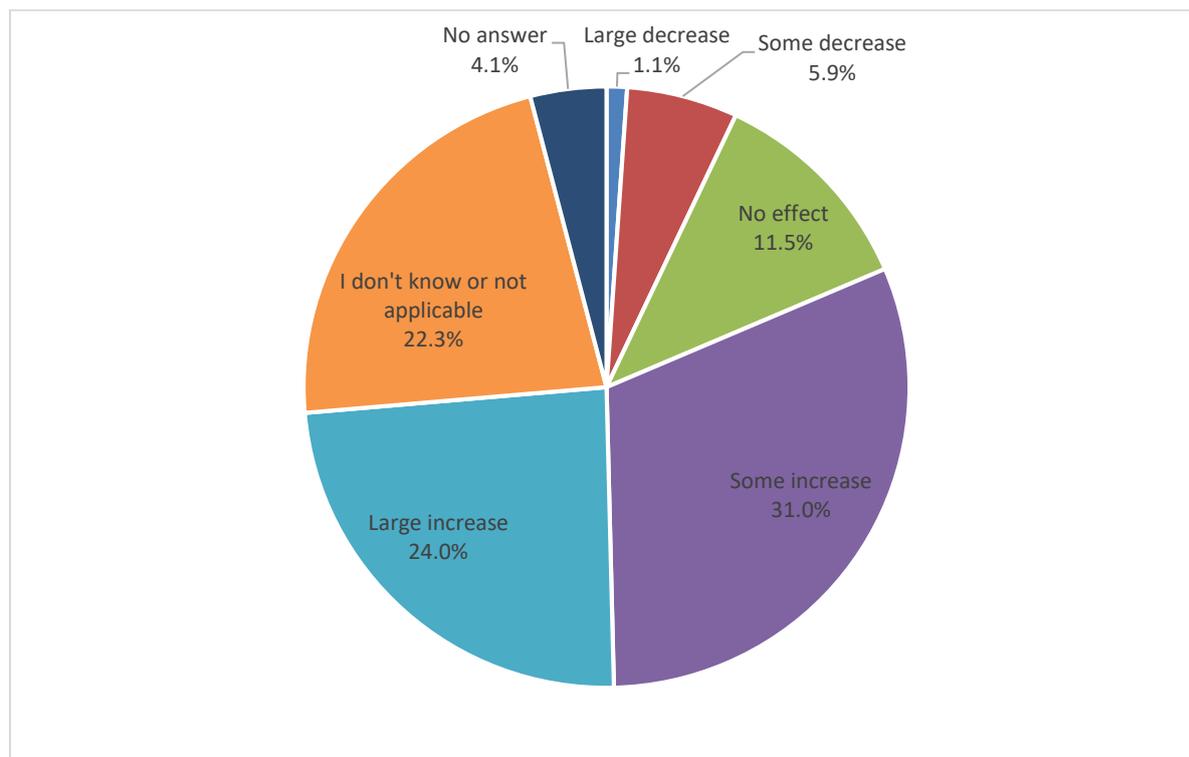
| | Self-employed | < 10 employees | 10 - 49 employees | 50 - 249 employees | ≥ 250 employees | Total |
|----------------|---------------|----------------|-------------------|--------------------|-----------------|-----------------|
| Large decrease | 0.0% | 1 3.6% | 0.0% | 2 3.7% | 0.0% | 3 1.3% |
| Some decrease | 2 20.0% | 1 3.6% | 5 11.4% | 4 7.4% | 12 12.5% | 24 10.3% |
| No effect | 2 20.0% | 1 3.6% | 7 15.9% | 9 16.7% | 18 18.8% | 37 15.9% |
| Some increase | 4 40.0% | 5 17.9% | 19 43.2% | 26 48.1% | 44 45.8% | 98 42.2% |
| Large increase | 2 20.0% | 15 53.6% | 11 25.0% | 10 18.5% | 13 13.5% | 51 22.0% |

| | | | | | | | | | | | | |
|--------------------------------|-----------|-------------|-----------|-------------|-----------|-------------|-----------|-------------|-----------|-------------|------------|-------------|
| I don't know or not applicable | | 0.0% | 3 | 10.7% | 1 | 2.3% | 3 | 5.6% | 7 | 7.3% | 14 | 6.0% |
| No response | | 0.0% | 2 | 7.1% | 1 | 2.3% | | 0.0% | 2 | 2.1% | 5 | 2.2% |
| Total | 10 | 100% | 28 | 100% | 44 | 100% | 54 | 100% | 96 | 100% | 232 | 100% |

The picture is fairly consistent across all company sizes. The view that production costs have increased is shared by roughly two thirds of companies across all segments.

3.3.2.10 Administrative costs to apply SME and simplification provisions

| | | |
|--------------------------------|------------|-------------|
| Large decrease | 7 | 1.1% |
| Some decrease | 38 | 5.9% |
| No effect | 74 | 11.5% |
| Some increase | 199 | 31.0% |
| Large increase | 154 | 24.0% |
| I don't know or not applicable | 143 | 22.3% |
| No answer | 26 | 4.1% |
| TOTAL | 641 | 100% |



N=641

55.1% sees an increase in administrative costs for applying the SME and simplification provisions, which is obviously quite counterintuitive. Quite notable in this respect is also the fact that more than a quarter of respondents (26.4%) cannot or does not want to answer the question, implying that they are not familiar with the provisions in question.

Only looking at companies and segmenting them by company size, the situation looks as follows:

| | Self-employed | | < 10 employees | | 10 - 49 employees | | 50 - 249 employees | | ≥ 250 employees | | Total | |
|----------------|---------------|-------|----------------|-------|-------------------|-------|--------------------|-------|-----------------|-------|-------|-------|
| Large decrease | 1 | 10.0% | | 0.0% | | 0.0% | | 0.0% | | 0.0% | 1 | 0.4% |
| Some decrease | | 0.0% | 1 | 3.6% | 3 | 6.8% | 3 | 5.6% | 6 | 6.3% | 13 | 5.6% |
| No effect | 1 | 10.0% | 1 | 3.6% | 1 | 2.3% | 3 | 5.6% | 6 | 6.3% | 12 | 5.2% |
| Some increase | 4 | 40.0% | 5 | 17.9% | 20 | 45.5% | 19 | 35.2% | 27 | 28.1% | 75 | 32.3% |

| | | | | | | | | | | | | |
|--------------------------------|-----------|-------------|-----------|-------------|-----------|-------------|-----------|-------------|-----------|-------------|------------|--------------|
| Large increase | 4 | 40.0% | 16 | 57.1% | 14 | 31.8% | 18 | 33.3% | 18 | 18.8% | 70 | 30.2% |
| I don't know or not applicable | | 0.0% | 4 | 14.3% | 4 | 9.1% | 11 | 20.4% | 38 | 39.6% | 57 | 24.6% |
| No response | | 0.0% | 1 | 3.6% | 2 | 4.5% | | 0.0% | 1 | 1.0% | 4 | 1.7% |
| Total | 10 | 100% | 28 | 100% | 44 | 100% | 54 | 100% | 96 | 100% | 232 | 100% |

One can in fact disregard the segment of companies with 250 staff or more, as they are not addressed by the simplification provisions for SMEs. Among the remaining segments, there is an overwhelming majority (between 70% and 80%) across all company sizes stating that there is an increase in administrative costs for applying these provisions.

3.3.3. Synthesis of free text replies

As mentioned, participants also had the possibility to specify other impacts that they see. The most frequent positive impacts that have been mentioned are the following ones:

- Consistency of information, based on the common technical language
- Transparency on the market
- Positive impacts generated by the introduction of the ETA procedure

The most frequently mentioned negative impacts are the following ones:

- Additional and unnecessary administrative burden
- Slow and tedious standardisation process
- Confusion on the market, due to the fact that the CE mark means different things under different directives, and related to the fact that it is sometimes required and sometimes not
- Decrease on the quality of products (“the poorest quality can become the standard across the EU”)
- Decrease in terms of safety

Furthermore, the respondents had the possibility to elaborate on issues which are the most important or applicable to their specific case. This has resulted in the following comments, many of which repeat what has been said above. These comments can be grouped into the following issues:

ETA procedure:

Overall, a large number of respondents express their positive appreciation about the ETA procedure and the possibilities it offers for the marketing of innovative products. At the same time, a certain number stresses that there was a large degree of redundancy with regard to the information to be included in the DoP on the one hand and in the ETA on the other. A significant number of respondents suggest to introduce the possibility that the DoP just refers to the ETA. Also, the number of necessary translations should be reduced. A small number of respondents criticises that in their view, the ETA procedure allows big companies “to create their very own standard” and to use that as a competitive advantage over others.

Slowness of standardisation procedures, non-citation of standards

A significant number of respondents express frustration about the slowness of the harmonisation procedure and about the fact that the hENs are not (promptly) cited in the OJEU. In line with that, a very frequently made comment is that the positive impact of the CPR would be much higher if standards were more (quickly) cited.

Persistence of national requirements and marks

A significant number of respondents express frustration about the fact that in their view, the common market is still hindered by additional de facto requirements or marks in certain Member States, such as Germany and France. At the same time, many (other) participants state that such additional requirements or marks are absolutely necessary in order to ensure and reassure customers about fitness for purpose, quality and/or safety.

Misconception about the CE label

A significant number of stakeholders state that the CE label was not (yet) properly understood, as it is frequently misconceived as a quality label.

Importance of enforcement and much improved market surveillance

A significant number of participants state that both market surveillance and enforcement need to be much strengthened and improved.

Omission of fire safety requirements and of hygienic requirements

A certain number of organisations from the relevant sectors state that the CPR does currently not address fire safety requirements. The same comment is made by relevant organisation with regard to hygienic requirements concerning construction products in contact with drinking water which, accordingly, were still regulated at national level. These organisations state that harmonisation in this field could significantly reduce the financial burden on industry imposed by multiple national certification schemes.

Lack of clarity of the question itself

Another comment found several times is that it was not entirely clear whether the situation should be compared to that during or before the CPD.

3.4. Question 16: Efficiency - costs vs. benefits

3.4.1. Complete wording of the question

“Before the introduction of harmonised European standards for construction products, you were generally using national/regional systems.

Comparing the situations before and since the introduction of harmonised European standards, how would you consider that the benefits of the EU legislation on construction products (e.g. improved product information, improved product safety, increased cross-border trade, greater market opportunities, greater product choice, greater legal certainty) compare to the costs you bear (e.g. fees and charges, administrative costs, staff costs, materials costs, investment costs, hassle costs) when applying it?

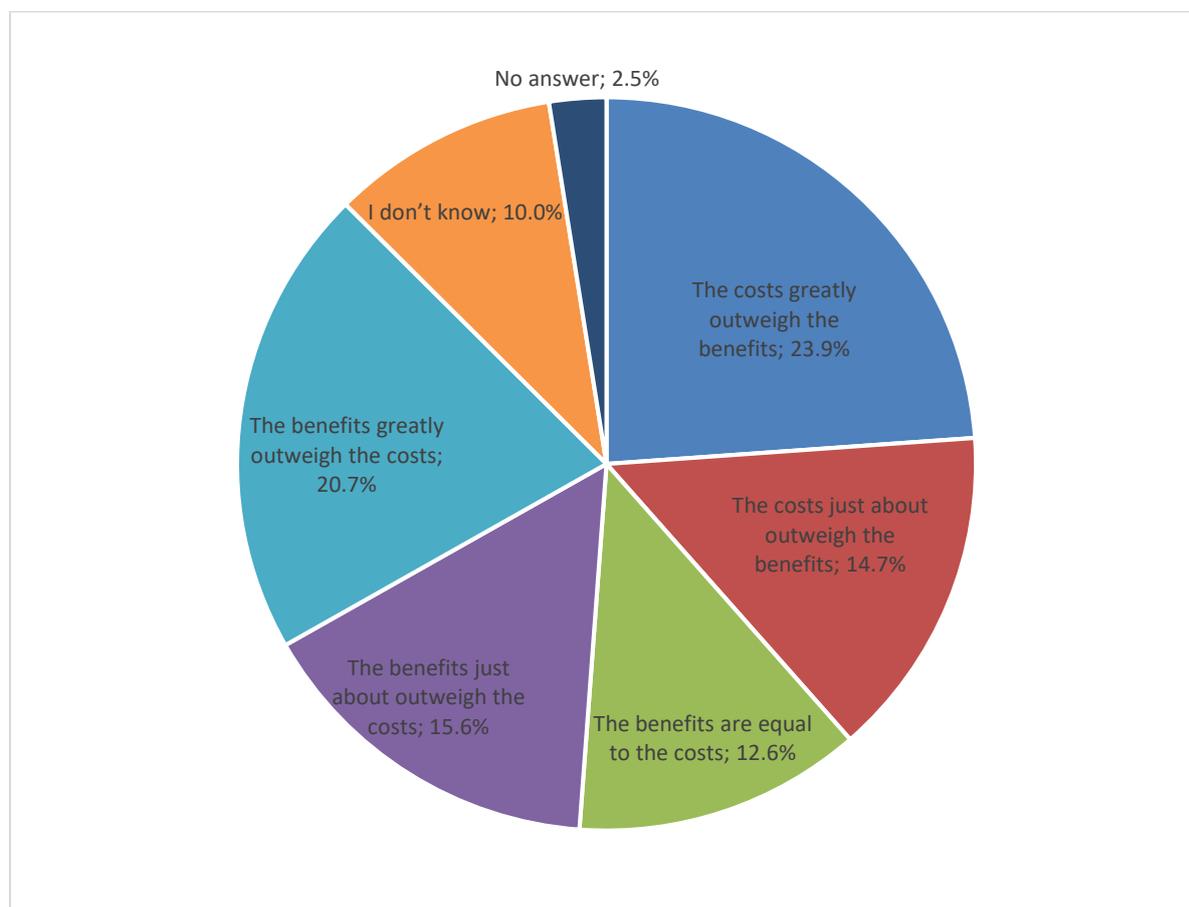
- *The costs greatly outweigh the benefits*
- *The costs just about outweigh the benefits*
- *The benefits are equal to the costs*
- *The benefits just about outweigh the costs*
- *The benefits greatly outweigh the costs*
- *I don't know”*

Additional explanations can be made at the end in free text format.

3.4.2. Quantitative analysis

The overall result of answers looks as follows:

| | | | |
|--|------------|-------------|-------------|
| The costs greatly outweigh the benefits | 153 | 23.9% | 38.6% |
| The costs just about outweigh the benefits | 94 | 14.7% | |
| The benefits are equal to the costs | 81 | 12.6% | 12.6% |
| The benefits just about outweigh the costs | 100 | 15.6% | 36.3% |
| The benefits greatly outweigh the costs | 133 | 20.7% | |
| I don't know | 64 | 10.0% | 12.5% |
| No answer | 16 | 2.5% | |
| Total | 641 | 100% | 100% |



N=641

Across the totality of respondents, it can be seen that 36.6% are of the opinion that the benefits outweigh the costs, while 38.6% of the respondents state that the costs outweigh the benefits.

If we only select companies and break down the results by size of enterprise, we see that the highest rate of sceptical respondents is to be found among the representatives of micro-enterprises (60.7%).

| | Self-employed | employees < 10 | employees 10 - 49 | employees 50 - 249 | employees ≥ 250 | Total |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|---------------------------|
| The costs greatly outweigh the benefits | 4 40.0% | 15 53.6% | 14 31.8% | 15 27.8% | 13 13.5% | 61 26.3% |
| The costs just about outweigh the benefits | 1 10.0% | 2 7.1% | 6 13.6% | 10 18.5% | 23 24.0% | 42 18.1% |
| The benefits are equal to the costs | 1 10.0% | 3 10.7% | 9 20.5% | 8 14.8% | 14 14.6% | 35 15.1% |
| The benefits just about outweigh the costs | 1 10.0% | 2 7.1% | 4 9.1% | 9 16.7% | 13 13.5% | 29 12.5% |
| The benefits greatly outweigh the costs | 3 30.0% | 2 7.1% | 5 11.4% | 10 18.5% | 26 27.1% | 46 19.8% |
| I don't know | 0 0.0% | 4 14.3% | 4 9.1% | 2 3.7% | 7 7.3% | 17 7.3% |
| No answer | 0 0.0% | 0 0.0% | 2 4.5% | 0 0.0% | 0 0.0% | 2 0.9% |
| Total | 10 100% | 28 100% | 44 100% | 54 100% | 96 100% | 232 100% |

3.4.3. Synthesis of free text replies

The free text comments further explain the mixed results of the closed question. A significant amount of participants state that the benefits do not outweigh the costs and that they do not see advantages of the CPR. As can be expected, these critical statements come in particular from locally oriented SMEs. At the same time, a very large number of participants clearly states that

a repeal of the CPR should be avoided by any means, as this would drastically increase the administrative costs as compared to now. One respondent has provided the following analysis: “Due to big one-time investment in securing compliance with CPR the picture right now will be that costs outweigh the benefits. It is expected though that the benefits will greatly outweigh the costs in the long run, but to get there it is very important that no changes are made to the wording of CPR. If changes are introduced the costs the industry has had so far will never transfer into benefits.”

