



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 21 February 2014
(OR. en)**

**6853/14
ADD 1**

**MI 207
ENT 62
COMPET 132
DELECT 39**

COVER NOTE

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	18 February 2014
To:	Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union

No. Cion doc.:	C(2014) 866 final ANNEX
Subject:	ANNEX to the Commission Delegated Regulation (EU) No.../... amending Annex V to Regulation (EU) No 305/2011 as regards the assessment and verification of constancy of performance of construction products

Delegations will find attached document C(2014) 866 final ANNEX.

Encl.: C(2014) 866 final ANNEX



Brussels, 18.2.2014
C(2014) 866 final

ANNEX 1

ANNEX

to the

Commission Delegated Regulation (EU) No.../...

**amending Annex V to Regulation (EU) No 305/2011 as regards the assessment and
verification of constancy of performance of construction products**

ANNEX

‘ANNEX V

ASSESSMENT AND VERIFICATION OF CONSTANCY OF PERFORMANCE

1. SYSTEMS OF ASSESSMENT AND VERIFICATION OF CONSTANCY OF PERFORMANCE

The manufacturer shall draw up the declaration of performance and determine the product-type on the basis of the assessments and verifications of constancy of performance carried out under the following systems:

1.1. System 1+

- (a) The manufacturer shall carry out:
 - (i) factory production control;
 - (ii) further testing of samples taken at the manufacturing plant by the manufacturer in accordance with the prescribed test plan.
- (b) The notified product certification body shall decide on the issuing, restriction, suspension or withdrawal of the certificate of constancy of performance of the construction product on the basis of the outcome of the following assessments and verifications carried out by that body:
 - (i) an assessment of the performance of the construction product carried out on the basis of testing (including sampling), calculation, tabulated values or descriptive documentation of the product;
 - (ii) initial inspection of the manufacturing plant and of factory production control;
 - (iii) continuing surveillance, assessment and evaluation of factory production control;
 - (iv) audit - testing of samples taken by the notified product certification body at the manufacturing plant or at the manufacturer's storage facilities.

1.2. System 1

- (a) The manufacturer shall carry out:
 - (i) factory production control;
 - (ii) further testing of samples taken at the manufacturing plant by the manufacturer in accordance with the prescribed test plan;
- (b) The notified product certification body shall decide on the issuing, restriction, suspension or withdrawal of the certificate of constancy of performance of the

construction product on the basis of the outcome of the following assessments and verifications carried out by that body:

- (i) an assessment of the performance of the construction product carried out on the basis of testing (including sampling), calculation, tabulated values or descriptive documentation of the product;
- (ii) initial inspection of the manufacturing plant and of factory production control;
- (iii) continuing surveillance, assessment and evaluation of factory production control.

1.3. System 2+

- (a) The manufacturer shall carry out:
 - (i) an assessment of the performance of the construction product on the basis of testing (including sampling), calculation, tabulated values or descriptive documentation of that product;
 - (ii) factory production control;
 - (iii) testing of samples taken at the manufacturing plant by the manufacturer in accordance with the prescribed test plan;
- (b) The notified factory production control certification body shall decide on the issuing, restriction, suspension or withdrawal of the certificate of conformity of the factory production control on the basis of the outcome of the following assessments and verifications carried out by that body:
 - (i) initial inspection of the manufacturing plant and of factory production control;
 - (ii) continuing surveillance, assessment and evaluation of factory production control.

1.4. System 3

- (a) The manufacturer shall carry out factory production control;
- (b) The notified laboratory shall assess the performance on the basis of testing (based on sampling carried out by the manufacturer), calculation, tabulated values or descriptive documentation of the construction product.

1.5. System 4

- (a) The manufacturer shall carry out:
 - (i) an assessment of the performance of the construction product on the basis of testing, calculation, tabulated values or descriptive documentation of that product;

(ii) factory production control;

(b) No tasks require the intervention of notified bodies.

1.6. Construction products for which a European Technical Assessment has been issued

Notified bodies undertaking tasks under Systems 1+, 1 and 3 as well as manufacturers undertaking tasks under Systems 2+ and 4 shall consider the European Technical Assessment issued for the construction product in question as the assessment of the performance of that product. Notified bodies and manufacturers shall therefore not undertake the tasks referred to in points 1.1.(b)(i), 1.2.(b)(i), 1.3.(a)(i), 1.4.(b) and 1.5.(a)(i) respectively.

2. BODIES INVOLVED IN THE ASSESSMENT AND VERIFICATION OF CONSTANCY OF PERFORMANCE

With respect to the function of notified bodies involved in the assessment and verification of constancy of performance for construction products, distinction shall be made between:

- (1) product certification body: a body notified, in accordance with Chapter VII, to carry out constancy of performance certification;
- (2) factory production control certification body: a body notified, in accordance with Chapter VII, to carry out factory production control certification;
- (3) laboratory: a body notified, in accordance with Chapter VII, to measure, examine, test, calculate or otherwise assess the performance of construction products.

3. HORIZONTAL NOTIFICATIONS: CASES OF ESSENTIAL CHARACTERISTICS WHERE REFERENCE TO A RELEVANT HARMONISED TECHNICAL SPECIFICATION IS NOT REQUIRED

1. Reaction to fire
2. Resistance to fire
3. External fire performance
4. Acoustic performance
5. Emissions of dangerous substances'