

OETI information for manufacturers concerning CE-marking

Introduction, General

Since 1st of January 2007 CE markings are mandatory for all floorcoverings for indoor use, as they are subject to the so-called CPD, the "Construction Products Directive" (89/106/EEC); in the meantime this directive was replaced by Regulation (EU) no 305/2011, the "Construction Products Regulation", which came into force on 1st of July 2013.

The added value of CE marking is that all countries must allow the selling of construction products bearing the CE mark. Therefore, the manufacturer or the distributor of the product is able to trade the product in any country of the European Internal Market with the same documentation. Together with the Declaration of Performance this will also help the customers and final users to check the performance of the product and compare it to other products under the same technical approach.

Manufacturers' tasks

CE marking does not only consist of affixing a label to the product – manufacturers have to carry out many tasks to complete the process of CE marking. These tasks comprise:

Production process

As part of internal quality procedures, and sometimes with the collaboration of external laboratories or service providers, the manufacturer is responsible for assessing the product performance and putting a factory production control in place. The assessment results and factory production control ensure to check that the performance does not change over time. The legal terminology used to describe this is "Assessment and Verification of Constancy of Performance" (AVCP) and the third party verifier or verifiers are called Notified Bodies.

Essential characteristics

The product is assessed by defining the value of a list of characteristics, called "essential characteristics", defined in annex ZA of the appropriate harmonized standard (EN 14041); for carpets these characteristics are:

- Reaction to fire
- Content of pentachlorophenol (PCP)
- Formaldehyde emission
- Slip resistance
- Electrical behaviour (static electricity)
- Thermal conductivity






























The full list including the appropriate test standards and the required AVCP system can be found in annex ZA of EN 14041. Depending on the AVCP system, which is needed one or a number of Notified Bodies is required to carry out tasks related to it.

Assessment and verification of constancy of performance systems (AVCP systems)

The manufacturer is obliged to use these procedures for the testing of samples and have to also define and establish a detailed factory production control.

The AVCP system applicable to each essential characteristic will require in some cases that a Notified Body performs some additional tasks. The following table shows which tasks have to be carried out by the manufacturer or the Notified Body, depending on the appropriate AVCP system.

	 Manufacturer	 Notified Body	AVCP system	1+	1	2+	3	4
Factory production control (FPC)								
Further testing of samples taken by the manufacturer								
Assessment of the performance								
Initial inspection (plant and FPC)								
Continuous surveillance, assessment and evaluation of FPC								
Audit — testing of samples taken by the Notified Body								

For carpets, only the AVPC systems 1, 3 and 4 apply. If all characteristics of the product are a system 4, a Notified Body is not required. When the product is covered by system 3, the product has to be tested by a Notified Body (in this case a Notified Laboratory), which can be different for each essential characteristic. If the product is under system 1 (this is always the case, if flame-retardants are used to improve the burning behaviour), the Notified Body will collaborate with the manufacturer during the assessment and will do some tasks (initial inspection and continuous surveillance, assessment and evaluation of the FPC) the manufacturing plant.



Background documents

After the assessment of the essential characteristics the manufacturer should have at least have the following documents:

- Initial testing of the product, including the list of essential characteristics and the results of the assessment (testing, tabulated values, etc.)
- Documented factory production control procedure
- Certificate or certificates from the Notified Body or Bodies, if required
- Appropriate technical documentation, where necessary
- Specific technical documentation where, necessary

The manufacturer is obliged to keep the documents in files for at least ten years after he has sold this kind of product for the last time.

Unique ID-code

Once the assessment is finished, the manufacturer has to assign a code to each product. The name of this code is “unique identification code of the product type” and is linked to the sort of product you are manufacturing and to the performance of its essential characteristics. When a new product has been developed, the manufacturer has to assign a new unique ID-code to this product and in case the performance of a product changes, it would also be necessary to change the code.

Example: You can choose a code consisting of the commercial name of the product, an internal code linked to the manufacturing process and the date the assessment of the product was done; for example AnyProduct-123.ABC-2014.07.17

This combination would allow easily classifying and updating the product types.

Declaration of performance (DOP)

The first document the manufacturer has to draw up is the declaration of performance. This is the most important document supporting the CE marking, because it contains the full information about the manufacturer, the product and its performance; the CE label is however only a summary of the information contained in the DOP.

An example and template for a DOP can be found on the next page. When the manufacturer is developing his own format for the declaration of performance, he has to follow the instructions published in the Commission’s Delegated Regulation (EU) No 574/2014 amending Annex III to Regulation (EU) No 305/2011 on the model to be used for drawing up a declaration of performance on construction products.



Once the final version of the document is published, the manufacturer has to store a copy together with the background documents. The manufacturer is obliged to keep them in files for at least ten years after he has sold this kind of product for the last time. The DOP has to be issued in all the languages required by the Member States where the product is going to be sold. When the DOP is uploaded to a website (usually the website of the manufacturer), the manufacturer has to observe the instructions and regulations published in the Commission's Delegated Regulation (EU) No 157/214 on the conditions for making a declaration of performance on construction products available on a website.