One observation (also when looking at the responses to the subsequent questions) is that construction engineers consider the costs of the CPR as particularly high and often do not see any benefits at all. This point of view is explained by some comments who state that now, under the CPR, construction engineers have to ensure the fitness for purpose and safety in their planning, which accordingly was not the case before (at least not in the same way).

As a means to reduce costs, several participants reiterate the suggestion to allow for the DoP to just refer to the ETA (rather than “duplicating” it) and to limit the number of required translations. Also, it is suggested to include information as to whether the construction product can be used for a specific application in the different Member States.

3.5. Question 17: Efficiency – necessity of costs

3.5.1. Complete wording of the question

“In your view, could the benefits of EU legislation on construction products be achieved at a lower cost?”

- Yes
- No
- I don't know”

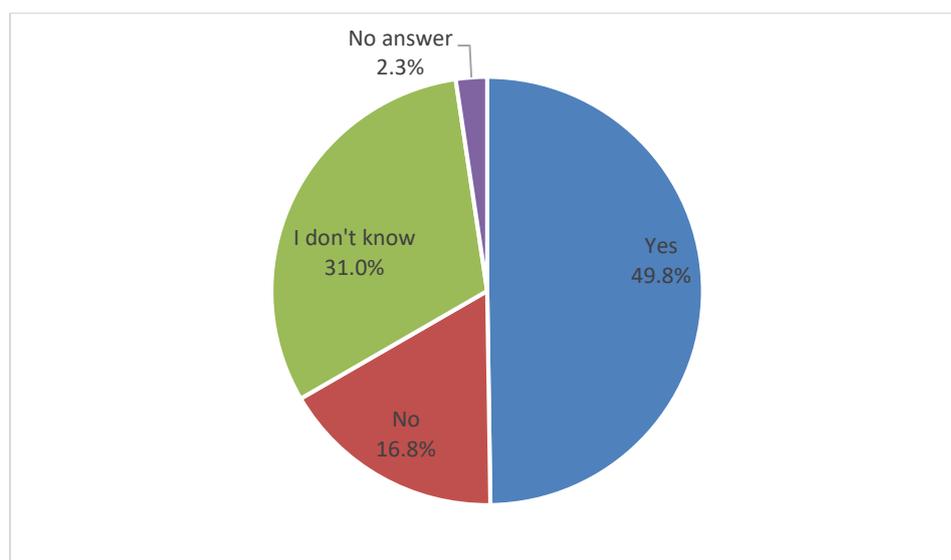
Additional explanations can be provided at the end in free text format.

3.5.2. Quantitative analysis

The overall result of answers looks is as follows:

| | | |
|-----|-----|-------|
| Yes | 319 | 49.8% |
| No | 108 | 16.8% |

| | | |
|--------------|------------|-------------|
| I don't know | 199 | 31.0% |
| No answer | 15 | 2.3% |
| Total | 641 | 100% |



N=641

It is quite remarkable that only 16.8% of respondents sees the current legislation as the most efficient solution to achieve the results. Almost 50% of the respondents says clearly that this would have been possible at lower costs and 31% are unsure.

If we distinguish by type of organisation, we get to the following results:

| | Yes | | No | | I don't know | | No answer | | Total | |
|-------------------------|-----|-------|----|-------|--------------|-------|-----------|------|-------|------|
| Individual respondent | 35 | 37.2% | 15 | 16.0% | 41 | 43.6% | 3 | 3.2% | 94 | 100% |
| Business representative | 138 | 66.7% | 23 | 11.1% | 40 | 19.3% | 6 | 2.9% | 207 | 100% |
| Company or sole trader | 109 | 47.0% | 46 | 19.8% | 75 | 32.3% | 2 | 0.9% | 232 | 100% |
| Consumer organisation | | 0.0% | | 0.0% | 1 | 100% | | 0.0% | 1 | 100% |

| | | | | | | | | | | |
|--|------------|--------------|------------|--------------|------------|--------------|-----------|-------------|------------|-------------|
| Non-governmental organisation | 4 | 44.4% | 2 | 22.2% | 3 | 33.3% | | 0.0% | 9 | 100% |
| Public authority or testing body | 11 | 39.3% | 4 | 14.3% | 12 | 42.9% | 1 | 3.6% | 28 | 100% |
| Representative of construction workers | | 0.0% | 2 | 50.0% | 2 | 50.0% | | 0.0% | 4 | 100% |
| Research/academia | 5 | 55.6% | 2 | 22.2% | 2 | 22.2% | | 0.0% | 9 | 100% |
| Technical body | 15 | 34.9% | 11 | 25.6% | 16 | 37.2% | 1 | 2.3% | 43 | 100% |
| Other | 2 | 14.3% | 3 | 21.4% | 7 | 50.0% | 2 | 14.3% | 14 | 100% |
| Total | 319 | 49.8% | 108 | 16.8% | 199 | 31.0% | 15 | 2.3% | 641 | 100% |

With 66.7%, the group of business representatives show the highest rate of respondents that say that the same results could have been achieved at lower costs, and only 11% of that group sees the current solution as the most efficient one.

3.5.3. Synthesis of free text replies

The free text replies focus mainly on suggestions to reduce the costs for the market participants. These include the following:

- Improved and more consistent implementation and enforcement
- Clarification of wording of unclear or ambiguous passages of the CPR
- Reduction of redundancy between the information included in the DoP and that included in the CE marking
- Swift citation of new hENs in the OJEU
- Lowering of testing costs, harmonisation of testing methods
- Focussing the information to be provided in the DoP/ CE mark on indication that are actually required by the market (fitness for use).

We find that the following comment provides a good summary of the various types of feedback received: “Make CE-marking requirements for products more practical and to the level of a common-sense trust in the overall decent quality and performance of European construction products. CPR should primarily serve manufacturers and the construction sector actors, not the business interests of testing and assessment bodies. Make all formal steps such as publications in the OJEU swift. Ensure regulatory clarity when revising of harmonized standards to comply with revised Mandates is going on (the interim period may be substantial).”

Furthermore, there are suggestions for two types of databases to be set up: One that would include information about minimum requirements in the different Member States and another one where all DoPs can be stored and archived.

3.6. Questions 18a-i: Relevance

3.6.1. Complete wording of the question

“Please tell us whether in your view the CPR addresses each of the following potential issues regarding construction products sufficiently or not?”

- a) Extent and usefulness of information available to users of construction products (professional users and consumers)*
- b) Extent of choice available for consumers in construction products*
- c) Legal certainty in the market for construction products*
- d) Extent of cross-border trade between EU Member States*
- e) Level of administrative costs for market operators to comply with the EU legislation on construction products*
- f) Safety of construction products*
- g) Environmental impact of construction products*
- h) Energy efficiency of construction products*
- i) Innovation in general, in particular information and information processing technologies (including BIM Building information modelling) use in the construction product sector”*

To each of these issues, the respondent has the choice between one of the following answers:

- *“This is not a significant issue”*
- *“This is a significant issue but it should not be addressed by EU legislation on construction products”*
- *“This is a significant issue and it should be addressed by EU legislation on construction products”*
- *“I don’t know”*

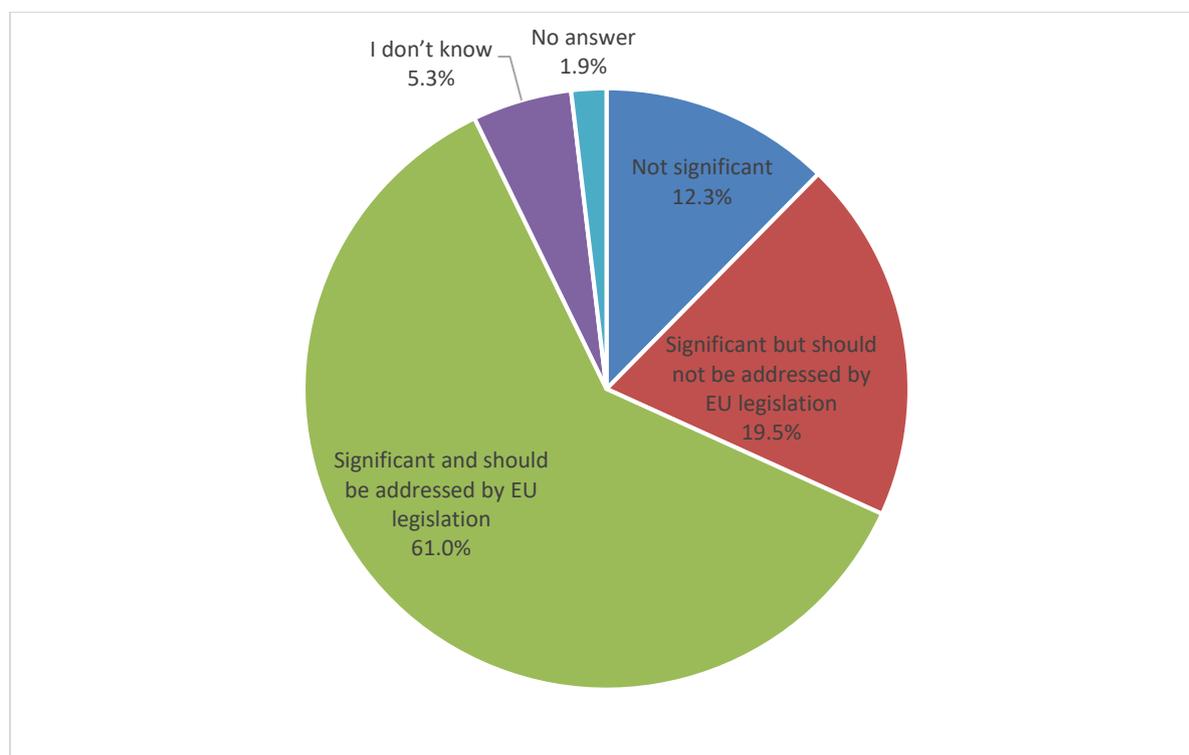
Free text comments are possible after each subquestion in case the respondent opts for the second or third answer (stating that it is a significant issue).

3.6.2. Analysis of individual issues

The detailed results per issue look as follows:

3.6.2.1 Extent and usefulness of information available to users of construction products (professional users and consumers)

| | | |
|---|-----|-------|
| Not significant | 79 | 12.3% |
| Significant but should not be addressed by EU legislation | 125 | 19.5% |
| Significant and should be addressed by EU legislation | 391 | 61.0% |
| I don't know | 34 | 5.3% |
| No answer | 12 | 1.9% |
| TOTAL | 641 | 100% |



N=641

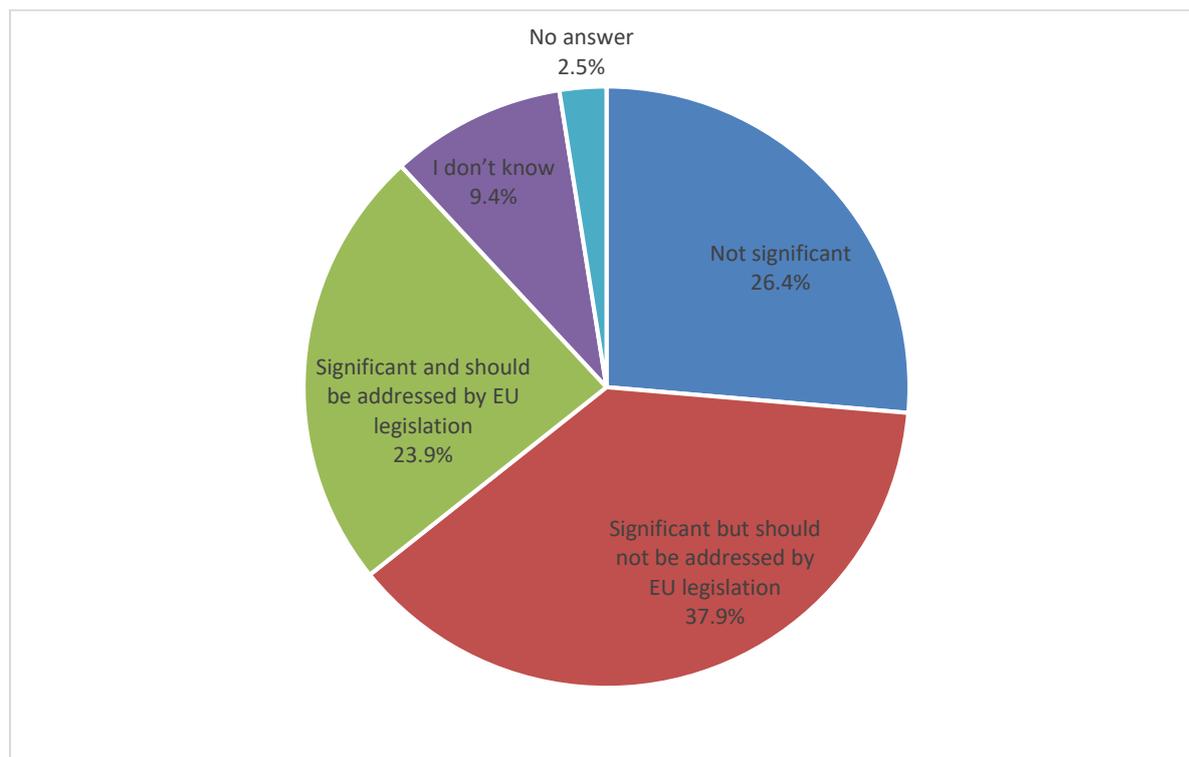
The above numbers show that an overwhelming majority (80.5%) confirm the significance of the issue including 61% who state that it should be addressed by EU legislation.

Synthesis of free text replies

A significant number of respondents state that, in order to make the CE and the DoP more relevant to users, producers should have the possibility to include additional (voluntary) characteristics. A good number also expresses the point of view that the value of the information is limited as long as it is not related to the basic work requirements. Therefore, additional information covering the performance of the products under real conditions would be necessary. Furthermore, many respondents suggest to make it obligatory to include information on whether the product satisfies, or not, work requirements in certain countries.

3.6.2.2 Extent of choice available for consumers in construction products

| | | |
|---|-----|-------|
| Not significant | 169 | 26.4% |
| Significant but should not be addressed by EU legislation | 243 | 37.9% |
| Significant and should be addressed by EU legislation | 153 | 23.9% |
| I don't know | 60 | 9.4% |
| No answer | 16 | 2.5% |
| TOTAL | 641 | 100% |



N=641

While 61.8% confirm the significance of the issue (with 26.4 % considering it is not), 23.9% state that it should be addressed by EU legislation against 37.9%.

Synthesis of free text replies:

The vast majority of comments state that they do not see any connection between the CPR and the available product choice. A significant number of them stress that the increase of product choice should be left to market forces. That idea that it might precisely be one of the objectives of the CPR to stimulate market forces is apparently not very present.

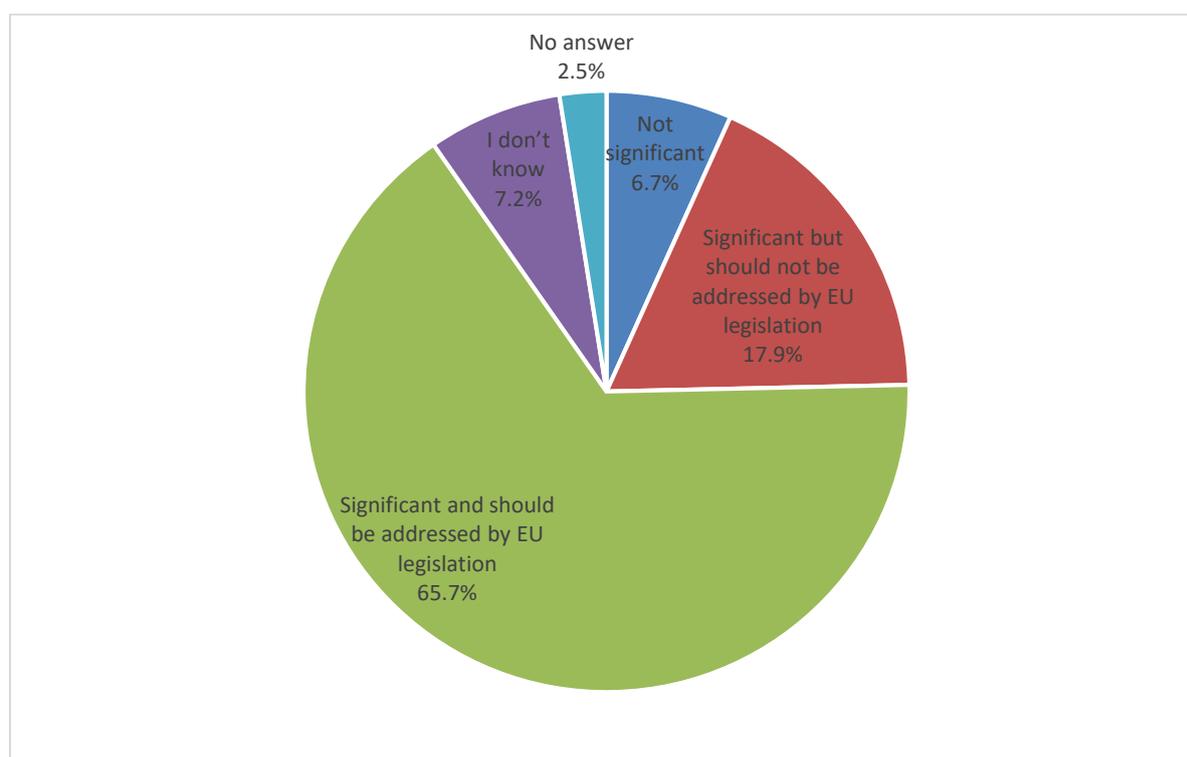
A number of comments make a semantical issue of the question itself. They understand the term “consumers” in the sense of “end-users” and argue that the choice is not made by the latter anyway.

