

CEMBUREAU POSITION ON THE NEW CPR PROPOSAL

6 points to be addressed during the co-decision

12 July 2022

CEMBUREAU welcomes the European Commission's new Construction Products Regulation (CPR) proposal. CPR has a crucial role to play in supporting the delivery of low-carbon construction materials as long as it enables a timely and flexible standardisation process, meeting the needs of the market. As the CPR has been extended to cover sustainability related topics, considering the full life cycle of products has become ever more critical.

The European cement industry is committed to achieve carbon neutrality by 2050 as set out in CEMBUREAU [Carbon Neutrality Roadmap](#), outlining the technological and innovation pathways. These pathways span the full value chain and assess the CO₂ reduction potential in both the manufacturing part of the business (clinker and cement manufacturing) and in the production, use and end-of-life of its end-product, concrete. Concrete is a key building material for tomorrow's sustainable built environment thanks to its durability, strength, recyclability, and its carbonation potential.

As noted by the European Commission, the construction ecosystem is a vital sector for the European Union (EU) economy, with 25 million people employed and 5 million SMEs. Moving towards a carbon neutral Europe, it is at utmost importance to decarbonise buildings since they account today for about 40% of the EU's total energy consumption and are carbon intensive (36% of GHG emissions from energy).

CEMBUREAU is a strong supporter of the principles based on the common technical language established by the present CPR for CE Marking. CEMBUREAU has always praised the fact that the European cement standard EN 197-1 was the first harmonised standard in Europe. The technical specifications in EN 197-1 have been used not only in Europe but across the world in many cases for 30 years. This is why the European cement industry would have preferred a soft-law approach with limited changes to the CPR (option A), as advocated by the majority of the construction products industry.

CEMBUREAU agrees with the aim to achieve a well-functioning single market for construction products and to contribute to the objectives of the green and digital transition. From that perspective, CEMBUREAU welcomes the strengthening of the market surveillance, and the use of digitalisation to provide information.

However, CEMBUREAU wishes to raise the attention of the European Commission, the European Parliament and the Member States involved in the co-decision process, as well as of the whole Construction Value Chain to 6 key points that need to be considered:

1. When it comes to the standardisation process the following points are key for the European cement industry:

- a. A swift solution to the backlog of citation of harmonised standards in the Official Journal of the European Union (OJEU) should be found to make it possible to introduce new lower carbon cements into the EU market, and thereby facilitating the transition to a climate neutral society;
 - b. CEMBUREAU supports the CPR Acquis process to deal with the old mandates and the new standardisation requests in order to come back rapidly to a well-functioning system with harmonised standards cited in the OJEU;
 - c. It is key to maintain European Committee for Standardisation (CEN)'s as leading body for the development of standards and clearly identify the technical (CEN) and legal (Commission) boundaries in the standardisation process. CEMBUREAU welcomes that the proposal outlines the "harmonised zone" and confirms CEN's role of drafting standards.
 - d. While providing for compliance with the legal zone, the new CPR should also provide for the fulfilment of the technical requirements of construction codes well established today. Durability and safety of construction products should rank as top priorities for the construction ecosystem.
2. CEMBUREAU supports the broader coverage of sustainability aspects of construction products. It nevertheless insists that the declaration of environmental and climate data should serve the purpose of providing information to the value chain with a view to their final use at the construction work (infrastructure, building) level, the level at which life cycle assessments should be carried out. In this context, CEMBUREAU expresses concerns about the potential development of a traffic light labelling at product level.
 3. As the whole European construction products industry, CEMBUREAU emphasises the need for a stable regulatory framework. In this respect, it is of the opinion that the empowerment to the Commission to supplement the Regulation by means of delegated acts should be limited. To avoid uncertainties and ever-changing rules of the CPR, delegated acts should remain exceptional and follow clear established criteria, and not be used as a systematic alternative for the Commission to introduce new additional rules. Nonetheless the expertise of all involved stakeholders should be included in the elaboration of delegated acts.
 4. CEMBUREAU raises attention to the potential additional efforts, costs, and administrative burden of the proposal, e.g., with the new obligation for manufacturers to provide a declaration of conformity in addition to a declaration of performance. There are no guarantees of the proposal's claimed cost reduction through a well-performing standardisation process.
 5. The European cement industry welcomes the approach of Digital Product Passports. However, further clarification is necessary on uncertainties related to the confidentiality and ownership of providing sensitive data to be stored, shared, and accessed durably in a Union construction products database or system.
 6. CEMBUREAU finally expresses concerns about the zero tolerance for non-conformities in the proposed Assessment and Verification System (AVS) which as a technical principle is not executable in common building material production processes. Proposed penalties and consequences as well as an intended complaint portal would also raise legal concerns.

The European Union has competitive standards recognised worldwide and adapted in their entirety or partly by many countries outside the EU. For CEMBUREAU it is key that under the new CPR European cement standards keep the outreach and remain competitive and influential in the international sphere.

For a better understanding of the complexities of the Commission proposal for a new CPR, a clarification on how it will work for cement standards and the future of standardisation of cement is fundamental.

CEMBUREAU is looking forward to a continued interaction on the topics set out above with all relevant stakeholders in the debate.
