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From: Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director

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To: Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

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Subject: ANNEXES to the Commission Delegated regulation (EU) .../... supplementing Regulation (EU) No 305/2011 by laying down the applicable systems to assess and verify constancy of performance of construction products in relation to the essential characteristics on environmental sustainability and amending that Regulation as regards the assessment and verification of constancy of performance of construction products based on a modelling approach

Delegations will find attached document C(2024) 3480 final.

Encl.: C(2024) 3480 final



Brussels, 30.5.2024
C(2024) 3480 final

ANNEXES 1 to 2

ANNEXES

to the

Commission Delegated regulation (EU) .../...

supplementing Regulation (EU) No 305/2011 by laying down the applicable systems to assess and verify constancy of performance of construction products in relation to the essential characteristics on environmental sustainability and amending that Regulation as regards the assessment and verification of constancy of performance of construction products based on a modelling approach

ANNEX I

SYSTEMS OF ASSESSMENT AND VERIFICATION OF CONSTANCY OF PERFORMANCE

For the products covered by this Regulation, taking into account their essential characteristics, the systems for the Assessment and Verification of Constancy of Performance (AVCP system) as set out in Annex V to Regulation (EU) No 305/2011 shall apply as follows:

Table 1

For essential characteristics on environmental sustainability

Row	Product subfamilies	AVCP system
1	Products for which an applicable European legal base exists to determine that they are deemed to achieve a certain level or class of performance without testing or calculation, or without further testing or calculation	4
2	Products not belonging to the subfamilies set out in row 1	3+

ANNEX II

Annex V to Regulation (EU) No 305/2011 is amended as follows:

(1) point 1 is amended as follows:

(a) the following point 1.4a. System 3+ is inserted:

‘1.4a. System 3+

- (a) The manufacturer shall carry out:
 - (i) the assessment of the performance of the product on the basis of data collection for input values, assumptions and modelling;
 - (?) factory production control.
- (b) The notified assessment validation body shall decide on the issuing, restriction, suspension or withdrawal of the validation report 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) validation of the input values, assumptions made and compliance with applicable generic or product category specific rules;
 - (?) validation of the manufacturer’s assessment;
 - (?) validation of the process applied to generate that assessment;
 - (iv) validation of the correct usage of software appropriate for the assessment;
 - (v) initial inspection of the manufacturing plant to validate any company-specific data.’;

(b) point 1.6. is replaced by the following:

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

Notified bodies undertaking tasks under Systems 1+, 1, 3 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), 1.4a.(a)(i) and 1.5.(a)(i) respectively.’;

(2) in point 2, the following point (4) is added:

‘(4) assessment validation body: a body notified, in accordance with Chapter VII, to validate the assessment of the performance of construction products.’;

(3) in point 3, the following point 6 is added:

‘6. Environmental sustainability.’.