

# AVCP System 3+

## EOTA Position Paper

29/01/2024

### Considering

- the process of the revision of the Construction Products Regulation and in particular its Annex V,
- the 4-column document including the results already achieved in the trilogue on the proposal for the revision of the CPR of 21/12/2023, as well as
- the CPR Acquis process and the work of the Sub-group on Environmental Sustainability of construction products, which EOTA follows as an observer, in particular milestones C [SGEnv003.05\_Mil.C.1\_Draft\_proposal\_02] and D [SGEnv\_Mil.D\_1-3\_Draft\_proposal\_01] with statement (clause 6 of the cited document of Milestone D): *Further, it will be part of the validating notified body according to AVCP 3+: “(i) validation of the input values, assumptions made and compliance with applicable generic or product category specific rules” to ensure consistent use of relevant generic data. Thereby manufacturers are also incentivised to provide updated data as products and processes are improved. In this regard, the validation performed by notified bodies should benefit from horizontal rules developed in the context of the Group of Notified Bodies.*

### The EOTA has adopted the following position:

1. With respect to the role of the Technical Assessment Bodies (TABs) in the process of attestation of constancy of performance, system AVCP 3+, EOTA believes that there is no reason for differentiating between the underlying principles of AVCP 3+ and all other AVCP systems 1+, 1, 2, 3, and 4 as per proposal for Commission Delegated Regulation (EU) No .../.. of ... amending Annex V to Regulation (EU) No 305/2011 as regards the assessment and verification of constancy of performance of construction products and on the applicable system to assess and verify constancy of performance of construction products, regarding the essential characteristics on environmental sustainability [SGEnv003.05\_Mil.C.1\_Draft\_proposal\_02], as the role of TABs is to assess the product's performance and to indicate this performance in the ETAs issued, following the underlying EAD. This assessment can be done in different ways, such as testing or calculations, either done by the responsible TAB itself or by another body on its behalf.
2. Therefore, there is no additional role under systems 1+, 1, 2+ or 3 for a notified body with regard to the verification of the product's performance when an ETA has been issued and no additional third-party validation is necessary (see Regulation 305/2011, Annex V 1.6, as well as the relevant clauses of the 4-column document). This concept should also be the basis for AVCP system 3+. Similar to the approach foreseen for verifications of products covered by a hEN, three parties would be involved in the verification of the product's performance: the manufacturer, a system provider and the TAB.

Thus, EOTA reiterates its position that it is necessary to amend the proposal [SGenV003.05\_Mil.C.1\_Draft\_proposal\_02] for the draft Delegated Act on AVCP system 3+, as tabled for the Advisory Group on Construction Products (November 2023).

3. It will be of outmost importance for the market to have, based on the EAD/ETA route, only one document as the single tool to indicate the product's performance, i.e., the ETA.
4. With respect to the documentation in which the manufacturer states the properties of the product, e.g., project report, as proposed in SGenV004.05\_Mil.B.1-6\_Outcome\_01 the project report should be available not only to the market surveillance authorities and the notified bodies, but also to the TABs for the issuing of ETAs.