NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

|  |  |
| --- | --- |
| **1.** | **Notifying Member:** European Union  **If applicable, name of local government involved (Article 3.2 and 7.2):** |
| **2.** | **Agency responsible:** European Commission  **Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:**  European Commission  EU-TBT Enquiry Point  Fax: +(32) 2 299 80 43  E-mail: [grow-eu-tbt@ec.europa.eu](mailto:grow-eu-tbt@ec.europa.eu)  Website: <http://ec.europa.eu/growth/tools-databases/tbt/en/> |
| **3.** | **Notified under Article 2.9.2 [****], 2.10.1 [****], 5.6.2 [X], 5.7.1 [****], other:** |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Construction products |
| **5.** | **Title, number of pages and language(s) of the notified document:** Draft Commission Delegated Regulation supplementing Regulation (EU) No 305/2011 of the European Parliament and of the Council by establishing classes of performance in relation to air permeability for rooflights of plastics and glass and roof hatches (6 pages + Annex 2 pages, in English) |
| **6.** | **Description of content:** This draft delegated act under the Construction Products Regulation (EU) No 305/2011 (the CPR) contains the introduction of new classes of performance in relation to air permeability for rooflights of plastics and glass and roof hatches under EN 1873, EN 1873-1, EN 1873-2, EN 1873-3 and EN 14963. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** The reference to the European product standard EN 1873:2005 on individual rooflights of plastics was first published under Directive 89/106/EEC in the *Official Journal of the European Union* in June 2006. This harmonised standard did not contain a classification for the performance of the products covered by it in relation to the essential characteristic air permeability.  Recently, the European Committee for Standardisation (CEN) submitted to the Commission a new version of this standard, EN 1873:2014+A1:2016. This version comprises a classification for the performance of the products covered by it in relation to the essential characteristic air permeability, with three classes of performance introduced. This standard is currently under revision in CEN, so as to cover rooflights of plastics and glass and roof hatches. It is planned to have three parts in its next version, i.e. EN 1873-1, EN 1873-2 and EN 1873-3. All three parts are to contain the said classification.  The reference to the European product standard EN 14963:2006 on continuous rooflights of plastics was first published under Directive 89/106/EEC in the *Official Journal of the European Union* in July 2009. This harmonised standard did not contain a classification for the performance of the products covered by it in relation to the essential characteristic air permeability.  Recently, CEN informed the Commission that the next revised version of this standard will comprise the same classification for the performance of the products covered by it in relation to the essential characteristic air permeability as introduced in EN 1873.  According to the above standards, the assessment of performance in relation to air permeability is to be carried out by using different levels of internal pressure, increasing stepwise from the level of 4 Pa to the level of 100 Pa. The classification of the results can be expressed in a diagram, which depicts the three classes as rectangles distinguished by straight lines between the levels indicating the differentiating outcomes at the internal pressure levels 4 Pa and 100 Pa. |
| **8.** | **Relevant documents:**   * Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC. Official Journal of the EU No L 88 of 4.4.2011, page 5.  [http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri= OJ:L:2011:088:0005:0043:EN:PDF](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:088:0005:0043:EN:PDF) * Commission communication in the framework of the implementation of the Council Directive 89/106/EEC of 21 December 1988 on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products (Text with EEA relevance) *OJ C 134, 8.6.2006, p. 1-28 (ES, CS, DA, DE, ET, EL, EN, FR, IT, LV, LT, HU, MT, NL, PL, PT, SK, SL, FI, SV)* [*https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.C\_.2006.134.01.0001.01.ENG&toc=OJ:C:2006:134:TOC*](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.C_.2006.134.01.0001.01.ENG&toc=OJ:C:2006:134:TOC) * Commission communication in the framework of the implementation of the Council Directive 89/106/EEC on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products (Text with EEA relevance )(Publication of titles and references of harmonised standards under the directive) *OJ C 152, 4.7.2009, p. 9-39 (BG, ES, CS, DA, DE, ET, EL, EN, FR, IT, LV, LT, HU, MT, NL, PL, PT, RO, SK, SL, FI, SV)* [*https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.C\_.2009.152.01.0009.01.ENG&toc=OJ:C:2009:152:TOC*](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.C_.2009.152.01.0009.01.ENG&toc=OJ:C:2009:152:TOC) |
| **9.** | **Proposed date of adoption:** 1st quarter 2019  **Proposed date of entry into force:** 1st quarter 2019 |
| **10.** | **Final date for comments:** 60 days from notification |
| **11.** | **Texts available from: National enquiry point [ ]** **or address, telephone and fax numbers and email and website addresses, if available, of other body:**  European Commission EU-TBT Enquiry Point Fax: + (32) 2 299 80 43 E-mail: [grow-eu-tbt@ec.europa.eu](mailto:grow-eu-tbt@ec.europa.eu)  The text is available on the EU-TBT Website:  <http://ec.europa.eu/growth/tools-databases/tbt/en/>  <https://members.wto.org/crnattachments/2018/TBT/EEC/18_5894_00_e.pdf>  <https://members.wto.org/crnattachments/2018/TBT/EEC/18_5894_01_e.pdf> |