Delegated Regulation amending Annex III of the CPR

http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:JOL_2014_159_R_0005&qid=1401269340287&from=EN

Delegated Regulation on "e-supply"

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2014:052:0001:0002:EN:PDF>

ANNEX

ANNEX III

DECLARATION OF PERFORMANCE

No

1. Unique identification code of the product-type:
2. Intended use/s:
3. Manufacturer:
4. Authorised representative:
5. System/s of AVCP:
- 6a. Harmonised standard:
- Notified body/ies:
- 6b. European Assessment Document:
- European Technical Assessment:
- Technical Assessment Body:
- Notified body/ies:
7. Declared performance/s:
8. Appropriate Technical Documentation and/or Specific Technical Documentation:

The performance of the product identified above is in conformity with the set of declared performance/s. This declaration of performance is issued, in accordance with Regulation (EU) No 305/2011, under the sole responsibility of the manufacturer identified above.

Signed for and on behalf of the manufacturer by:

[name]

At [place] on [date of issue]

[signature]

CE marking

After issuing the declaration of performance, the manufacturer can now develop the CE label on the basis of the DOP. Below the items and content of the information accompanying the CE marking is described, together with some additional explanations that will help to understand what information has to be included.



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The symbol CE can be found on the website for CE marking of the European Commission in different formats.

<http://ec.europa.eu/enterprise/faq/ce-mark.htm>

The manufacturer is obliged to include the last two digits of the year in which the CE marking was affixed for the first time. In case that any information in the DOP, linked to this CE marking, is changed, also these digits have to be updated.

Name and address

Name and the registered address of the manufacturer, or an identifying mark which easily allows the identification of the name and address of the manufacturer, have to be stated.

Unique identification code of the product type

The unique identification code of the product type, which clearly will link the CE marking to the declared performance on DOP.

Reference number of the declaration of performance

In case the unique identification code of the product type is not the same as the reference number of the declaration of performance, the manufacturer will also have to include this number.

Declared performance

CE marking has to include the declared performance of the product, which means that the declared value of the essential characteristics which are not NPD ("No Performance Determined") must be found here.



Reference to the harmonised technical specification

The reference to the harmonised standard applied to assess the product (for carpets: EN 14041). To mention the date of issue is not necessary, because this information is already stated in the DOP.

Identification number of the notified body

The identification number of the Notified Body (Bodies) has to be stated, if the essential characteristics are subject to AVCP system 1 or 3.

Intended use (uses)

The relevant information about the intended use or uses (to be found in annex ZA of the relevant harmonised standard) has to be included; it must be the same as the corresponding point in the DOP.

Website where the declaration of performance can be found

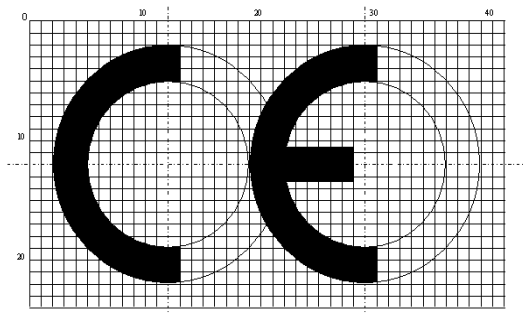
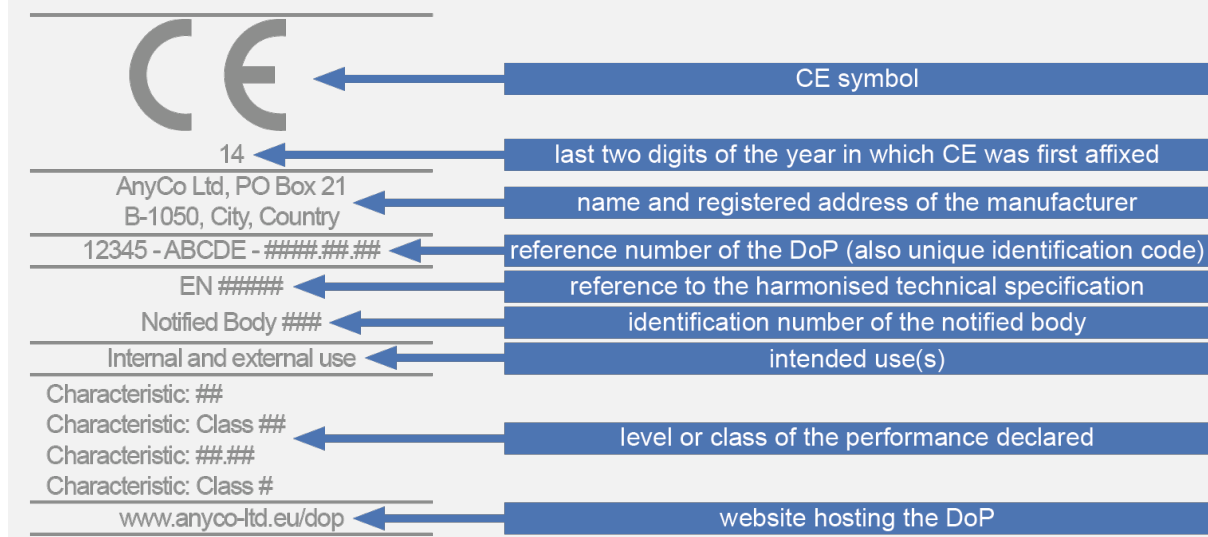
If your declaration of performance is available on a website, the website hosting this document(s) can also be included here.

