

AFOCERT, association of certification bodies for construction products and works, has taken note of the proposed revision of the Construction Products Regulation of the European Commission, released on March 30, 2022.

After a careful examination of it, eagerly awaited after numerous public consultations, **AFOCERT** considers that this project is extremely complicated and extensive, and ultimately far from the expectations expressed by the stakeholders.

Indeed, the combination in the same document of two declarations of different scopes, performance on the one hand and conformity with certain requirements on the other hand, and this based on several documents of distinct natures and legal statuses, is unintelligible and costly for those responsible for placing construction products on the market, in particular SMEs/VSEs, but also for users, specifiers, companies or individuals. This complexity is increased tenfold by the possibility that the European Commission assumes of being empowered to adopt delegated acts on any provision or tool, which deprives the actors of visibility on the application of the text to the different construction products.

In addition, this project makes exclusive a "harmonised zone" integrating the characteristics of products as well as their methods of evaluation and expression of their performance. This approach imposes a limitation on the use of technical methods or approaches incorporated in harmonised standards or delegated acts. From common good, they become European collective good of exclusive use and restricted to only evaluations and verifications for the purposes of declaration of performance and/or declaration of conformity and CE marking. The involvement of technical bodies, which are also subject to rough competition, will thus be restricted, and their services limited. As a ripple effect, the opportunities for support for changes in the rules of the state of the art for the benefit of every player by the technical bodies will be reduced.

Until now, it is nevertheless through the will and commitment of all, without exception, that progress and innovations have expanded in confidence and that the rules of the state of the art have been continuously improved. European standardisation, developed by consensus of all market players, was even before the establishment of the CPD, then the CPR, the fundamental lever for the free circulation of products. With this project, and contrary to its objective of promoting responsible, sustainable, and environmental construction, the European Commission will cause the drying up of independent and impartial technical proposals in the common interest.

Finally, this project is all the more worrying in that it now goes beyond the framework of construction products and their availability on the market and encroaches on the field of building works, pertaining to the Member States authority. Yet, subsidiarity in this area remains a guarantee of the relevance of the solutions, more so in the context of the circular economy and the sustainable management of resources.

In general, and without entering a tedious exercise of numerous comments, **AFOCERT** considers that this project, through its extent, its complexity, and its content, deviates from the legitimate objectives displayed, such as improving and securing the legal framework, or the preservation of the environment and the fight against climate change.

AFOCERT requests that the European Commission remains attentive to the interested parties so that substantial improvements, in accordance with the constant result of the surveys carried out previously and the opinions expressed by all concerned actors, are made in a new, more realistic, and reasonable proposal capable of preserving the dynamism and progress of a major European economic sector.