



Fire safety of buildings

Fire performance of construction products

Update from DG GROW.C.1

CONSTRUCTION IN EU TREATIES

Under the EU Treaties the Union does not have the competence to regulate regarding the fire safety of buildings.

Fire safety is therefore regulated today at Member States level, and Member States can set their requirements for the fire safety of buildings.

The Commission could under the **subsidiarity principle** undertake action to regulate the fire safety of buildings if the Member States cannot properly ensure fire safety in their territory.

CONSTRUCTION IN EU TREATIES

The Commission does not dispose up today compelling proof that Member States cannot ensure the objective of fire safety of buildings in their territory.

The Commission, therefore does not intend to regulate more than what is necessary to achieve the internal market for construction products.

This is allowed by Article 114 of the TFEU.



MAIN EU LEGISLATION ON CONSTRUCTION

Regulation (EU) 305/2011 (the CPR) on the marketing of construction products is based on Article 114 of the TFEU and aims at **consolidating the internal market** for construction products by setting common rules on how the performance of construction products should be assessed and declared.

The 2ND Basic Requirement on Construction Works (i.e buildings and civil engineering works) is “Safety in case of fire”.

MAIN LEGISLATION ON CONSTRUCTION

Under the CPR the aspects of construction products which are regulated (EU legal acts) regarding the classification of their fire performance are:

- **reaction to fire** of construction products (Decision 2016/147/EC),
- **resistance to fire** of construction products (Decision 2000/367/EC),
- **fire performance of roof products** (Decision 2001/671/EC),

MAIN LEGISLATION ON CONSTRUCTION

Aspects of products performance which are today covered under Decision 2016/147/EC regarding the assessment and classification of performance of construction products regarding their **reaction to fire** are:

- speed of spread of flame,
- existence of flaming droplets,
- amount of smoke produced.

NEW CHALLENGES FOR EVERYBODY

Emerging issues:

- **toxicity of smoke from burning construction products**
- **behaviour of modern facades in fire.**

The Commission asked for the elaboration of 2 independent studies regarding:

- the need to regulate within the CPR On the toxicity of smoke produced by construction products in fire
- the development of a European assessment approach to evaluate the behaviour of modern facades in fire.

More details on these 2 studies under agenda item 7



HOW TO HELP MEMBER STATES ADDRESS NEW CHALLENGES?

To enhance fire safety in buildings the Commission believes that the co-operation of Member States should be encouraged and decided to support **Fire Information Exchange Platform (FIEP)** to facilitate exchange of information between Member States and relevant stakeholders on best practices and lessons learned in the field of fire safety.



You can contact us on: construction@ec.europa.eu

Thank You for Your attention!