Furthermore, a small number of respondents argue that due to the heavy administrative, assessment and testing requirements, the marketing of new and innovative products is hampered.

The number of respondents who see a direct link between the CPR and the product choice is rather small and comes in particular from smaller Member States. This is not surprising, as it is safe to assume that the smaller the respective market was before the CPR, the smaller was also the number of suppliers active on those markets.

3.6.2.3 Legal certainty in the market for construction products

| | | |
|---|-----|-------|
| Not significant | 43 | 6.7% |
| Significant but should not be addressed by EU legislation | 115 | 17.9% |
| Significant and should be addressed by EU legislation | 421 | 65.7% |
| I don't know | 46 | 7.2% |
| No answer | 16 | 2.5% |
| TOTAL | 641 | 100% |



N=641

An overwhelming majority of 83.6% confirms the significance of the issue and 65.7% confirm that it should be addressed by EU legislation.

Synthesis of free text replies:

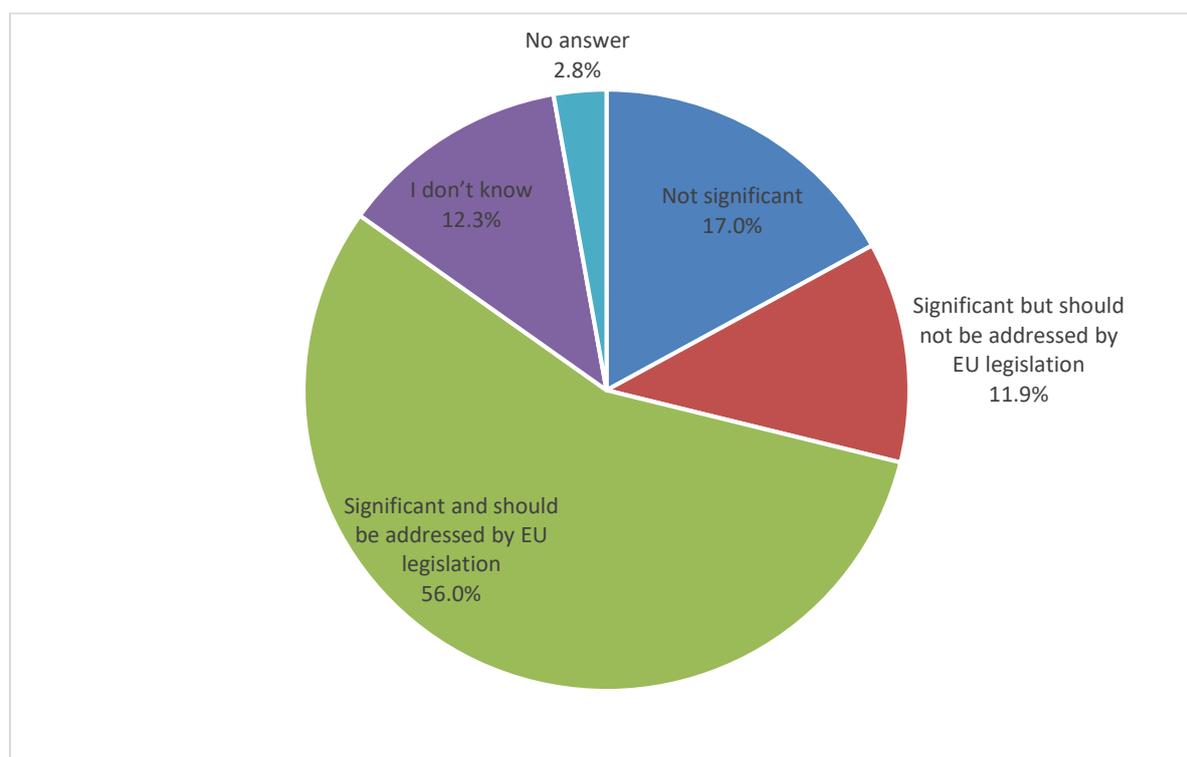
Overall, respondents overwhelmingly confirm the importance of the issue. Many point out that stronger enforcement, market surveillance and more uniform interpretation of rules across the different Member States is crucial. A number of participants stress that the fact that the CE marking does not mean compliance with all (national) building safety rules has created very significant legal uncertainty. Furthermore, several respondents point to the fact that the real meaning of the CE marking is still not clear to many and that efforts should be made in order to clarify that the CE marking is not a quality mark. Otherwise, the confusion created by the misunderstanding/ misinterpretation of the CE marking creates significant legal uncertainty. One very frequent comment (which was provided with identical wording by many respondents) is the following: “Legal certainty shall be improved by a CPR revision, e. g. regarding the availability of Notified Bodies as soon as an EAD is published (specially for a new EAD created acc. to the procedure of CPR Annex II). For ETAs issued containing a severe mistake there should be an obligation to withdraw it.”

Many respondents stress that not only legal certainty, but also transparency is needed; leaving however somewhat unclear what exactly is meant by “transparency”. A somewhat more concrete comment is the following: “The complexity of the regulations by means of the Construction Products Regulation alone creates legal uncertainties on the market, in particular due to a large number of harmonized European standards that are not published in the OJEU. In addition, for our customers, it becomes particularly opaque for products that fall under several European regulations / directives (for example, electric windows and doors).”

3.6.2.4 Extent of cross-border trade between EU Member States

| | | |
|---|-----|-------|
| Not significant | 109 | 17.0% |
| Significant but should not be addressed by EU legislation | 76 | 11.9% |
| Significant and should be addressed by EU legislation | 359 | 56.0% |
| I don't know | 79 | 12.3% |

| | | |
|-----------|-----|------|
| No answer | 18 | 2.8% |
| TOTAL | 641 | 100% |



N=641

Again, a strong majority of more than two thirds (67.9%) confirms the significance of the issue and 56% consider that it should be addressed by EU legislation.

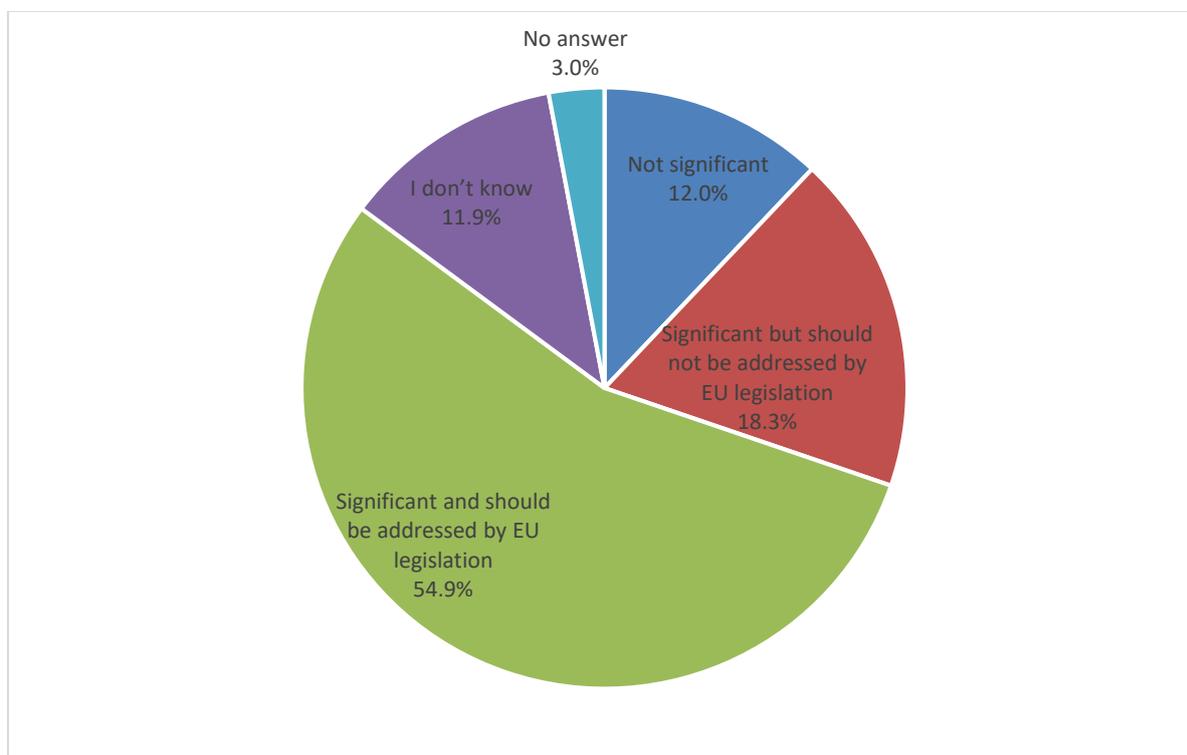
Synthesis of free text replies:

A significant number of the respondents refer to the additional requirements at national level. Some of the respondents state that these hamper the cross-border trade, while others emphasise the point of view that these are important and justified.

Several respondents point out that the extent to which products are traded cross-border depends a lot on the product family. For concrete products, for example, the amount of cross-border trade is almost negligible. The more specialised and “high-tech” a product is, however, the more significant cross-border trade becomes.

3.6.2.5 Level of administrative costs for market operators to comply with the EU legislation on construction products

| | | |
|---|-----|-------|
| Not significant | 77 | 12.0% |
| Significant but should not be addressed by EU legislation | 117 | 18.3% |
| Significant and should be addressed by EU legislation | 352 | 54.9% |
| I don't know | 76 | 11.9% |
| No answer | 19 | 3.0% |
| TOTAL | 641 | 100% |



N=641

Once more, a very clear majority of respondents (73.2%) confirm the significance of the issue and nearly 55% confirm that it should be addressed by EU legislation.

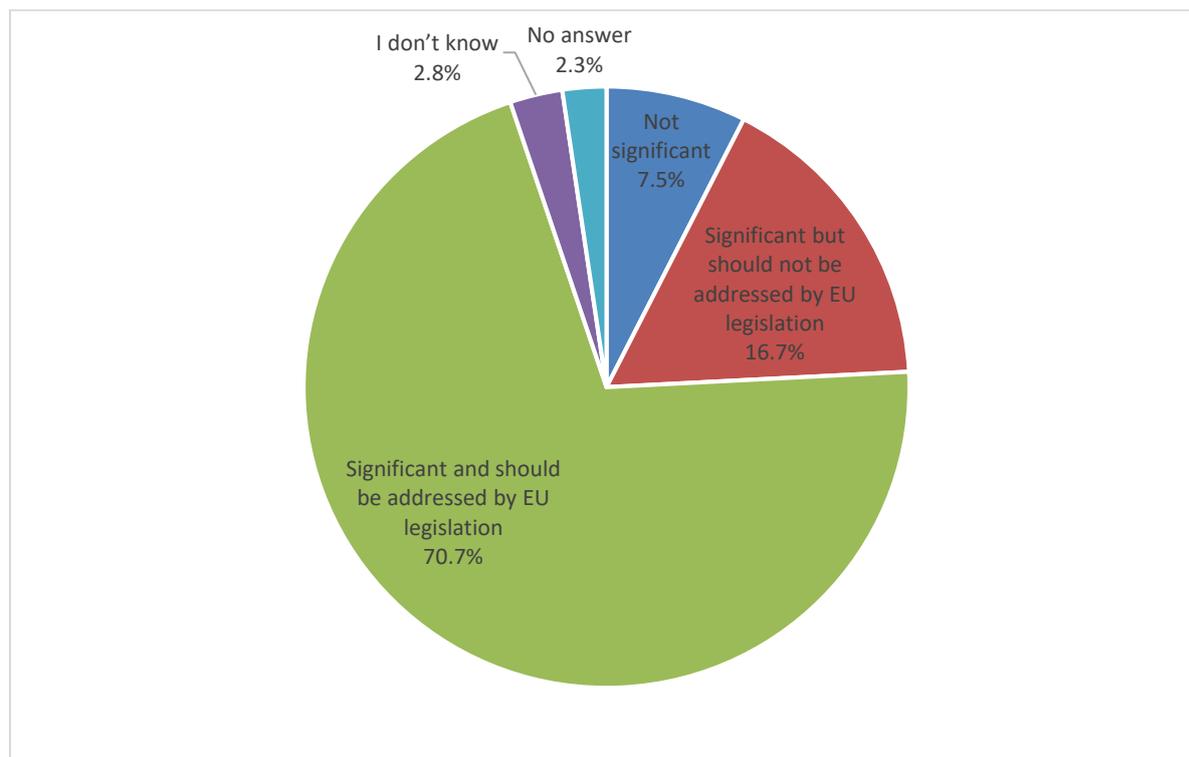
Synthesis of free text replies:

A significant number of respondents state that the administrative costs related to the compliance with current legislation are very high. While a certain number of them sees them as a reason for a more thorough revision of the CPR, a very clear majority is in favour of reducing complexity and increasing clarity within the current framework. Many also point out that a more thorough change of the CPR would cause even higher administrative costs.

A frequent comment is also that SMEs are disproportionately strongly “hit” by the administrative costs.

3.6.2.6 Safety of construction products

| | | |
|---|-----|-------|
| Not significant | 48 | 7.5% |
| Significant but should not be addressed by EU legislation | 107 | 16.7% |
| Significant and should be addressed by EU legislation | 453 | 70.7% |
| I don't know | 18 | 2.8% |
| No answer | 15 | 2.3% |
| TOTAL | 641 | 100% |



N=641

No other issue has seen such a strong confirmation with regard to its significance, which is confirmed by 87.4% of respondents. Also, 70.7% consider that it should be addressed by EU legislation, which is the highest rate among all issues related to “relevance”.

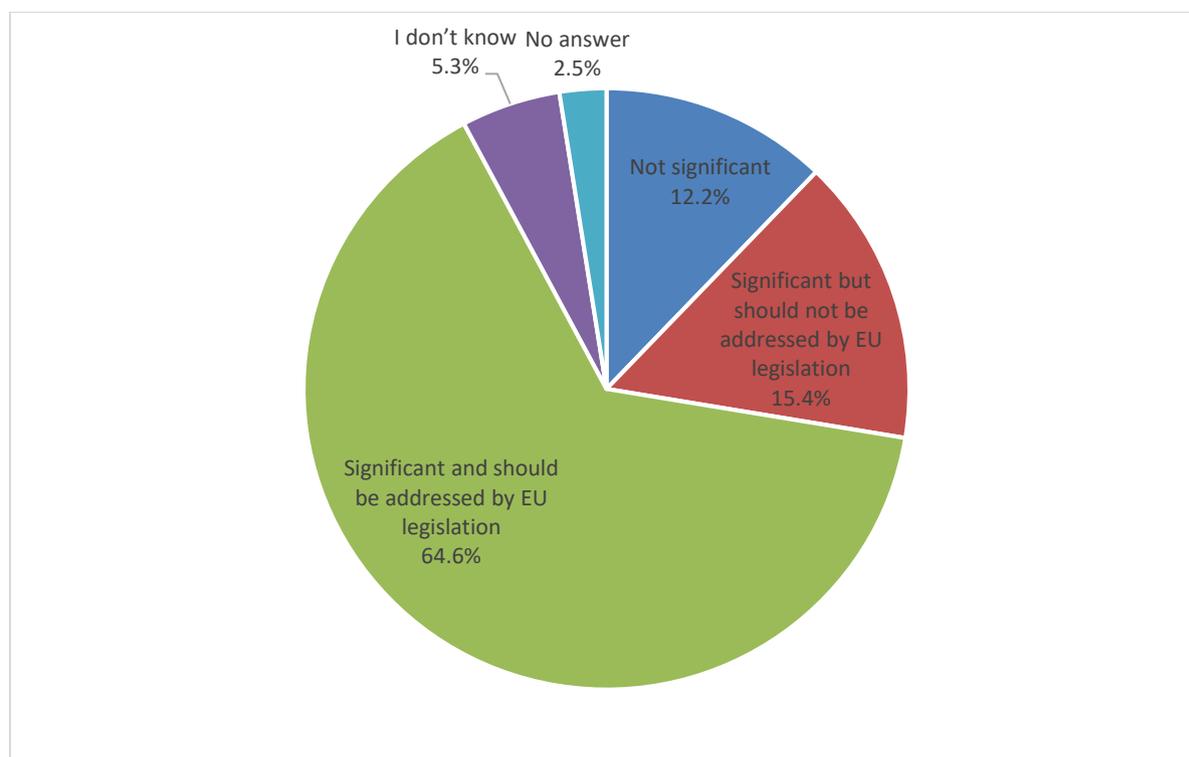
Synthesis of free text replies:

The answers provided to this question differ essentially between the following points of view:

- Safety of construction products should not be regulated at EU level;
- It should be regulated at EU level but it is currently done to a limited extent the case;
- It should be regulated at EU level and it is sufficiently addressed by the CPR, more specifically through the BRCWs;
- It should be regulated at EU level and it is addressed but could/ should be strengthened through stronger AVCP systems, threshold levels, classes, pass/fail indications in hENs etc.;
- It should be regulated at EU level and is addressed by other legislation, e.g. REACH, CLP, CM.

