

What is a European Technical Assessment?

Construction Products Regulation EU No. 305/2011

A European Technical Assessment is one of two paths to compliance of a construction product to the CE Construction Products Regulation. In case you were unaware, the Construction Products Regulation No. 305/2011 replaced the Construction Products Directive 89/106/EEC in March 2011. Compliance with the new “CPR” has been mandatory for any construction product sold in the European Union since July 2013. One of the new aspects of the CPR is the inclusion of a 2nd path to compliance with the Regulation referred to as a European Technical Assessment.

The Two Compliance Paths of the CPR: As with most CE “Product Safety” Directives (LVD, MD, MDD, ATEX), the main path to compliance involves verifying that the product complies with the applicable harmonized standards listed under the Directive (or in this case, the Regulation) in order to bear the CE mark. However, unlike those other Directives, the CE Construction Products Regulation also has a defined second path to compliance known as a “European Technical Assessment” (ETA). A European Technical Assessment is requested by a construction product manufacturer if either:

- 1) The construction product does not meet the scope of any harmonized standard or,
- 2) The construction product has at least one essential characteristic (performance rating) for which the requirements in the harmonized standard are not appropriate or,
- 3) The construction product has at least one essential characteristic for which the harmonized standard has no means to assess.

Can you avoid a European Technical Assessment? If there is a harmonized standard under the CE-CPR for your product, you need to apply the harmonized standard, not an ETA. The benefits to using the applicable harmonized standard(s) cannot be understated. Keep in mind that competing construction products produced in the EU will meet the harmonized standards. And, one of the objectives of the CPR is consistency of performance data as provided to the construction works designers and engineers. That consistency has a lot to do with the harmonized standards. The harmonized standards include guidance on how to apply the standard under the CE-CPR, which is much more than just the material characteristics, rating system, list of tests, and the test methods.

Production control and production test specifications are included in the harmonized standards. The harmonized standards also identify the Essential Characteristics for the construction product and they specify the options for attestation of conformity per Annex III of the CE-CPR (indicates what parts of the CE-CPR compliance process require a Notified Body or a Certification Body).

What this means is that you may want to avoid an ETA. You may want to consider:

- a) If you make a product performance claim that is not addressed in the harmonized standard, perhaps you should remove that claim for the EU market - at least initially. You have the option to pursue additional characteristics later using the European Technical Assessment process.
- b) If your product was previously tested to other standards that are not harmonized under the Construction Products Regulation (i.e. ASTM standards), how do the test methods in the standards used compare to the harmonized standards? Are the test methods the same? If not, you will need to perform the tests per the harmonized standards if one



exists. The ETA process is not to be used in lieu of using the harmonized standard. The ETA process is intended for construction products for which there is no harmonized standard or, state of the art construction products that introduce a new beneficial performance characteristic that the standard does not yet address.

The ETA Process: To have a European Technical Assessment performed on a construction product, an application must be filed with a Technical Assessment Body (TAB) that is accredited under the CE Construction Products Regulation for that type of product. Annex II of the Construction Products Regulation outlines the overall process for adopting a European Assessment Document in lieu of a harmonized standard. Note that the maximum time permitted by a TAB for each step is included in Annex II and it shows a process that can take up to 11 months, with the possibility for time extensions if new test methods must be adopted.

Unique New Construction Products: If you make a construction product for which there is no harmonized standard, it is possible that a Technical Assessment Body (TAB) has already been issued by a European Technical Assessment Document on that type of construction product. European Technical Assessment Documents must be distributed to all applicable TAB's and once the document is issued, it is to be applied to similar construction products by all accredited TAB's. The TAB process will not take much less time if there was a previous European Technical Assessment Document issued for your type of construction product.

Other Factors: Keep in mind that complying with the harmonized standard or having a European Technical Assessment performed on your construction product is only half of the process. Once compliance with the harmonized standard or an ETA is confirmed, the manufacturer's quality system and methods used to maintain the expected performance level of ongoing production must be evaluated for compliance to Annex V of the CPR titled "Assessment and Verification of Constancy of Performance".

Is There Any Other Option? If there is a harmonized standard for your construction product, you must comply with the standard and meet the CPR. If there is no harmonized standard for your construction product but there is an existing European Technical Assessment Document (ETAD), you must apply for a European Technical Assessment (ETA). However, if there is no harmonized standard and no existing ETAD for your construction product, the ETA process is only an option. The alternative is to have no CE Mark and no Declaration of Performance and pursue meeting the country/local construction requirements for each application.

Summary: The European Union requires that all construction products comply with the CE Construction Products Regulation before being offered for sale in the EU. Products designed and tested to harmonized standards listed under the CPR have a distinct advantage – the harmonized standards have been written specifically with the CPR in mind and provide well defined requirements that fit the expectations of the Regulation. While the European Technical Assessment process provides a method for construction products that do not have a harmonized standard to comply with the Construction Products Regulation, it can add a lot time to the compliance process and requires agreement to all non-EN harmonized performance verification methods by an accredited Technical Assessment Body (TAB).

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