



Re 117/08/OL

COMMENTS OF BING
on the IMCO amendments relating to the
Commission proposal COM(2008) 311 regarding the revision of
the Construction products directive (89/106/EC)

BING is the European association representing the rigid polyurethane insulation industry. Rigid polyurethane foam is the premium insulation material used in a wide variety of applications in buildings, district heating, cooling and refrigeration, and industrial systems.

BING has taken note of the draft amendments prepared by the IMCO Committee of the European Parliament. Whilst most of these proposals find our full support, we are seriously concerned about the consequences of the following amendments:

Amendments 6, 7, 16, 19, 20, 22
Distinction between European and territorial essential characteristics

Whilst BING understands the intention of the rapporteur, the amendments introducing the distinction between European and territorial requirements would lead to significant confusion and additional costs in practice.

1. The proposal mixes up essential characteristics for products with basic requirements for works. As shown in the following, the mandatory characteristics introduced by amendment 20, cannot be determined for products without knowing the end-use application:
 - **Safety of the product:** Resistance (or reaction) to fire is not the most essential safety characteristic in particular for load bearing products. The reference to fire is therefore pointless. Furthermore, without reference to end-use conditions, it is impossible to provide useful product information.
 - **Contribution to the fight against global warming:** About 80% of the environmental impact of a building stems from its in-use phase. The building orientation / location and design (the way the different construction products are assembled) have therefore a crucial role to play. The impact of individual construction products is difficult to assess in an isolated manner, as they are not stand-alone products. CEN/TC 350 has therefore clearly established the requirement to make the link between products (Environmental product declarations) and end-use applications. Only when looking at whole buildings / building elements one can establish the quantity needed of a specific product and

hence its contribution to climate change. Any parameters expressed in per kg are completely meaningless.

For example, to insulate a flat roof of 100 m² to achieve a thermal resistance of 3.33 m²K/W, one needs 264 kg of polyurethane, but 1,295 kg of stone wool and even 4,000 kg of wood fibre.

- **Quality of indoor air:** Again, it will be impossible to assess this characteristic without knowing the end-use application of a product. Is it used for buildings? If so, is it covered by other products or directly in contact with the indoor air? It is also unclear why this point is limited to indoor air and does not take account of leaching to groundwater and soil.
2. The proposal would apply to some but by far not all construction products, thus, causing discrimination and uncertainty.

For example, it would be pointless to test a cobble stone or a cement pipe on their fire resistance and their effects on the quality of the indoor air. Establishing the global warming potential of a cobble stone may also appear of minor added value.

3. As comments from national delegations confirm, many governments see these amendments as an invitation to introduce additional national characteristics. This would hamper the functioning of the Internal Market and significantly increase the costs of manufacturers.
4. Today, the product performance has to be declared only if the country, where the product is placed on the market, regulates the relating essential product characteristic. In the case of indoor air and global warming, only very few national regulations exist today. Manufacturers would not know what and how to declare. Establishing European thresholds would not be in compliance with subsidiarity principles. BING believes that the current system should be maintained. Essential product characteristics are defined in product-related mandates (resulting from national regulations) and harmonised standards develop the related test methods.
5. The amendments would require the declaration of at least three characteristics. Others (such as R value for insulation products) would certainly be added by product TCs / the EC, so that the total number of characteristics to be declared would go beyond of what is required today in a number of countries. This would add to the cost of manufacturers and can therefore not be supported.

In the light of the above arguments, BING urges the European Parliament to

- **remove any reference to the distinction between European and territorial characteristics.**
- **re-insert the possibility to declare “no performance determined” if a product characteristic is not regulated in a country where is specific product is placed on the market. This guarantees a maximum of transparency and allows manufacturers to use the same document format in all markets.**