3.6.2.7 Environmental impact of construction products

| | | |
|---|-----|-------|
| Not significant | 78 | 12.2% |
| Significant but should not be addressed by EU legislation | 99 | 15.4% |
| Significant and should be addressed by EU legislation | 414 | 64.6% |
| I don't know | 34 | 5.3% |
| No answer | 16 | 2.5% |
| TOTAL | 641 | 100% |



N=641

Also the significance of the issue of environmental impact is overwhelmingly confirmed by 80% of the respondents. 64.6% consider that it should be addressed by EU legislation.

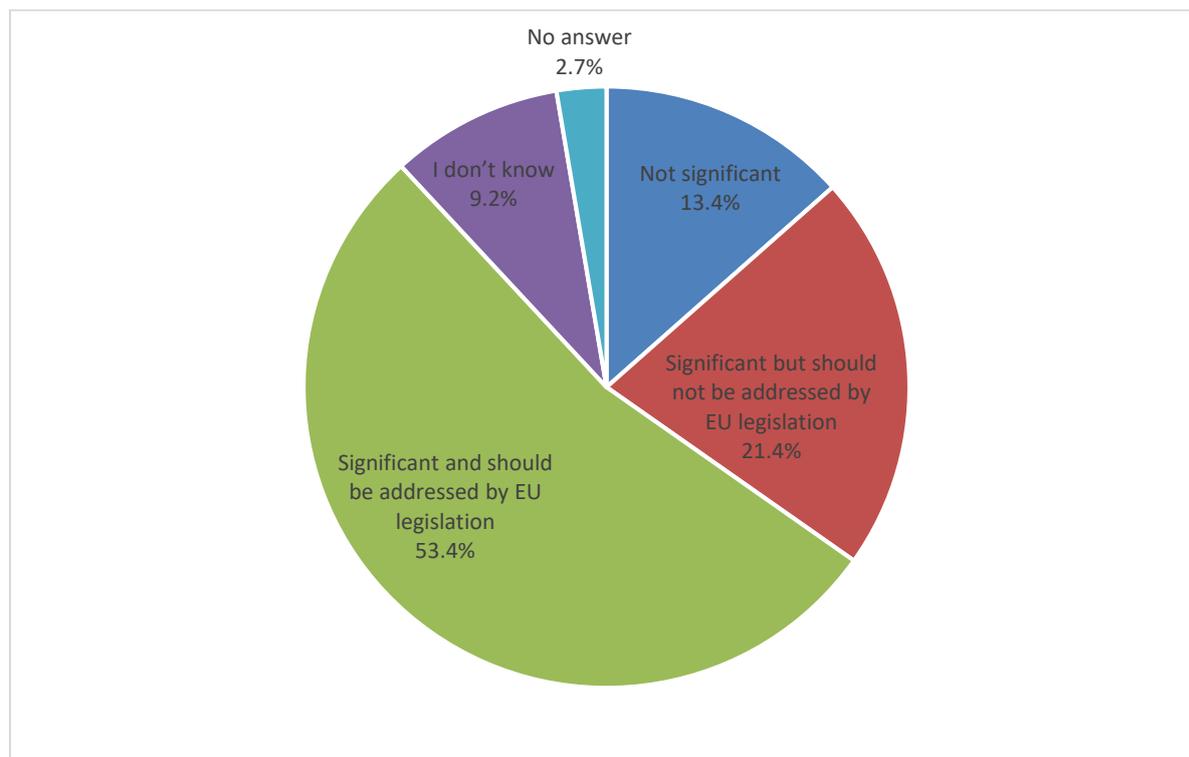
Synthesis of free text replies:

As for the previous subquestion, there are a number of different points of view represented:

- Environmental impact should not be regulated by the CPR but by other legislation (EU or national);
- It should be regulated at EU level but it is currently not the case;
- It should be regulated at EU level and it is sufficiently addressed by the CPR, more specifically through BRCWs 3 and 7;
- It should be regulated at EU level and is in theory addressed by BRCW 3 and 7, but there is a need to clarify the details of their implementation/ application;
- It should be regulated at EU level but could be strengthened through the introduction of classes and thresholds;
- It should be regulated at EU level but higher requirements by individual MS should be allowed.

3.6.2.8 Energy efficiency of construction products

| | | |
|---|-----|-------|
| Not significant | 86 | 13.4% |
| Significant but should not be addressed by EU legislation | 137 | 21.4% |
| Significant and should be addressed by EU legislation | 342 | 53.4% |
| I don't know | 59 | 9.2% |
| No answer | 17 | 2.7% |
| TOTAL | 641 | 100% |



N=641

74.7% of respondents confirm the significance of energy efficiency and 53.4% state that it should be addressed by EU legislation.

Synthesis of free text replies:

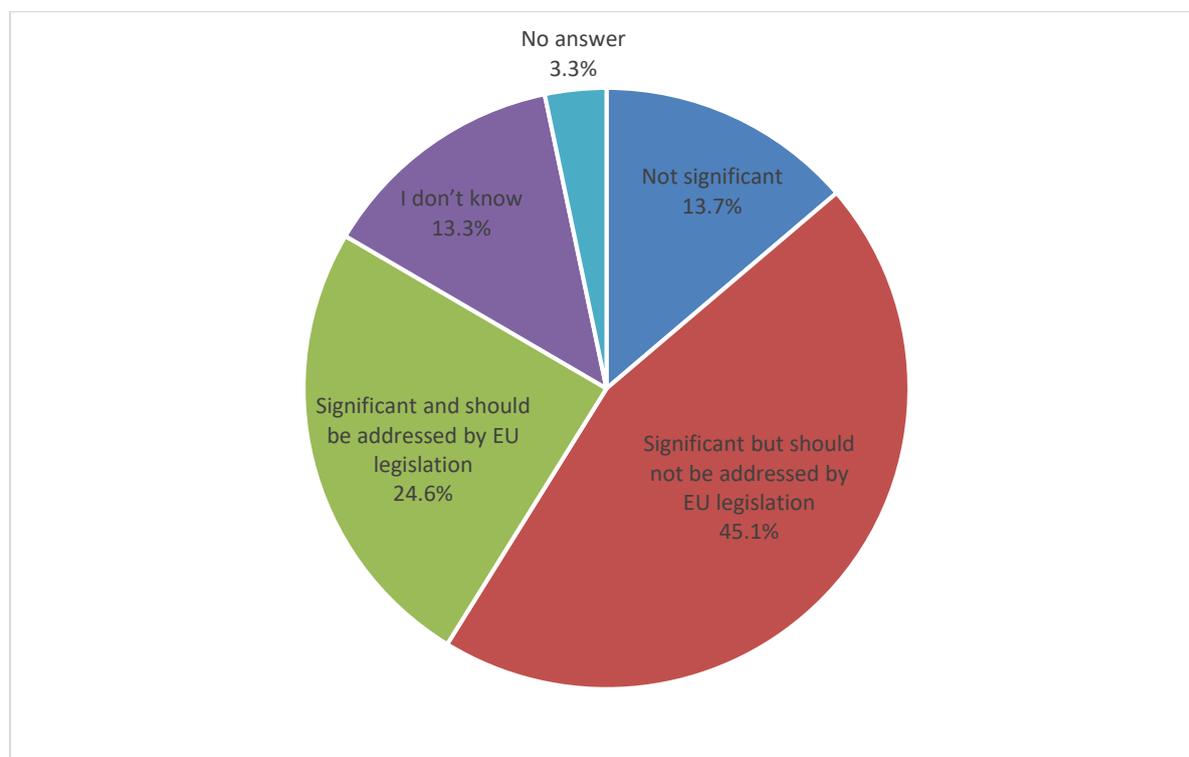
A large number of respondents point out that energy efficiency should be dealt with at building level, not at product level, and that hence, the CPR was not the appropriate tool to regulate this.

Apart from that, the range of opinions is relatively close to that of subquestions f and g:

- Environmental impact should not be regulated by the CPR but by other legislation (EU or national);
- It should be regulated at EU level but it is currently not the case;
- It should be regulated at EU level and it is sufficiently addressed by the current system through BRCW 6; the information in the DoP is deemed sufficient to compare the performance of relevant products;
- It should be regulated at EU level and is in theory addressed by BRCW 6, but there is a need to clarify the details of their implementation/ application;
- It should be regulated at EU level but could be strengthened through the introduction of classes and thresholds;
- It should be regulated at EU level but higher requirements by individual Member States should be allowed.

3.6.2.9 Innovation in general, in particular information and information processing technologies (including BIM Building information modelling) use in the construction product sector

| | | |
|---|-----|-------|
| Not significant | 88 | 13.7% |
| Significant but should not be addressed by EU legislation | 289 | 45.1% |
| Significant and should be addressed by EU legislation | 158 | 24.6% |
| I don't know | 85 | 13.3% |
| No answer | 21 | 3.3% |
| TOTAL | 641 | 100% |



N=641

While again a very clear majority of 69.7% of respondents confirm the significance of the issue of innovation, only 24.6% consider that it should be addressed by EU legislation.

Synthesis of free text replies:

A majority of respondents sees little or no relevance of the CPR to innovation and comments that innovation should be left to industry and not be regulated by law. A certain number of comments point out the importance of faster standardisation procedures and of a much swifter citation of the standards. Only a small minority of respondents state that BIM should be considered at the level of the CPR.

3.7. Question 19: External coherence – contradictions and overlaps

3.7.1. Complete wording of the question

“Do you see any contradictions or overlaps between the EU Construction Products Regulation and other legislation at EU or national level (for example, rules on public procurement, rules on product safety, rules on eco-design, rules on health and safety of workers)?

- Yes
- No
- I don't know”

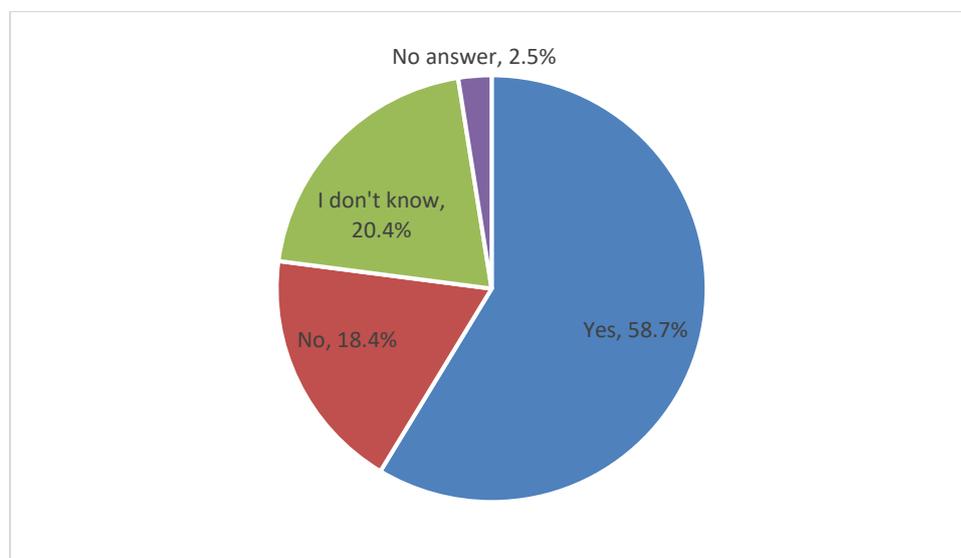
For the case that they answer with “yes”, respondents have the possibility to further explain their case in free text format.

3.7.2. Quantitative analysis

Overall, the distribution of answers to this question looks as follows:

| | | |
|--------------|-----|-------|
| Yes | 376 | 58.7% |
| No | 118 | 18.4% |
| I don't know | 131 | 20.4% |
| No answer | 16 | 2.5% |

| | | |
|--------------|------------|-------------|
| Total | 641 | 100% |
|--------------|------------|-------------|



N=641

Nearly 60% of the respondents state that they see an issue of coherence between the CPR and other legislations at EU or national level. 22.9% of respondents do not know or choose not to answer, which is rather high.

If we distinguish by type of organisation, we get to the following results:

| | Yes | | No | | I don't know | | No answer | | Total | |
|----------------------------------|-----|-------|----|-------|--------------|-------|-----------|-------|-------|------|
| Individual respondent | 44 | 46.8% | 16 | 17.0% | 31 | 33.0% | 3 | 3.2% | 94 | 100% |
| Business representative | 155 | 74.9% | 24 | 11.6% | 22 | 10.6% | 6 | 2.9% | 207 | 100% |
| Company or sole trader | 122 | 52.6% | 54 | 23.3% | 54 | 23.3% | 2 | 0.9% | 232 | 100% |
| Consumer organisation | | 0.0% | 1 | 100% | | 0.0% | | 0.0% | 1 | 100% |
| Non-governmental organisation | 5 | 55.6% | | 0.0% | 3 | 33.3% | 1 | 11.1% | 9 | 100% |
| Public authority or testing body | 14 | 50.0% | 7 | 25.0% | 5 | 17.9% | 2 | 7.1% | 28 | 100% |

| | | | | | | | | | | |
|-------------------------------------|------------|--------------|------------|--------------|------------|--------------|-----------|-------------|------------|-------------|
| Representative construction workers | of 1 | 25.0% | 2 | 50.0% | 1 | 25.0% | | 0.0% | 4 | 100% |
| Research/academia | 3 | 33.3% | 4 | 44.4% | 2 | 22.2% | | 0.0% | 9 | 100% |
| Technical body | 20 | 46.5% | 10 | 23.3% | 12 | 27.9% | 1 | 2.3% | 43 | 100% |
| Other | 12 | 85.7% | | 0.0% | 1 | 7.1% | 1 | 7.1% | 14 | 100% |
| Total | 376 | 58.7% | 118 | 18.4% | 131 | 20.4% | 16 | 2.5% | 641 | 100% |

With nearly 75%, organisations that represent businesses show the highest rate of respondents that see a conflict or coherence with other pieces of legislation (apart from those that have classified themselves as “other”, among which the rate is even 85.7%). Among companies themselves, the rate is significantly lower, with only 52.6%.

3.7.3. Synthesis of free text replies

In their comments, respondents provide quite a large number of examples of specific pieces of legislation which overlap or contradict the CPR. The by far most frequently mentioned example is that of contradiction with national legislation and here in particular additional requirements that are in place. Apart from that, other pieces of legislation that are mentioned multiple times are the following:

- Public procurement rules at national and/or local level as well as EU “green public procurement” rules;
- Eco-design Directive
- Drinking Water Directive;
- REACH;
- Waste Framework Directive;
- Marine Equipment Directive;
- Classification, Labelling and Packaging Regulation;
- Energy Performance of Buildings Directive;
- Product Liability Directive;
- Machine Directive.

3.8. Question 20: External coherence – synergies

3.8.1. Complete wording of the question

This question does not depend on any other question in the questionnaire. However, it is to be seen in complementarity to the previous question: while question 19 asks about incoherencies

with other legislation, question 20 asks about positive external coherence. The complete wording of the question is the following:

“Do you see any positive synergies between the EU Construction Products Regulation and other legislation at EU or national level (for example, rules on public procurement, rules on product safety, rules on eco-design, rules on health and safety of workers)??”

