

2 February 2023

## CEMENT BELONGS TO THE CPR

**The CPR offers the best framework to decarbonise cement as construction product. The amendments to bring cement into the scope of the Ecodesign for Sustainable Products Regulation should not be supported.**

CEMBUREAU, the European Cement Association, welcomes the Commission's proposal to review the Construction Product Regulation (CPR). The CPR has a crucial role to play in supporting the delivery of low-carbon construction materials through a timely and flexible standardisation process. Addressing the sustainability performances of construction is a key objective of the Commission's CPR proposals and CEMBUREAU fully supports this objective.

**Some amendments tabled in the European Parliament aim to bring cement into the scope of the Ecodesign for Sustainable Products Regulation (ESPR)<sup>1</sup>. In CEMBUREAU's view, such proposals are unjustified and counter-productive. The CPR indeed offers the best framework to support the development of low-carbon cements whilst recognising its specificity as a product which is only used in the construction industry. Furthermore, cement is already a priority sector under the CPR, with the acquis process – including environmental aspects - scheduled to start early 2023. Putting cement both under the CPR and the ESPR could delay the current process and even lead to conflicting legislations.**

### **1. Significant efforts are deployed by the EU cement industry to bring low-carbon cements into the market**

- The European cement industry has laid out its decarbonisation efforts in its [2050 Carbon Neutrality Roadmap](#) published in May 2020. The Roadmap aligns the cement industry's decarbonisation pathway with the EU Green Deal objectives and spans the full value chain, from production of clinker and cement to the use of concrete in the built environment. The development of low-carbon cements is an integral part of this Roadmap, relying on a wide-range of technologies.
- EU cement companies have been actively investing in innovation projects across Europe (please see our CEMBUREAU [interactive map](#) of innovation projects, listing over 70 projects). As an example, the latest EU ETS Innovation Fund call for proposals has awarded about 518 million Euros to finance breakthrough technology investments in three projects from the cement industry.

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<sup>1</sup> Amendments 6 of the draft ENVI Committee opinion, amendments 99, 100 to the draft ENVI Committee opinion, amendment 194 to the draft IMCO Committee and amendments 314, 315 to the draft IMCO report

- Many low-carbon cements are currently developed by EU cement companies and available to customers on the EU market today. Going forward, the revised EU Emission Trading Scheme and the upcoming EU Carbon Border Adjustment Mechanism (CBAM) which are currently being finalised by co-legislators, provide a strong legal framework on CO2 prices and clear incentives to reduce CO2 emissions of cement production across the continent.
- CEMBUREAU has been long calling for a well-functioning standardisation process to bring low-carbon cements to the market (see for instance CEMBUREAU [position paper](#) on harmonised cement standards for the single market). In particular, rapid and efficient standards approval processes are needed to bring lower carbon cements to the market<sup>2</sup>.

## 2. Cement is a B2B product used exclusively in the construction sector & the ESPR is not a sustainable framework for cement

- Unlike other intermediary products that have different end-users, cement is a business-to-business (B2B) product manufactured for its exclusive use in construction – as the key ingredient to deliver the performance of its main end-product concrete<sup>3</sup>.
- For this reason, the Commission rightly opted for cement to be exclusively covered by the CPR rather than the ESPR, as explained in the CPR legislative proposal (recital 28). Such approach is further substantiated in the CPR [Impact Assessment](#) (page 114) and ESPR [Impact Assessment part IV](#) (page 539): “*The SPI can cover intermediate products (steel, glass etc.) regardless of what happens under CPR. The only exception is cement that has no other use than construction*”.
- The CPR is indeed much more complete and covers key requirements for construction products, which is not the case of ESPR (see *annex I of product parameters*):
  - the basic requirements for construction works such as structural integrity of construction works, essential characteristics related to life cycle assessment (e.g. climate change impact);
  - requirements ensuring the appropriate functioning and performance of products;
  - inherent product safety requirements / inherent product environmental requirements.

