

1. Introduction

From 1st July 2013, under the Construction Products Regulation 2011 (CPR), it became mandatory for manufacturers and suppliers to apply CE marking to any of their construction products, which are covered by a harmonised European Standard (hEN) or European Technical Assessment (ETA).

The CPR aims to ensure the reliability of information on the performance of construction products, information which is of interest to designers, constructors, public authorities and consumers. This is achieved through harmonised European product standards and European Technical Assessments using a common technical language and uniform assessment methods.

Construction products can be individual products or supplied by a single manufacturer as a kit of at least two separate components that need to be put together to be incorporated in the construction works.

To put this into the context of roofing, for the following products (which are covered by hEN standards) it is mandatory to show a CE mark on the label and to make available a Declaration of Performance (DOP):

- Vapour Control Layers
- Carrier Membranes
- Insulation
- Rooflights

For LRWA members that sell these products under their own brand names, they are responsible for CE marking the products.

2. What does a CE mark mean?

The CE mark is a claim that a particular construction product can be legally placed on the market of member states of the European Economic Area (EEA) and indicates that the product is consistent with the data provided in the relevant Declaration of Performance (DoP) as issued by the manufacturer. The DoP details the performance of the product as given in the ETA or hEN.

CE marking indicates that a product is consistent with its Declaration of Performance as detailed by the manufacturer. However, CE marking does not declare any conformity to national building regulations, so does not replace BBA certificates, nor is it a quality mark.

In summary, CE marking is a passport that enables a construction product, irrespective of its origin, to be legally placed on the market of EEA member states.

3. How does this apply to Liquid Applied Roofing Membranes?

Liquid applied membranes are not covered by hENs, instead they can be ETA certified in accordance with a European Assessment Document (EAD) (previously an ETAg - European Technical Approval Guideline). An ETA is an approval based on testing carried out to agreed European levels.

CE marking by way of an ETA is voluntary in as much as it is up to the manufacturer whether they obtain an ETA certificate or not. The cost of ETA testing and certification can be significant and some manufacturers may decide that the costs are prohibitive, especially as it is not mandatory for liquid applied membranes.

If they do decide to obtain an ETA certificate they then must CE mark their product. If they choose not to obtain an ETA certificate they must not CE mark their product.

It should be noted that a criterion for membership of the LRWA is to have products that have BBA, BDA or ETA certificates.

Clients should not wholly rely on CE marking as a form of differentiation between liquids that are or are not CE marked, or, indeed other types of waterproofing that must be CE marked. There are other criteria that should be considered relating to quality of products, compliance to building regulations or durability.

4. The Future of CE Marking in the UK

Any company who would like to continue to sell products into the EU single market will still need to comply with CE marking post BREXIT.

The UK Government has announced an extension to the date ending recognition of the CE Mark in Great Britain. CE Marked goods may continue to be placed on the GB market until **1st January 2023**.

5. UKCA Marking

All product sectors now have until 1st January 2023 to prepare to use the UKCA Mark. The UKCA Mark can be used now, and the Government is encouraging businesses to start using it as soon as possible, with it becoming mandatory for placing certain goods on the market in Great Britain from 1st January 2023.

A guidance note has been published by the Construction Leadership Council regarding conformity marking of construction products. In summary there will be three different product marks that manufacturers, and others in the supply chain, may need to apply.

The rules governing these marks will depend on where the product is intended to be used.

The three marks are:

- The EU's marking for product conformity (CE marking)
- The United Kingdom Conformity Assessed mark (UKCA mark)
- The United Kingdom Northern Ireland mark (UK(NI) mark), which is additional to the CE marking in some instances.

www.constructionleadershipcouncil.co.uk/wp-content/uploads/2020/10/EU-Exit-Business-Readiness-Standards-and-Alignment-Conformity-Marking-of-Construction-Products_V1.pdf

5. UKCA for Liquids and Other Products that Fall Under a UKAD

UK-based technical assessment bodies (TABs) became 'UK technical assessment bodies' on 1 January 2021, and are listed on the UKMCAB database.

TABs will be responsible for drawing up and adopting UK assessment documents. This will allow manufacturers to obtain a voluntary UK mark for their products when placing them on the GB market. Our Minister has requested all UK TABs form a working group to discuss how they can support voluntary UKCA marking requirements under UK CPR legislation.

UK TABs may use a European Assessment Document (EAD) that was adopted before the UK left the EU, to develop a UK assessment document, if they have obtained the necessary consent to do so from the European Organisation for Technical Assessment.

It is not currently possible to apply the UKCA mark on the basis of an European Technical Assessment (ETA). UK TABs are currently working with EOTA to understand how EADs can be shared with and used by UK TABs, and subsequently converted into UKADs with which UK Technical Assessments

(UKTAs) can be issued. We will publish further guidance on this once an approach to this has been agreed.

Please note that, as the UKTA is a voluntary route to UKCA marking where products are not covered by the mandatory UK CPR requirements, those products can continue to be placed on the GB market. Manufacturers may wish to explore the option of third-party certification schemes in the UK which allow them to demonstrate that their products meet building regulations requirements.

Further Reading

Construction Products Association (October 2014) *Guidance Note on the Construction Products Regulation*, Version 3

LRWA was founded in 1979, and consists of the UK's leading manufacturers of liquid roof coatings and related material suppliers. It aims to raise awareness about the technical and financial benefits of specifying liquid applied roofing systems and to establish both product and installation standard to ensure optimum performance is achieved; to this end LRWA has been involved in the writing of European Technical Approvals as the official body in conjunction with the BBA and EOTA.

Whilst every effort has been made to ensure the accuracy of the information contained in this publication, it must be emphasised that the Association has itself not verified the information by independent testing: for this reason and because the Association has no control over the precise circumstances in which it will be used the Association, its officers, employees and members can accept no liability arising out of its use, whether by members of the Association or otherwise. The publication is of a technical nature only and makes no attempt to state or conform to building regulations or other legal requirements; compliance with these must be the individual user's own responsibility.