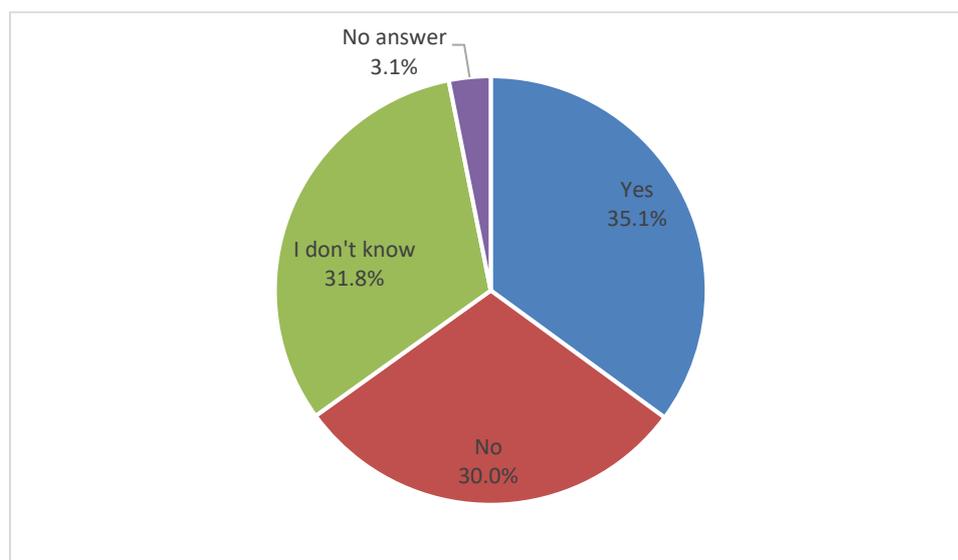
- Yes
- No
- I don't know”

For the case that they answer with “yes”, respondents have the possibility to further explain their case in free text format.

3.8.2. Quantitative analysis

Overall, the distribution of answers to this question looks as follows:

| | | |
|--------------|------------|-------------|
| Yes | 225 | 35.1% |
| No | 192 | 30.0% |
| I don't know | 204 | 31.8% |
| No answer | 20 | 3.1% |
| Total | 641 | 100% |



N=641

As shown in the graph, the field is split into three thirds between respondents who see positive synergies, respondents who do not see any and respondents who do not know.

If we distinguish by type of organisation, we get to the following results:

| | Yes | | No | | I don't know | | No answer | | Total | |
|--|-----|-------|----|-------|--------------|-------|-----------|------|-------|------|
| Individual respondent | 26 | 27.7% | 31 | 33.0% | 35 | 37.2% | 2 | 2.1% | 94 | 100% |
| Business representative | 92 | 44.4% | 59 | 28.5% | 48 | 23.2% | 8 | 3.9% | 207 | 100% |
| Company or sole trader | 69 | 29.7% | 79 | 34.1% | 79 | 34.1% | 5 | 2.2% | 232 | 100% |
| Consumer organisation | | 0.0% | | 0.0% | 1 | 100% | | 0.0% | 1 | 100% |
| Non-governmental organisation | 3 | 33.3% | 2 | 22.2% | 4 | 44.4% | | 0.0% | 9 | 100% |
| Public authority or testing body | 13 | 46.4% | 3 | 10.7% | 11 | 39.3% | 1 | 3.6% | 28 | 100% |
| Representative of construction workers | 1 | 25.0% | 3 | 75.0% | | 0.0% | | 0.0% | 4 | 100% |
| Research/academia | 2 | 22.2% | 4 | 44.4% | 3 | 33.3% | | 0.0% | 9 | 100% |

| | | | | | | | | | | |
|----------------|------------|--------------|------------|--------------|------------|--------------|-----------|-------------|------------|-------------|
| Technical body | 14 | 32.6% | 5 | 11.6% | 22 | 51.2% | 2 | 4.7% | 43 | 100% |
| Other | 5 | 35.7% | 6 | 42.9% | 1 | 7.1% | 2 | 14.3% | 14 | 100% |
| Total | 225 | 35.1% | 192 | 30.0% | 204 | 31.8% | 20 | 3.1% | 641 | 100% |

Interestingly, business representing organisations, who were the group with the highest share of respondents pointing out contradictions and overlaps with other pieces of legislation, are at the same time also among the groups with the highest share of respondents (44.4%) pointing out synergies with other pieces of legislation (together with public authorities and testing bodies, where the percentage is 46.6%). Individuals are among the group with the lowest share of respondents seeing such synergies (27.7%).

3.8.3. Synthesis of free text replies

In their free-text replies, respondents mention a number of existing or potential synergies with other pieces of legislation. A very frequently found comment is that “any essential characteristic under the CPR could be used to fit the requirements of any other legislation”. Specific examples that are given in this context are national building codes, the EPBD and the PLD. Apart from that, synergies are mentioned with regard to the Product Liability Directive, REACH and fire safety regulations. A significant number of respondents also point out that the CPR increases the usefulness of research results, as the same methods and definitions are used across the EU. A number of respondents state that “potential” synergies could be achieved with the Eco-design Directive and the Drinking Water Directive, if the respective legislations were further harmonised.

3.9. Question 21: EU added value

3.9.1. Complete wording of the question

“Do you think there is merit in legislating on construction products at EU level compared to doing it at national level (28 (27) national regimes)?

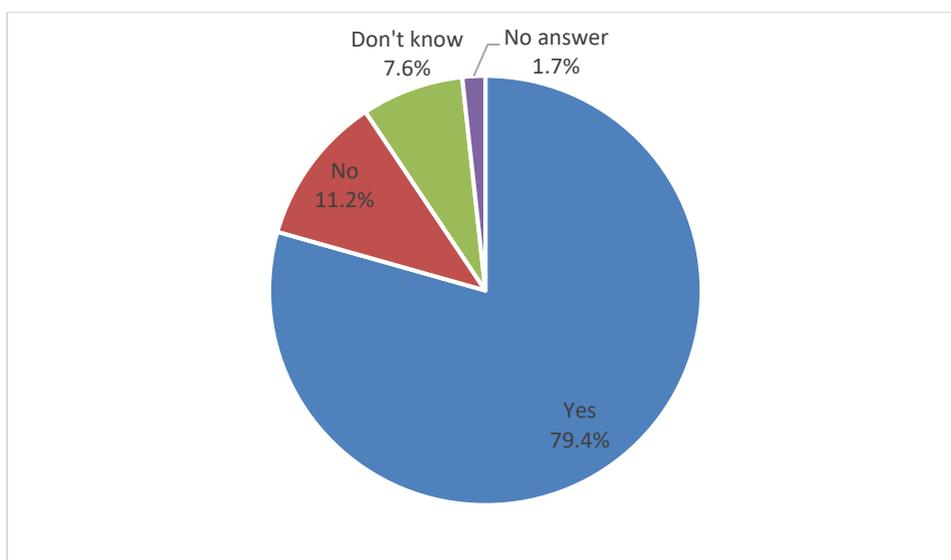
- Yes
- No
- *I don't know*”

For the case that they answer with “yes” or with “no”, respondents have the possibility to further explain their case in free text format.

3.9.2. Quantitative analysis

Overall, the distribution of answers to this question looks as follows:

| | | |
|--------------|------------|-------------|
| Yes | 509 | 79.4% |
| No | 72 | 11.2% |
| I don't know | 49 | 7.6% |
| No answer | 11 | 1.7% |
| Total | 641 | 100% |



N=641

With nearly 80%, the confirmation of the EU added value among participants is overwhelming.

If we distinguish by type of organisation, we get to the following results:

| | Yes | | No | | I don't know | | No answer | | Total | |
|-----------------------|-----|-------|----|-------|--------------|-------|-----------|------|-------|------|
| Individual respondent | 65 | 69.1% | 16 | 17.0% | 13 | 13.8% | | 0.0% | 94 | 100% |

| | | | | | | | | | | |
|--|------------|--------------|-----------|--------------|-----------|-------------|-----------|-------------|------------|-------------|
| Business representative | 171 | 82.6% | 22 | 10.6% | 7 | 3.4% | 7 | 3.4% | 207 | 100% |
| Company or sole trader | 181 | 78.0% | 26 | 11.2% | 23 | 9.9% | 2 | 0.9% | 232 | 100% |
| Consumer organisation | 1 | 100% | | 0.0% | | 0.0% | | 0.0% | 1 | 100% |
| Non-governmental organisation | 7 | 77.8% | 1 | 11.1% | 1 | 11.1% | | 0.0% | 9 | 100% |
| Public authority or testing body | 27 | 96.4% | | 0.0% | 1 | 3.6% | | 0.0% | 28 | 100% |
| Representative of construction workers | 3 | 75.0% | 1 | 25.0% | | 0.0% | | 0.0% | 4 | 100% |
| Research/academia | 8 | 88.9% | 1 | 11.1% | | 0.0% | | 0.0% | 9 | 100% |
| Technical body | 33 | 76.7% | 5 | 11.6% | 4 | 9.3% | 1 | 2.3% | 43 | 100% |
| Other | 13 | 92.9% | | 0.0% | | 0.0% | 1 | 7.1% | 14 | 100% |
| Total | 509 | 79.4% | 72 | 11.2% | 49 | 7.6% | 11 | 1.7% | 641 | 100% |

It can be seen that the confirmation of the EU added value is very clear across all types of organisations, ranging between 69.1% in the case of individuals up to 96.4% in the case of public authorities and testing bodies (we do not count consumer organisations here, as only one has participated).

A breakdown by country may also be of interest in this case:

| | Yes | | No | | I don't know | | No answer | | Total | |
|----------------|-----|-------|----|-------|--------------|-------|-----------|------|-------|------|
| Austria | 21 | 87.5% | 3 | 12.5% | | 0.0% | | 0.0% | 24 | 100% |
| Belgium | 68 | 90.7% | 4 | 5.3% | 1 | 1.3% | 2 | 2.7% | 75 | 100% |
| Bulgaria | 10 | 66.7% | 1 | 6.7% | 3 | 20.0% | 1 | 6.7% | 15 | 100% |
| Croatia | 4 | 100% | | 0.0% | | 0.0% | | 0.0% | 4 | 100% |
| Cyprus | 1 | 100% | | 0.0% | | 0.0% | | 0.0% | 1 | 100% |
| Czech Republic | 11 | 78.6% | 2 | 14.3% | 1 | 7.1% | | 0.0% | 14 | 100% |

| | | | | | | | | | | |
|-----------------|------------|--------------|-----------|--------------|-----------|-------------|-----------|-------------|------------|-------------|
| Denmark | 5 | 71.4% | 2 | 28.6% | | 0.0% | | 0.0% | 7 | 100% |
| Estonia | 2 | 100% | | 0.0% | | 0.0% | | 0.0% | 2 | 100% |
| Finland | 13 | 92.9% | 1 | 7.1% | | 0.0% | | 0.0% | 14 | 100% |
| France | 41 | 75.9% | 8 | 14.8% | 3 | 5.6% | 2 | 3.7% | 54 | 100% |
| Germany | 114 | 78.6% | 24 | 16.6% | 7 | 4.8% | | 0.0% | 145 | 100% |
| Greece | 2 | 50.0% | | 0.0% | 2 | 50.0% | | 0.0% | 4 | 100% |
| Hungary | 7 | 70.0% | 2 | 20.0% | 1 | 10.0% | | 0.0% | 10 | 100% |
| Ireland | 6 | 100% | | 0.0% | | 0.0% | | 0.0% | 6 | 100% |
| Italy | 42 | 85.7% | 4 | 8.2% | 3 | 6.1% | | 0.0% | 49 | 100% |
| Luxembourg | 2 | 100% | | 0.0% | | 0.0% | | 0.0% | 2 | 100% |
| Netherlands | 29 | 65.9% | 10 | 22.7% | 3 | 6.8% | 2 | 4.5% | 44 | 100% |
| Poland | 7 | 77.8% | 1 | 11.1% | | 0.0% | 1 | 11.1% | 9 | 100% |
| Portugal | 4 | 57.1% | 1 | 14.3% | 2 | 28.6% | | 0.0% | 7 | 100% |
| Romania | | 0.0% | | 0.0% | 1 | 100% | | 0.0% | 1 | 100% |
| Slovak Republic | 4 | 66.7% | | 0.0% | 2 | 33.3% | | 0.0% | 6 | 100% |
| Slovenia | 6 | 85.7% | | 0.0% | 1 | 14.3% | | 0.0% | 7 | 100% |
| Spain | 36 | 87.8% | | 0.0% | 5 | 12.2% | | 0.0% | 41 | 100% |
| Sweden | 15 | 78.9% | 1 | 5.3% | 3 | 15.8% | | 0.0% | 19 | 100% |
| United Kingdom | 41 | 80.4% | 6 | 11.8% | 2 | 3.9% | 2 | 3.9% | 51 | 100% |
| Other | 18 | 60.0% | 2 | 6.7% | 9 | 30.0% | 1 | 3.3% | 30 | 100% |
| Total | 509 | 79.4% | 72 | 11.2% | 49 | 7.6% | 11 | 1.7% | 641 | 100% |

Again, the confirmation of the EU added value is unambiguous across all countries. However, it should be noted that statistical representativeness it not given.

3.9.3. Synthesis of free text replies

In line with the quantitative analysis, a clear and overwhelming majority of respondents confirms the EU added value of a legislation at EU level. A significant number of them state that the alternative, i.e. a repeal of the CPR, would create an enormous amount of costs and administrative burden and/or even lead to “chaos”. Notwithstanding, a good number of respondents criticize the fact that many additional national (de facto) requirements persist and thus limit the freedom of trade. On the other hand, quite many also argue that these national regulations are necessary and justified and should therefore be allowed. A small number of respondents declares that the CPR, the CE marking etc. only benefit large companies.

4. Questions related to the impact assessment – detailed analysis of results

4.1. Question 22: Overall policy options

4.1.1. Complete wording of the question

“Do you believe that the EU legislation on construction products should be maintained as it is?”

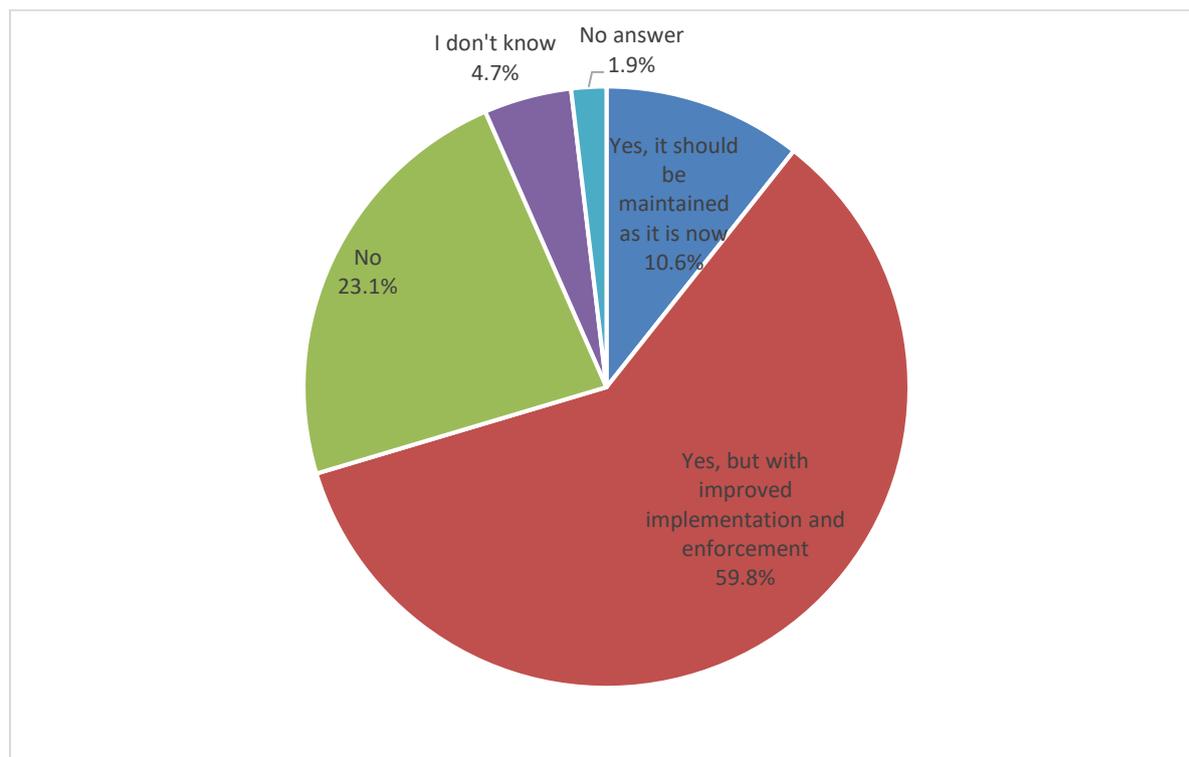
- *Yes, it should be maintained as it is now*
- *Yes, but with improved implementation and enforcement*
- *No*
- *I don't know”*

For the case that they answer with “yes” or with “no”, respondents have the possibility to further explain their answer, focussing on the particular advantages (benefits) and disadvantages (costs) that this would entail.