Therefore, the ***CPR is much more suited for cements as it covers all the aspects for its use which happens exclusively in the construction sector.***

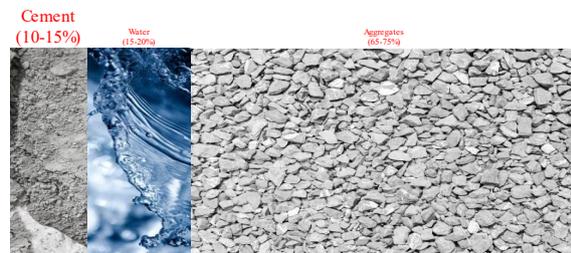
- In addition, cement is not dissociable from its end product concrete. For instance, depending on the application, using a low-CO2 cement with reduced clinker content may be counterbalanced by increasing the amount of cement needed per tonne of concrete, for the performance required. In this respect, it is critical to support a coherent policy framework: cement-based materials, their design, use and their constituents are under the CPR. Cement and cement-based materials product standards have been developed over decades to be used *in tandem* with their respective design and construction standards. For example, in the case of concrete construction, Eurocode 2 (design), EN 13670 (construction), EN 206 (concrete) and EN 197 (cement) are intrinsically linked to ensure the structural safety and

<sup>2</sup> There is currently a significant procedural delay in publishing new harmonised standards.

<sup>3</sup> 90% is sold in bulk and 10% is sold in bag (contractors, retailers)

design life of a building are achieved. These links are fundamental from a technical perspective, i.e., references to these inter-related standards are not simply included for information purposes. This relationship between standards is similar for masonry design and construction. It is therefore essential that such an important family of standards is under the same regulation.

CEMENT → CONCRETE → BUILDINGS



- Furthermore, **having cement covered by the ESPR would create significant legal uncertainty and confusion and could lead to conflicting legislations.** The environmental performance of construction products will be covered under the revised CPR and is already covered under the existing environmental product declarations (EPDs). Applying Ecodesign rules that have, in essence, the same objectives, would mean a duplication of legislation and would be confusing for the market. Furthermore, **both legislations will have a different adoption processes and implementation timeline and having cement covered by both the ESPR and the CPR might lead to conflicting rules for the same product.** Transparency, clarity, and simplicity should drive the bringing to market of construction products.
- Besides, the **ESPR proposal aims to tackle the way products are designed, the materials and components that are used, and the way supply chains are set up.** Cement, on the other hand, is a basic material manufactured exclusively to create concrete. **Cement is not “designed” as such, it is produced according to the harmonised standards (EN 197)** with the components clinker and cementitious materials (by-products from other industries). There are different types of cement used according to their application in construction and to the regional availability of those by-products. Once cement reacts with water, there is no way back to its original condition, i.e., cement cannot be remanufactured or recycled for the same use. The sustainability performance of different types of cements should therefore be part of the whole life cycle assessment of the construction work where it is used in concrete.

### 3. A clear framework for the development of standard is planned for the CPR, with cement identified as a priority

- A key objective of the CPR review is to accelerate the development of low-carbon construction materials. In this respect, the CPR lays down a clear prioritisation methodology, defining priority product groups.
- Under the CPR acquis process, the Commission has started working on the compliance of the Acquis with the current and the revised CPR. Priority sectors were identified, and cement is

the fifth product group after four groups<sup>4</sup>. The CPR acquis process for cement is scheduled to start early 2023.

- As part of this process, the Commission will come up with in the short term with a new standardisation request for cement which will take into account both the basic requirements for construction works and the environmental requirements of the revised CPR. Putting cement under the ESPR would therefore only risk delaying a process that is already in motion.

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<sup>4</sup> (1) Precast normal/lightweight/autoclaved aerated concrete products, (2) Structural metallic products and ancillaries, (3) Reinforcing and prestressing steel for concrete (and ancillaries), (4) Post tensioning kits and Doors, windows, shutters, gates and related building hardware & (5) Cement