The layout of the CE label and the order of the information can be changed; also empty points can be omitted or information can be combined, in case the combination makes the document easier to understand. There is no obligation to use a specific language on the label but usually manufacturers tend to use the least text possible to keep it as understandable as possible even if you yourself do not understand the language of the label.

The CE label must be affixed visibly, legibly and indelibly to the product. However, where this is not possible or not warranted on account of the nature of the product, it can be affixed to the packaging, if any, or to the accompanying documents.

CE marking cannot be affixed until the declaration of performance has been drawn up, usually at the end of the production phase.

Example: CE label



The CE mark

- indicates a product's compliance with the "essential requirements" of the EU directives and the appropriate harmonizes standard
- allows products to be "placed on the EU market"
- fosters "free movement of goods"
- serves as a basis for the "withdrawal of non-conforming products"

Manufacturers' checklist

1. Identify the construction product and its possible intended use or uses.
2. Search for the construction product in the list of hEN cited in the Official Journal of the European Union (for carpets: EN 14041); also check the scope of the harmonized standard.
3. Identify the list of essential characteristics and the AVCP system in Annex ZA of the harmonized standard.
4. Search for national regulations in the Member States where you are going to have the product marketed in order to identify any requirements.
5. Develop your own list of characteristics to declare.
6. Carry out the tasks according to the AVCP systems including contracting notified bodies if required.
7. Collect all the background documents in a file :
 - Initial testing of the product including the list of essential characteristics and the results of the assessment (testing, tabulated values, etc.)
 - Documented factory production control procedure.
 - Certificate or certificates from the notified body or bodies, if required.
 - Appropriate technical documentation where necessary.
8. Keep this information stored safely but easily accessible.
9. Draw up the declaration of performance taking into account all the background documents.
10. Translate the declaration of performance to the languages required by the Member States, where the product is going to be sold.
11. Upload the declaration of performance and its translations to your website (optional).
12. Create and affix the CE marking.
13. Draw up the instructions and safety information for the product, if required (for carpets usually not applicable).
14. Check if any substances in the product are included in the scope of the REACH regulation and complete the tasks to fulfil its requirements.
15. Store the background documents and a copy of the declaration of performance for at least 10 years from the last time this kind of product was sold.
16. Place the product on the market together with the required documents.
17. Continue the tasks relating to the assessment and verification of constancy (AVCP) of the declared performance (factory production control and testing).
18. If the performance, the raw materials and/or the manufacturing processes change or the harmonised standard is significantly revised, then go back to point 5.
19. In general, check regularly the list of harmonised standards cited in the Official Journal of the European Union to verify whether the standards have been updated.

Links, Acronyms

- CPR – Construction Products Regulation
<http://ec.europa.eu/enterprise/sectors/construction/legislation/>
- Product Contact Points for Construction
http://ec.europa.eu/enterprise/sectors/construction/declaration-of-performance/avcp/index_en.htm
- Official Journal of the European Union (OJEU) / <http://eur-lex.europa.eu/homepage.html>
- CEN Search tool / <http://standards.cen.eu/dyn/www/f?p=CENWEB:105::RESET:::>
- EOTA – European Organization for Technical Assessments / <http://www.eota.eu>
- NANDO – New Approach Notified and Designated Organisations information system
http://ec.europa.eu/enterprise/newapproach/nando/index.cfm?fuseaction=directive.notifiedbody&dir_id=33
- List of TAB
http://ec.europa.eu/enterprise/newapproach/nando/index.cfm?fuseaction=directive.notifiedbody&dir_id=33
- List of National Standardization Bodies (NSBs) of the European Free Trade Association /
<http://standards.cen.eu/dyn/www/f?p=CENWEB:5>
- CEN – European Committee for Standardisation / <https://www.cen.eu/>
- List of Notified Bodies
http://ec.europa.eu/enterprise/newapproach/nando/index.cfm?fuseaction=directive.notifiedbody&dir_id=33
- Delegated Regulation Annex III of the CPR
http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:JOL_2014_159_R_0005&qid=1401269340287&from=EN
- Delegated Regulation Annex III of the CPR
http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:JOL_2014_159_R_0005&qid=1401269340287&from=EN
- CE logo / <http://ec.europa.eu/enterprise/faq/ce-mark.htm>
- REACH Regulation (Registration, Evaluation, Authorisation and Restriction of Chemical substances)



<http://old.eu-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:2006R1907:20140410:EN:HTML>
http://ec.europa.eu/environment/chemicals/reach/reach_intro.htm

- Directive 1999/45/EC classification, packaging and labelling of dangerous preparations / <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31999L0045&from=en>