4.1.2. Quantitative analysis

Overall, the distribution of answers to this question looks as follows:

| | | |
|---|------------|-------------|
| Yes, it should be maintained as it is now | 68 | 10.6% |
| Yes, but with improved implementation and enforcement | 383 | 59.8% |
| No | 148 | 23.1% |
| I don't know | 30 | 4.7% |
| No answer | 12 | 1.9% |
| Total | 641 | 100% |



N=641

The picture is very clear, with nearly 60% of the respondents in favour of maintaining the current legislation but with improved implementation and enforcement.

Broken down by type of organisation, we get to the following results:

| | Yes, it should be maintained as it is now | | Yes, but with improved implementation and enforcement | | No | | I don't know | | No answer | | Total | |
|-------------------------|---|------|---|-------|----|-------|--------------|-------|-----------|------|-------|------|
| Individual respondent | 9 | 9.6% | 53 | 56.4% | 20 | 21.3% | 11 | 11.7% | 1 | 1.1% | 94 | 100% |
| Business representative | 20 | 9.7% | 134 | 64.7% | 45 | 21.7% | 1 | 0.5% | 7 | 3.4% | 207 | 100% |

| | | | | | | | | | | | | |
|--|-----------|---------------|------------|---------------|------------|---------------|-----------|-------------|-----------|-------------|------------|--------------|
| Company or sole trader | 32 | 13.8 % | 126 | 54.3 % | 59 | 25.4 % | 13 | 5.6% | 2 | 0.9% | 232 | 100 % |
| Consumer organisation | | 0.0% | 1 | 100 % | | 0.0% | | 0.0% | | 0.0% | 1 | 100 % |
| Non-governmental organisation | | 0.0% | 6 | 66.7 % | 1 | 11.1 % | 2 | 22.2 % | | 0.0% | 9 | 100 % |
| Public authority or testing body | 3 | 10.7 % | 19 | 67.9 % | 5 | 17.9 % | 1 | 3.6% | | 0.0% | 28 | 100 % |
| Representative of construction workers | 1 | 25.0 % | 2 | 50.0 % | 1 | 25.0 % | | 0.0% | | 0.0% | 4 | 100 % |
| Research/academia | 1 | 11.1 % | 8 | 88.9 % | | 0.0% | | 0.0% | | 0.0% | 9 | 100 % |
| Technical body | 2 | 4.7% | 30 | 69.8 % | 9 | 20.9 % | 1 | 2.3% | 1 | 2.3% | 43 | 100 % |
| Other | | 0.0% | 4 | 28.6 % | 8 | 57.1 % | 1 | 7.1% | 1 | 7.1% | 14 | 100 % |
| Total | 68 | 10.6 % | 383 | 59.8 % | 148 | 23.1 % | 30 | 4.7% | 12 | 1.9% | 641 | 100 % |

As can be seen, the very clear preference for the option of maintaining the current legislation as it is but with improved implementation and enforcement applies to nearly all stakeholder groups (except for the group of “others”, who however are too few in number to be seen as statistically representative).

Selecting only the companies and breaking them down by number of employees, the distribution is as follows (please note that statistical representativeness is not given):

| | | Yes, it should be maintained as it is now | Yes, but with improved implementation and enforcement | No | I don't know | No answer | Total |
|--------------------|-----------|---|---|-----------------|----------------|---------------|-----------------|
| Self-employed | | 0.0% | 7 70.0% | 2 20.0% | 1 10.0% | 0.0% | 10 100% |
| < 10 employees | 2 | 7.1% | 12 42.9% | 11 39.3% | 3 10.7% | 0.0% | 28 100% |
| 10 - 49 employees | 6 | 13.6% | 18 40.9% | 15 34.1% | 3 6.8% | 2 4.5% | 44 100% |
| 50 - 249 employees | 9 | 16.7% | 29 53.7% | 14 25.9% | 2 3.7% | 0.0% | 54 100% |
| ≥ 250 employees | 15 | 15.6% | 60 62.5% | 17 17.7% | 4 4.2% | 0.0% | 96 100% |
| Total | 32 | 13.8% | 126 54.3% | 59 25.4% | 13 5.6% | 2 0.9% | 232 100% |

As can be seen, micro- and small enterprises are least in favour of maintaining the CPR. Nonetheless, even among these two groups, the combined rate of supporters of either maintaining the CPR as it is or of maintaining it but with improvement implementation and enforcement is significantly higher than the rate of those who are in favour of changing it.

4.1.3. Synthesis of free text replies

The free-text replies are primarily used to suggest concrete improvements to the CPR. More specifically, these comments concern the following aspects:

- Enforcement and market surveillance must be much improved (= by far most frequent comment);
- Standardisation procedures must be much accelerated; citation of harmonised standards must happen much more quickly;
- The requirements on the DoP shall be revised and reduced; more specifically, the number of necessary translations should be limited and it should be possible to simply refer to the ETAs (rather than duplicating them);
- The rules for listing performances within the CE mark should be simplified and a mere reference to the DoP should be sufficient;
- The use of electronic means should be promoted (keyword “short CE marking” and “smart CE marking”);
- There should be better guidance in order to achieve uniform application across the EU;
- There should be better communication towards stakeholders, in order to achieve a better understanding of the various aspects of the CPR;
- National annexes should be removed.

A very large number of comments also point out that a repeal of the CPR would have very dramatic consequences, lead to very undesirable fragmentation and huge costs.

A number of German stakeholders is more critical and rejects the CPR more fundamentally. They say that for them, not benefits are identifiable and that free trade should not be prioritised over safety and consumer rights.

4.2. Question 23: Repeal option

4.2.1. Complete wording of the question and dependency link with other questions

This question is only asked to the 148 respondents that have answered the previous question with a “no”. The complete wording of the question is the following:

“Do you think that the EU legislation on construction products should be repealed and replaced by 28 (27) national regimes?”

- Yes
- No
- *I don't know*”

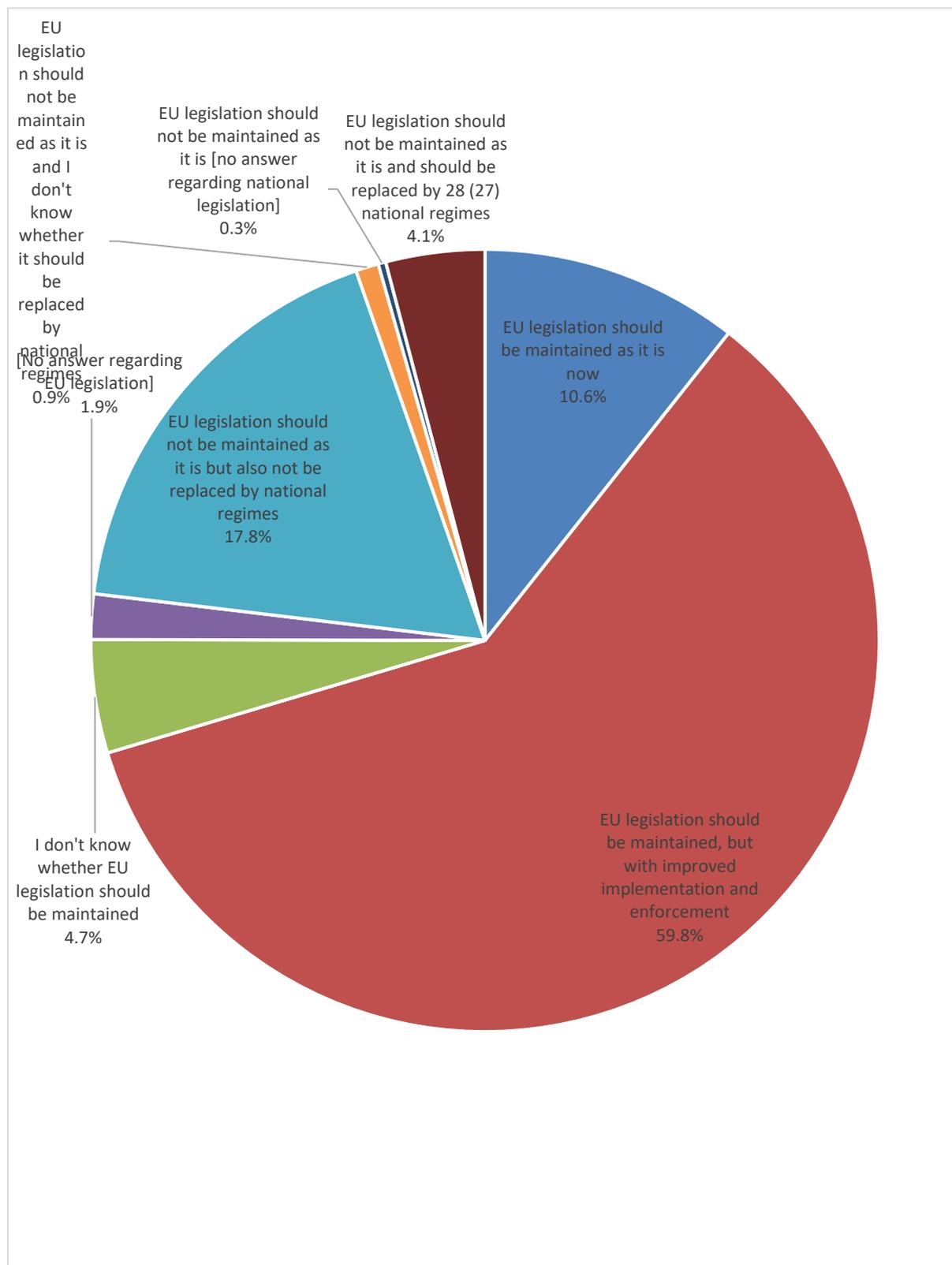
For the case that they answer with “yes” or with “no”, respondents have the possibility to further explain their answer, focussing on the particular advantages (benefits) and disadvantages (costs) that this would entail.

4.2.2. Quantitative analysis

In total, 148 respondents have been asked this question. Among those, the overall distribution of answers looks as follows:

| | | |
|--------------|------------|-------------|
| Yes | 26 | 17.6% |
| No | 114 | 77.0% |
| I don't know | 6 | 4.1% |
| No answer | 2 | 1.4% |
| Total | 148 | 100% |

The above numbers show that even among those 23.1% of the total number of respondents who are in favour of not maintaining the CPR as it is, only 17.6% are in favour of replacing it with national regimes. Calculated against the total number of participants of the consultation, this corresponds to a rate of only 4.1% (26 out of 641). The below diagram shows the combined percentages of responses to questions 22 and 23:



N=641

Even though it should be stressed that statistical representativeness is not given at all, it may still be interesting to see how these answers are distributed across countries:

| | Yes | | No | | I don't know | | No answer | | Total | |
|-----------------|-----------|--------------|------------|--------------|--------------|-------------|-----------|-------------|------------|-------------|
| Austria | 2 | 50.0% | 2 | 50.0% | | 0.0% | | 0.0% | 4 | 100% |
| Belgium | 1 | 10.0% | 9 | 90.0% | | 0.0% | | 0.0% | 10 | 100% |
| Czech Republic | 2 | 50.0% | 1 | 25.0% | 1 | 25.0% | | 0.0% | 4 | 100% |
| Denmark | 1 | 100% | | 0.0% | | 0.0% | | 0.0% | 1 | 100% |
| Finland | | 0.0% | 5 | 100% | | 0.0% | | 0.0% | 5 | 100% |
| France | 3 | 30.0% | 7 | 70.0% | | 0.0% | | 0.0% | 10 | 100% |
| Germany | 9 | 14.3% | 52 | 82.5% | 1 | 1.6% | 1 | 1.6% | 63 | 100% |
| Hungary | | 0.0% | 4 | 100% | | 0.0% | | 0.0% | 4 | 100% |
| Ireland | | 0.0% | 2 | 100% | | 0.0% | | 0.0% | 2 | 100% |
| Italy | | 0.0% | 4 | 80.0% | 1 | 20.0% | | 0.0% | 5 | 100% |
| Netherlands | 1 | 25.0% | 3 | 75.0% | | 0.0% | | 0.0% | 4 | 100% |
| Poland | | 0.0% | 3 | 100% | | 0.0% | | 0.0% | 3 | 100% |
| Portugal | 1 | 100% | | 0.0% | | 0.0% | | 0.0% | 1 | 100% |
| Slovak Republic | | 0.0% | 2 | 66.7% | 1 | 33.3% | | 0.0% | 3 | 100% |
| Slovenia | | 0.0% | 2 | 100% | | 0.0% | | 0.0% | 2 | 100% |
| Spain | | 0.0% | 5 | 100% | | 0.0% | | 0.0% | 5 | 100% |
| Sweden | | 0.0% | 1 | 50.0% | | 0.0% | 1 | 50.0% | 2 | 100% |
| United Kingdom | 4 | 30.8% | 8 | 61.5% | 1 | 7.7% | | 0.0% | 13 | 100% |
| Other | 2 | 28.6% | 4 | 57.1% | 1 | 14.3% | | 0.0% | 7 | 100% |
| Total | 26 | 17.6% | 114 | 77.0% | 6 | 4.1% | 2 | 1.4% | 148 | 100% |

It is notable that the country that features by far the highest number of respondents who had answered with a “no” to the previous question (on whether the EU legislation should be maintained as it is), which is Germany, has at the same time a very low rate of respondents who would prefer 28 (27) national solutions over an EU solution.

4.2.3. Synthesis of free text replies

As can be seen in the quantitative analysis, only 26 out of the 641 respondents (i.e. 4%) are in favour of a repeal of the EU legislation and a replacement by national legislation. Consequently, there are very few comments in support of such a repeal and replace option. Most of these latter ones explain their opinion again with the point of view that free trade should not be prioritised over safety and customer protection. The overwhelming majority of respondents explain why the replacement by national systems would not be an option in their view. There are mainly two types of arguments, which are:

- Agreement-in-principle with the idea of a European legislation (even though improvements may be necessary);
- Too many costs already invested in adaptation, which would be made completely useless if the CPR was now repealed again.

4.3. Questions 24a-g: Reform options

4.3.1. Complete wording of the question and dependency link with other questions

Question 24 is only asked to the 114 respondents that have answered question 22 and question 23 both with a “no” (CPR should not be maintained and should not be replaced by national regimes). The complete wording of the question is the following:

“What type of reform would you support?”

- a) *Clarifying procedures, better aligning with other legislation and simplifying rules so as to make it easier to apply (for smaller businesses especially)*
- b) *Making European standards purely voluntary, while creating European-wide testing/assessment methods*
- c) *Having standards to cover selected essential characteristics (e.g. fire safety) but leaving flexibility to Member States to address those essential characteristics not covered by harmonised European standards*
- d) *Making EU-wide rules for assessing and communicating construction products' performance optional*
- e) *Prescribing precise technical requirements which construction products have to comply with across all EU Member States*

- f) *Including in the EU framework aspects relating to the safety of construction products, so far entirely under Member States' responsibility*
- g) *Another reform*

To each of these (except for point g), the respondent has the choice between one of the following answer options:

- *Yes*
- *No*
- *I don't know*

For the case that they answer with “yes” or with “no”, respondents have the possibility to further explain their answer, focussing on the particular advantages (benefits) and disadvantages (costs) that this would entail.

