

## **FSEU position on the Revision of the Construction Products Regulation**

Fire Safe Europe welcomes the revision of the Construction Products Regulation as a crucial step forward to boost the internal market for construction products and ensure that the regulatory framework in place is fit for making the built environment deliver on our sustainability and climate objectives.

The fire safety sector strongly relies on and benefits from standards which need to remain aligned with changing market and regulatory demands. The crucial process of standardisation involves all concerned parties working together in a transparent, cooperative and flexible manner in order to have up-to-date standards which are essential to improve fire resilience while enabling sustainability and supporting innovation in the construction sector in a timely and rapid manner.

For this reason, Fire Safe Europe welcomes the Commission's proposal to further improve the Construction Product Regulation and would like to make concrete suggestions to optimise the functioning of the internal market of construction products and ensure the sustainability of the built environment, specifically regarding fire safety.

### **Use of delegated acts should be exceptional and duly justified**

The revised proposal foresees the possibility for the Commission to use delegated acts, where a reference to a harmonised technical specification cannot be published otherwise in the Official Journal. Nevertheless, it should be clarified that this measure should be an extraordinary tool and that its use has to be properly motivated and justified by the European Commission. In any case, delegated acts shall be developed in an efficient, transparent and balanced manner, giving technical knowledge and expertise the right consideration.

### **Ensuring a balanced representation in standardisation bodies**

The Commission's proposal confirms the crucial role that industry plays in the standardisation process through its participation in European Standardisation Organisations (ESOs). However, we believe that more should be done to ensure a balanced representation of different stakeholders into standardisation committees. In particular, FSEU supports a standardization process that guarantees a balanced contribution of essential stakeholders such as regulators, producers, contractors, architects, building owners, user groups, consumers, independent experts, research institutes, the insurance industry, and academia.

### **The EOTA route shall be guaranteed**

The EOTA route has especially been instrumental in allowing a number of fire protective products as well as kits to be CE-marked for which there is no CEN route at the moment. As such the EOTA route has significantly contributed to removing barriers to trade for fire protective products. Fire Safe Europe supports the continuity of these achievements as an integral part of the European harmonized zone. For this reason, Fire Safe Europe asks for more clarification on the proposed measures by the European Commission stating that CE-marking can be mandatory for European Technical Assessment (ETA): it has to be clearly stated that ETAs, and their EADs, must be accepted by Member States in the future.

## **Fire safety should be a key sustainability indicator**

The Commission's proposal aims to create a harmonised framework to assess and communicate the environmental and climate performance of construction products over the whole lifetime of the building. However, when looking at European policy measures, the natural link between fire safety and sustainability of buildings does not seem to be properly addressed. Fire Safe Europe would like to stress that fire safety is a crucial element of the economic, social and environmental sustainability of the EU built environment. The adverse effects of a building fire go beyond the immediate impact on life safety (casualties, emergency response), the building and its content. It has short- and long-term impacts on the environment, as it adds pollutant gases to the air, contaminates surrounding soil and water systems, and consequently impacts the health of citizens. Inadequately factoring in fire risks in buildings' design and construction can nullify the economic benefits of energy efficiency and sustainability measures.

For this reason, Fire Safe Europe suggests making fire safety over the lifetime of construction products one of the key performance indicators of sustainability considerations in the CPR. In particular, construction works and any part of them shall be designed, constructed, used, maintained and demolished in such a way that, throughout their life cycle, an event of fire is appropriately prevented. Moreover, besides reaction to fire properties, also the fire resistance performance and durability of products need to be adequately incorporated.

Finally, the revised CPR aims at boosting circular economy by making construction products durable, repairable, re-usable, recyclable, and easier to re-manufacture. However, it should be ensured that the actual fire performance of re-processed or re-used products is assessed according to relevant product standards before their (re-)introduction into the market.

## **The EU must address possible new fire risks**

With the aim of decarbonising the building environment, the European Union is experiencing an increased use of renewable energies as well as solutions/technologies running on electricity. However, these new systems can constitute a serious challenge for the fire safety of EU buildings if not addressed properly. Hence, it is crucial to ensure that fire safety of buildings is not compromised on our road to reduce carbon emissions and that the link between building fire resilience and carbon emission reduction is taken into account both at EU and Member States' levels.

For this reason, the European Union needs to address new relevant fire scenarios, to secure adequate fire safety and fire performance for buildings. Direct regulation or model codes/guidelines should be developed by the European Commission to support implementation in local building regulations. Fire Safe Europe is willing to support the European Commission in this field through its active contribution to the Fire Information Exchange Platform (FIEP).

## **Digital construction products passports need to respect intellectual property rights**

Fire Safe Europe is supportive of the potential introduction of a EU construction products database or system based on the Digital Product Passport established by Regulation on Ecodesign for Sustainable Products. Storing and sharing relevant data along the product lifecycle will enable users to have the right information about the composition of construction products boosting their chances of being reused and recycled. However, it will be crucial to guarantee a balanced approach between this need for public data and the intellectual property rights of companies. In fact, the protection of certain reserved data on product components is key to ensuring fair competition amongst companies, giving them the right incentive to improve or offer new products and services, benefitting society as a whole.