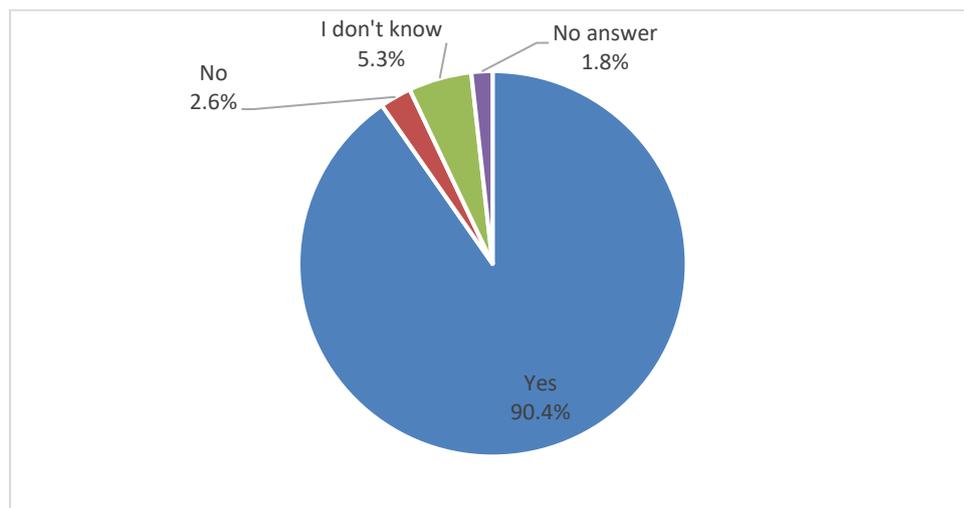
4.3.2. Analysis of individual options

The detailed results per policy option look as follows:

4.3.2.1 Clarifying procedures, better aligning with other legislation and simplifying rules so as to make it easier to apply (for smaller businesses especially)

With only 3 out of the 114 respondents that have been asked this question being against this option, it can be said that there is almost unanimous support for it:

| | | |
|--------------|-----|-------|
| Yes | 103 | 90.4% |
| No | 3 | 2.6% |
| I don't know | 6 | 5.3% |
| No answer | 2 | 1.8% |
| Total | 114 | 100% |



N=114

Synthesis of free text replies:

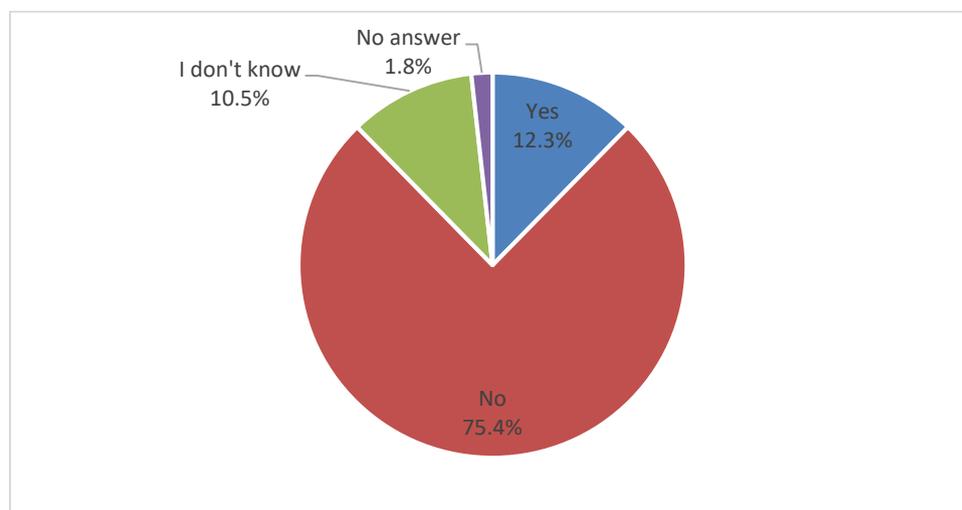
Most of the comments made with regard to this approach repeat comments already made under question 22. These relate primarily to the need to speed up the procedures of standardisation and of citation of hENs in the OJEU as well as to the need to communicate and provide guidance to all relevant stakeholders in order to ensure a better and more uniform understanding and application of the CPR. One relatively specific point which is made by a number of participants concerns the need for alignment with the Drinking Water Directive and the Mutual Recognition Directive. At a more general level, many respondents plea for a more pragmatic approach and application of the CPR and for standards to be seen as technical, not legal documents.

4.3.2.2 Making European standards purely voluntary, while creating European-wide testing/assessment methods

75.4% of the 114 supporters of a legislative revision are against this option, only 12.3% are in favour:

| | | |
|--------------|----|-------|
| Yes | 14 | 12.3% |
| No | 86 | 75.4% |
| I don't know | 12 | 10.5% |

| | | |
|-----------|-----|------|
| No answer | 2 | 1.8% |
| Total | 114 | 100% |



N=114

Synthesis of free text replies:

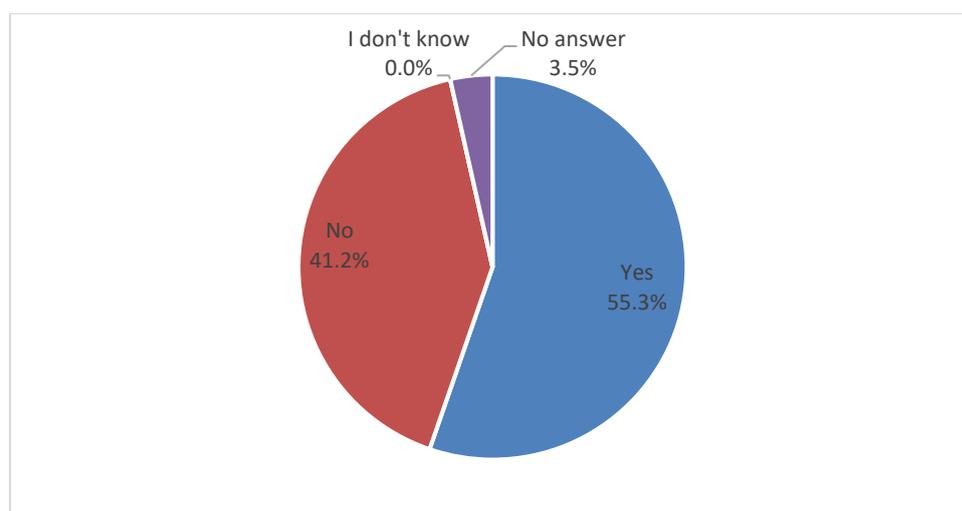
Most comments provided explain why making European standards purely voluntary would not be an option. Almost all of them consider this to be a step back and or a “jump into the dark”, which is not what they want.

Of the few comments that support this option, we would like to quote the following comment from CEN/CENELEC: “CEN/CENELEC produces standards in the field of construction for use in a variety of purposes. By definition they are voluntary and organizations that use them do so voluntarily. Users include manufacturers and specifiers, sometimes well beyond the EU/EEA. When a regulator, national or European, requires the use of a standard, this can put into question its voluntary use and may constitute a deviation from the principle of the New Approach. This is a deviation from Regulation (EU) No 1025/2012 that has to be further clarified. Article 4 Clause 1 and 2 of CPR gives requirements for the expression of information about the performance of products and on the use of CE marking for products.”

4.3.2.3 Having standards to cover selected essential characteristics (e.g. fire safety) but leaving flexibility to Member States to address those essential characteristics not covered by harmonised European standards

55.3% of the 114 supporters of a legislative revision are in favour of this option:

| | | |
|--------------|-----|-------|
| Yes | 63 | 55.3% |
| No | 47 | 41.2% |
| I don't know | 0 | 0.0% |
| No answer | 4 | 3.5% |
| Total | 114 | 100% |



N=114

Synthesis of free text replies:

Among those respondents who are against this option, virtually all point out the fact that this would re-open the door back to a fragmented system and thus the CPR would lose its whole point. This should clearly be avoided.

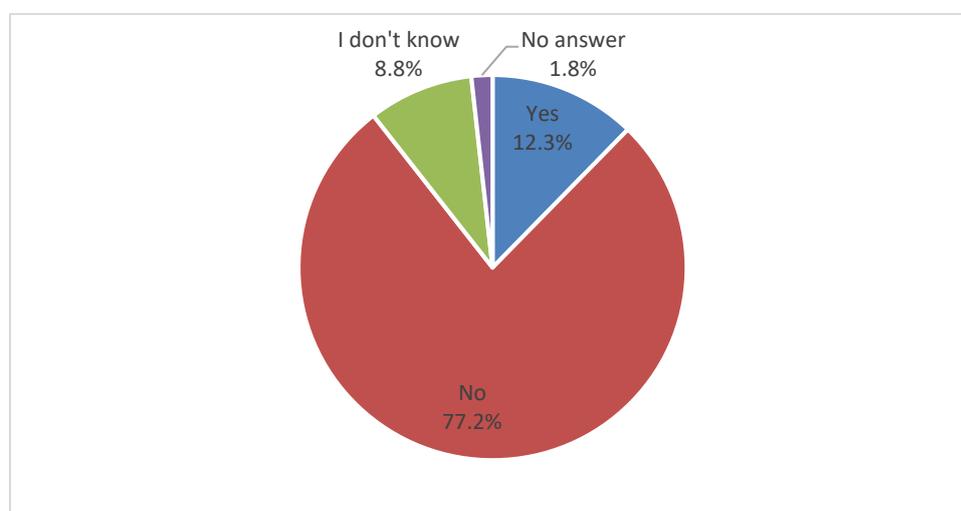
Among those that are in support of this option and who provided further explanatory comments, the following subgroups can be discerned. A first group argues that this option is necessary in

the interest of consumer protection and safety rules that are regulated at national level. A second group of respondents argue on the basis of the subsidiarity principle. A third group consists of respondents who struggle with the question itself. Last but not least, there is again CEN/CENELEC, who states: "CEN/CENELEC produces standards in the field of construction for use in a variety of purposes and hENs represent between 10-15% of the standards that are developed for this sector. It should be ensured that hENs produced for the construction sector reflect the needs of all stakeholders, in particular users, address aspects that include and are not limited to the CPR, and not only focus on the mandatory regulatory elements. Therefore, the scope of a hEN can have a wider scope than the regulatory provisions that meet the requirements, which are identified in the Annex ZA. It shall be noted that essential characteristics are those identified in the mandate/standardization request and therefore only in this case we can ensure their inclusion in the hEN."

4.3.2.4 Making EU-wide rules for assessing and communicating construction products' performance optional

77.2% of the 114 supporters of a legislative revision are against this option:

| | | |
|--------------|-----|-------|
| Yes | 14 | 12.3% |
| No | 88 | 77.2% |
| I don't know | 10 | 8.8% |
| No answer | 2 | 1.8% |
| Total | 114 | 100% |



N=114

Synthesis of free text replies:

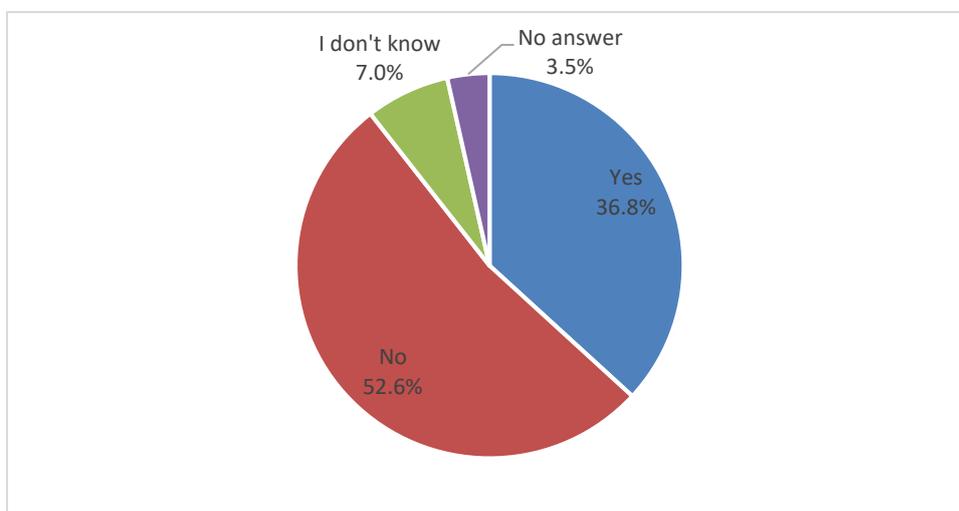
As can be seen in the quantitative analysis, the vast majority of respondents answers reject this option. The comments provided explain that this would run counter to the very idea of a harmonised technical language, which in principle is supported.

Only 6 comments supporting the “yes” option were provided, which are however not clear and can therefore not be synthesised.

4.3.2.5 Prescribing precise technical requirements which construction products have to comply with across all EU Member States

52.6% of the 114 supporters of a legislative revision are against this option:

| | | |
|--------------|-----|-------|
| Yes | 42 | 36.8% |
| No | 60 | 52.6% |
| I don't know | 8 | 7.0% |
| No answer | 4 | 3.5% |
| Total | 114 | 100% |



N=114

Synthesis of free text replies:

Among those who reject this option, a significant number argues that it would simply not be practical and/or not realistic, because of the competences of the Member States in the field of building safety and/or because of climatic and other differences. Others state that the question is not clear and that a qualified answer can therefore not be provided. A number of German construction engineers argues that this could be an option, provided that it does not lead to a decrease in security standards.

Among the supporters of this option, several argue that it would be good to have at least a harmonisation of minimum requirements at EU level. The case of products in contact with drinking water (which thus also fall under the Drinking Water Directive) is mentioned several times. Others argue more generally, that this would allow for a real internal market.

4.3.2.6 Including in the EU framework aspects relating to the safety of construction products, so far entirely under Member States' responsibility

With regard to this option, the answers of the 114 supporters of a legislative revision are quite evenly split between supporters, opponents and a somewhat larger share of respondents who do not know:

| | | |
|--------------|-----|-------|
| Yes | 36 | 31.6% |
| No | 33 | 28.9% |
| I don't know | 40 | 35.1% |
| No answer | 5 | 4.4% |
| Total | 114 | 100% |



N=114

Synthesis of free text replies:

As can be seen in the quantitative analysis, a small majority of respondents has ticked the “I don’t know” answer. A very frequent further explanation to that is that “without the rewriting of the planned measures on the part of the EU, this question cannot be answered seriously”.

Among the respondents who pick “no” as an answer, the comments refer generally to the fact that this is not politically implementable and/ or not desirable, as the safety of construction works is better regulated at national level.

The supporters of this option argue mainly that this would strengthen the internal market. Some of the supporters do however at the same time admit that there are very low chances for the implementation of this option.

4.3.2.7 Another reform

This option allows in fact only for free-text replies, which are meant to focus on advantages (benefits) and disadvantages (costs) that this would entail. The 38 comments received on this question go “all across the field” and are very hard to synthesise. In general, they repeat many of the points made already before. The more frequently mentioned points are the following:

- More and better guidance is needed;
- The declaration of one single characteristic should not be sufficient for being able to affix the CE mark ;
- Pass/ fail marks should be included in standards;
- A more pragmatic and less legalistic approach should be taken;
- Alignment with the Drinking Water Directive is needed;
- The requirements (content) of the CE mark should be simplified;
- A large database of databases should be set up.

The most comprehensive and at the same time specific answer is submitted by a Technical Institute:

"A) at the general level of all harmonised specifications, to improve their technical coherence:

- Define those characteristics that should always be declared, according to the use assigned to the product
- Define minimum values according to the use assigned to the product for those essential characteristics considered necessary, without having to go through a long process that can last for years.

B) at the EADs and ETAs level:

- Annex II must be revised to meet the needs identified in the elaboration of EADs
- ETA should include, whenever necessary, relevant information regarding the different phases of the life cycle of the products, especially when these are innovative
- The evaluation of innovative products should not be limited only to those characteristics which are regulated in a Member State."

4.4. Question 25: Need for marking

4.4.1. Complete wording of the question

"If the CE marking were no longer allowed for construction products, would you see a need for another kind of marking?"

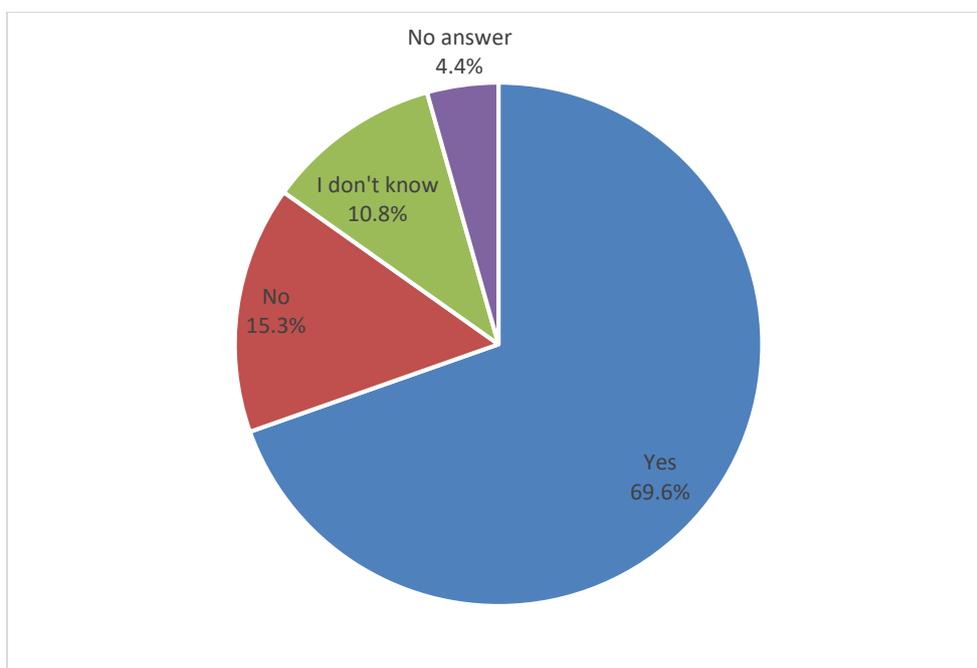
- Yes
- No
- I don't know"

For the case that they answer with "yes", respondents have the possibility to further explain their answer, focussing on the particular advantages (benefits) and disadvantages (costs) that this would entail.

4.4.2. Quantitative analysis

Overall, the distribution of answers to this question looks as follows:

| | | |
|--------------|------------|-------------|
| Yes | 446 | 69.6% |
| No | 98 | 15.3% |
| I don't know | 69 | 10.8% |
| No answer | 28 | 4.4% |
| Total | 641 | 100% |



N=641

The need for a marking is confirmed by (69.6% of respondents. This opinion is shared by all types of respondents, as can be seen in the following table:

| | Yes | No | I don't know | No answer | Total |
|--|-----|----|--------------|-----------|-------|
| | | | | | |

| | | | | | | | | | | |
|--|------------|-------------------|-----------|-------------------|-----------|-------------------|-----------|-------------|------------|-------------|
| Individual respondent | 59 | 62.8 % | 16 | 17.0 % | 9 | 9.6% | 10 | 10.6 % | 94 | 100% |
| Business representative | 134 | 64.7 % | 37 | 17.9 % | 25 | 12.1 % | 11 | 5.3% | 207 | 100% |
| Company or sole trader | 169 | 72.8 % | 41 | 17.7 % | 18 | 7.8% | 4 | 1.7% | 232 | 100% |
| Consumer organisation | 1 | 100% | | 0.0% | | 0.0% | | 0.0% | 1 | 100% |
| Non-governmental organisation | 6 | 66.7 % | 2 | 22.2 % | 1 | 11.1 % | | 0.0% | 9 | 100% |
| Public authority or testing body | 23 | 82.1 % | | 0.0% | 4 | 14.3 % | 1 | 3.6% | 28 | 100% |
| Representative of construction workers | 4 | 100% | | 0.0% | | 0.0% | | 0.0% | 4 | 100% |
| Research/academia | 8 | 88.9 % | | 0.0% | 1 | 11.1 % | | 0.0% | 9 | 100% |
| Technical body | 31 | 72.1 % | 2 | 4.7% | 10 | 23.3 % | | 0.0% | 43 | 100% |
| Other | 11 | 78.6 % | | 0.0% | 1 | 7.1% | 2 | 14.3 % | 14 | 100% |
| Total | 446 | 69.6 % | 98 | 15.3 % | 69 | 10.8 % | 28 | 4.4% | 641 | 100% |

Only selecting companies and breaking them down by size, the distribution is as follows (please note that statistical representativeness is not given):

| | Yes | | No | | I don't know | | No answer | | Total | |
|----------------|-----|-----------|----|-----------|--------------|-----------|-----------|------|-------|------|
| Self-employed | 6 | 60.0 % | 1 | 10.0 % | 3 | 30.0 % | | 0.0% | 10 | 100% |
| < 10 employees | 22 | 78.6 % | 2 | 7.1% | 3 | 10.7 % | 1 | 3.6% | 28 | 100% |

| | | | | | | | | | | |
|--------------------|------------|-------------------|-----------|-------------------|-----------|-------------|----------|-------------|------------|-------------|
| 10 - 49 employees | 33 | 75.0 % | 8 | 18.2 % | 1 | 2.3% | 2 | 4.5% | 44 | 100% |
| 50 - 249 employees | 39 | 72.2 % | 10 | 18.5 % | 5 | 9.3% | | 0.0% | 54 | 100% |
| ≥ 250 employees | 69 | 71.9 % | 20 | 20.8 % | 6 | 6.3% | 1 | 1.0% | 96 | 100% |
| Total | 169 | 72.8 % | 41 | 17.7 % | 18 | 7.8% | 4 | 1.7% | 232 | 100% |

The opinion that another type of marking would be needed if the CE marking was no longer allowed is shared by more than 70% across all company sizes. Only among the self-employed, the rate is somewhat lower (60%), but there is also only one single respondent in this group that rejects this view.

4.4.3. Synthesis of free text replies

Only respondents that have answered the question with a “yes” are invited to use the comment function. Consequently, the answers essentially only differ between comments confirming that something very similar and based on the same principles would be needed and comments that state that the question is irrelevant, as the CE mark is not to be abolished. A number of respondents use this field to point out again that a withdrawal of the CE mark would lead to a plethora of national and/ or private marks, which in turn would lead to a lot of confusion and would therefore be very undesirable. A certain number of respondents states that they see a need for a European quality and/ or safety mark. A small minority of participants indicates that the return to national marks would be preferable in their view, as these could take into account the respective quality and safety requirements that are applicable in the respective Member States.

4.5. Question 26: RAPEX system

4.5.1. Complete wording of the question

“Do you believe that the use of the RAPEX system (i.e. the Rapid Alert System for dangerous non-food products posing a risk to the health and safety of consumers) for construction products is the right tool to help ensure their safety in use?”

The Rapid Alert System for dangerous non-food products ("RAPEX") enables quick exchange of information between 31 European countries and the European Commission about dangerous non-food products posing a risk to health and safety of consumers. This allows enforcement authorities in the countries that are members of the network to swiftly follow up

on the notifications and to screen their markets for the possible presence of these unsafe products. Since 2010, the Rapid Alert System also covers professional products and products posing risks other than those affecting health and safety (such as risks to the environment).

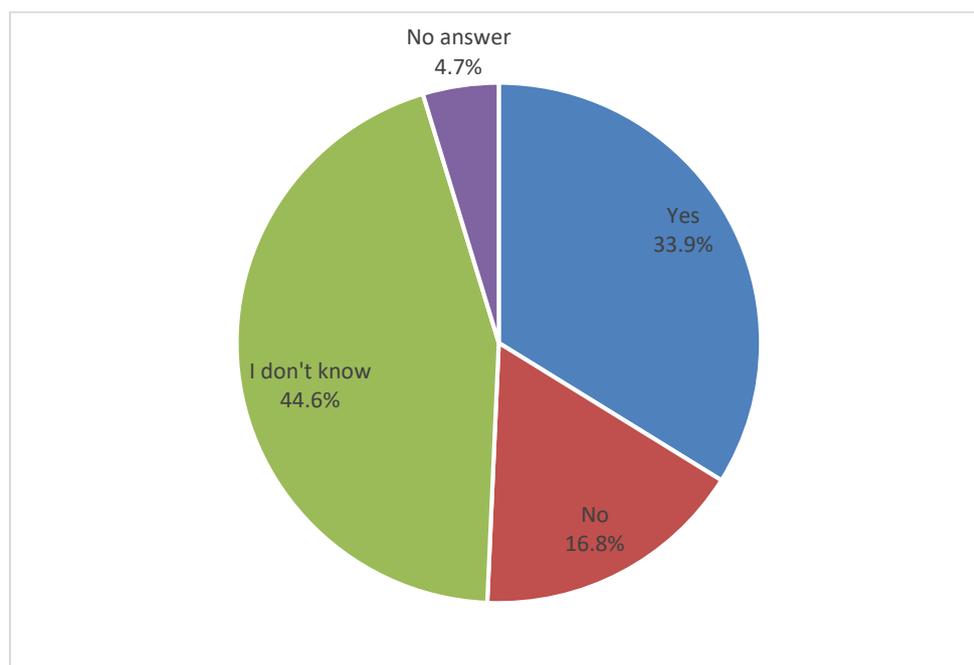
- Yes
- No
- *I don't know*

For the case that they answer with “no”, respondents have the possibility to state whether they see other tools that should be used.

4.5.2. Quantitative analysis

Overall, the distribution of answers to this question looks as follows:

| | | |
|--------------|------------|-------------|
| Yes | 217 | 33.9% |
| No | 108 | 16.8% |
| I don't know | 286 | 44.6% |
| No answer | 30 | 4.7% |
| Total | 641 | 100% |



N=641

49,3% of the respondents do not know how to answer or do not want to answer the question. 33,9% consider that RAPEX is the right tool to help ensure the safety in use of construction products, 16,8% do not.

Broken down by type of organisation, we get to the following results:

| | Yes | | No | | I don't know | | No answer | | Total | |
|-------------------------|-----|--------|----|--------|--------------|--------|-----------|--------|-------|------|
| Individual respondent | 32 | 34.0 % | 10 | 10.6 % | 42 | 44.7 % | 10 | 10.6 % | 94 | 100% |
| Business representative | 60 | 29.0 % | 36 | 17.4 % | 98 | 47.3 % | 13 | 6.3% | 207 | 100% |
| Company or sole trader | 79 | 34.1 % | 45 | 19.4 % | 104 | 44.8 % | 4 | 1.7% | 232 | 100% |
| Consumer organisation | | 0.0% | | 0.0% | 1 | 100% | | 0.0% | 1 | 100% |

| | | | | | | | | | | |
|--|------------|-------------------|------------|-------------------|------------|-------------------|-----------|-------------|------------|-------------|
| Non-governmental organisation | 5 | 55.6 % | 1 | 11.1 % | 3 | 33.3 % | | 0.0% | 9 | 100% |
| Public authority or testing body | 12 | 42.9 % | 4 | 14.3 % | 11 | 39.3 % | 1 | 3.6% | 28 | 100% |
| Representative of construction workers | 1 | 25.0 % | 1 | 25.0 % | 2 | 50.0 % | | 0.0% | 4 | 100% |
| Research/academia | 4 | 44.4 % | 1 | 11.1 % | 4 | 44.4 % | | 0.0% | 9 | 100% |
| Technical body | 22 | 51.2 % | 3 | 7.0% | 18 | 41.9 % | | 0.0% | 43 | 100% |
| Other | 2 | 14.3 % | 7 | 50.0 % | 3 | 21.4 % | 2 | 14.3 % | 14 | 100% |
| Total | 217 | 33.9 % | 108 | 16.8 % | 286 | 44.6 % | 30 | 4.7% | 641 | 100% |

The above results may be interpreted in such a way that respondents in general, and in particular individuals, businesses and business representing organisations, are not sufficiently familiar with RAPEX to answer this question, as around 50% of all these groups does not know what to answer or does not want to answer this question. If we take out all those who “do not know”, then the positive answers clearly prevail across all types of organisations, except for the group of “Others”.

4.5.3. Synthesis of free text replies

Even though the comment field is primarily meant for suggestions regarding other tools in case the respondent answer with “no”, it is hardly used for that purpose. In general, the comments received went into the following directions:

- Risks do not lie in the products themselves but in the way they are installed. Therefore, the system is not really applicable.
- Such a system is of limited use for products once they are integrated in a building. In general, an effective ex-ante assessment system is much preferable.
- RAPEX is a good alert reporting system but should be complemented by stronger market surveillance
- The system is not known.

5. Additional information provided

5.1. Question 27 – further information

Complete wording of the question: If you wish to add further information - within the scope of this questionnaire - please feel free to do so here.

Respondents used question 27 primarily in order to emphasise once again their key demands with regard to EU legislation on construction products. These can be summarised by the following points:

- More control, market surveillance and enforcement is needed;
- The EC should focus on pragmatic solutions for a better implementation, rather than launching a time-consuming and complex process for a possible redesign of the regulation;
- The procedure for introducing classes into hENs should be facilitated;
- The procedure for the citation of hENs in the OJEU should be much accelerated
- Redundancy between DoP and hEN (ETA/EAD) should be reduced;
- Aspects of sustainability and circularity should be more considered;
- More information, communication and “education” regarding the application of the CPR is needed;
- Efforts should be made in order to remove additional (de facto) requirements at national level;
- A repeal of the CPR should definitely be avoided;
- CPR should be aligned with the Drinking Water Directive;
- Some questions themselves were often not clear (in particular various subquestions under 18), in many cases this was also linked to their translation (e.g. “issue” was translated by “Problem” in German, which is ambiguous to someone who does not know the EC impact assessment jargon).

5.2. Review of complementary documents uploaded

The key messages emerging from the 96 position papers delivered focus on the priority issues as stakeholders see them and are detached from the analytical structure which guides the impact assessment.

Still there are a number of core positions, which are worth underscoring:

5.2.1. Repeal of the CPR

No position paper calls for a repeal of the Regulation, since all stakeholders support a solid and accepted EU framework ruling the European construction product market.

The main arguments concern:

- The need for a strong legal framework for construction products.
- Transparency.
- Regulatory certainty and contrasting nationally-driven rules limiting the market operations and creating border-related barriers to operators.
- CPR, although improvable, is the foundation for the operation of the single market and a factor of stability and transparency.
- It effectively supports the limitation of administrative burden for CP operators.
- There are margins for improvement, simplification, often outside the strict CPR regulatory domain, e.g. standardization.
- Certainly the CPR shall counter the propensity of EU MS to add regulations on top of the CPR, which hampers the market functioning.

5.2.2. Revision of the CPR

The opinions on the revision of the CPR are diverse, several position papers point out the danger of initiating a revision at this stage of relatively short operation of the regulation, which needs stakeholders to get accustomed to its principles and guidelines and adjust their operations and market behaviours to them.

Many position papers underline the risks of a revision, which would initiate a complex negotiation process and uncertainty in the sector, which is not favoured.

The main points raised concern:

- Better specification of the use of the CE marking
- Better specification and implementation of the standardisation mandates and improvement of their publication. There is major focus on the standardisation process.
- Closer monitoring of the notified bodies and their efficiency
- Improvement of market surveillance
- Better communication and dissemination of the CPR to improve capabilities of players who have to apply the rules in their concrete organisational and market situation
- The EC shall facilitate the harmonisation, efficiency and effectiveness of the operation of the main players: Member States, CEN, EOTA, Notified Bodies to ensure a smooth integrated operation of regulations
- The EC shall take a strong leading role in using and applying all instruments provided by the CPR, supporting the national deployment of the rules. Pragmatic and concrete measures to support the CPR in Europe are the priority, rather than initiating a vast revision process.
- The EC shall resolve overlaps with other EU rules, such as the environmental ones
- The system or rules shall be applied and implemented in such a way that it favours innovation, allowing innovative products to be introduced without having to recourse to the expensive TA procedures.
- A clear guideline should be provided for safety-critical construction products.
- Certainly the content and compilation of the DoP can be streamlined with appropriate guidelines.
- There are specific voices calling for a clearer implementation of the environmental and circular-economy related rules of the CPR.
- Clarification of exemptions (Article 5), providing explanations of definitions.

5.2.3. Standards

Standards and the associated processes, rules and implementations are a key success factor for the success of the CPR. Already in the interviewing phase this critical aspect has been widely underscored. The standardisation process needs to work efficiently and effectively to make the CPR work.

Position papers state the following:

- They confirm the need for good hENs and their power. They need to be carefully drafted as well as the mandates, which are part of their development.
- hENs should be voluntary.
- CEN/CENELEC have an established procedure in place to manage claims on defective standards, it should be clarified how formal objections from Member States to the citation of hENs in the OJEU are processed
- It is essential today to unblock urgently all the standards not cited in the OJEU, all of which have been approved at the Formal Vote knowing that the standardization system has demonstrated since a long time its principles of transparency, openness and consensus.
- The hENs in the Commission and Court of Justice interpretation cover all essential characteristics and are exhaustive. Several Member States are of the opinion that the harmonised sphere can be derived from harmonised standards and harmonised standards do not cover per se all essential characteristics.
- It should be possible for Member States to regulate the way the performance of construction products is expressed in relation to those essential characteristics that are not covered by the harmonised standard.
- The responsible Commission services have to be provided with additional resources. Moreover, all stakeholders involved in the standardisation process have to receive guidance and to be trained on the formal procedures.

5.2.4. Market surveillance

Market Surveillance is a key issues to ensure trust and adherence to the CPR, as well as of the CE marking, in the way it is associated to the CPR.

Position papers call for a more comprehensive and strong approach to market surveillance.

5.2.5. ETAs

The way technical assessments are done can vary widely across the sector and countries. Position papers require:

- clarification that the unlimited validity of ETAs is not affected by revisions of the respective EAD, as long as there is no technical need for an amendment of the ETA according to Article 11(3);
- Devices should be tested in equivalent European notified laboratories, avoiding that the same product presents performance results that can vary quite significantly from one laboratory to another.

5.2.6. Notified Bodies and EADs

Position papers call for:

- Immediate citation of finalised EADs in the OJEU;
- Update of the list of Notified Bodies based on finalised EAD drafts before or in parallel with their citation in the OJEU;
- Availability of the list of Notified Bodies also for outdated EAD versions as long as ETAs based on their basis are valid.

Further issues concern:

- The need to promote a correct understanding of the concept of European Assessment. Third countries' products are being placed in the market with classes that are in between the classes defined by European harmonized standards, confusing consumers.
- Notified Bodies and Technical Assessment Bodies need to support products safety as standardized or defined at the respective levels of CEN and EOTA. Coordination processes need to be improved, to ensure a harmonised operation across Europe.

