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M 119

MANDATE TO CEN/CENELEC
CONCERNING THE EXECUTION OF STANDARDISATION WORK
FOR HARMONIZED STANDARDS ON

FLOORINGS

RELATED TO THE FOLLOWING END USES

- 01/33 : FLOOR BEDS (INCLUDING SUSPENDED GROUND FLOORS), ROADS AND OTHER TRAFFICKED AREAS
06/33 : PREFABRICATED SYSTEMS FLOORS AND GALLERIES, STAIRS, RAMPS, RAISED ACCESS FLOORS,
BALUSTRADES AND HAND RAILS, INCLUDING EXTERNAL WORKS
13/33 : FLOOR AND STAIR FINISHES

FOREWORD

This mandate is issued by the Commission to CEN/CENELEC within the context of the Council Directive of 21 December, 1988 on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products (89/106/EEC), hereafter referred to as "the Directive" or "the CPD".

One of the aims of the Directive being the removal of technical barriers to trade in the construction field, in so far as they cannot be removed by means of mutual recognition among Member States, it seems appropriate that standardisation mandates cover, at least during a first phase of the mandating programme, construction products likely to be subject to technical barriers to trade.

This mandate is intended to lay down provisions for the development and the quality of harmonised European standards in order, on the one hand, to make "approximation" of national laws, regulations and administrative provisions (hereafter referred to as "regulations") possible and, on the other hand, to allow products conforming to them to be presumed to be fit for their intended use, as defined in the Directive.

In this respect, this mandate takes account of the basic principles prevailing in the regulations of Member States, particularly those described in chapters 3 and 4.2 of the Interpretative documents, to which standardisers must refer. As stated by the Directive, the responsibility Member States have for construction works on their territory remains unchanged.

In order to fulfill the provisions of article 7.1 of the CPD the present mandate has been structured in the following way:

Chapter I Grounds. General conditions within the framework of the CPD.

Chapter II Execution of the mandate. Conditions regarding the programming, development and execution of the standardisation work.

Chapter III Harmonised standards. Conditions regarding the content and the presentation of the harmonised standards.

CHAPTER I. GROUNDS

1. This mandate falls within the framework of the general policy of the Commission with respect to technical harmonisation and standardisation, as well as within the scope of the Directive. It replaces any previous mandate on the same products formerly issued on a provisional base by the Commission.

2. This mandate is based on article 7 of the Directive and has taken into consideration the Interpretative Documents⁽¹⁾ that serve as reference for the establishment of the harmonised standards (see article 12 of the Directive). It serves to ensure the quality of the harmonised standards for products, always with reference to the state of the art, with particular reference to the fitness of the products listed in annex 1 intended to be used in **FLOOR BEDS (INCLUDING SUSPENDED GROUND FLOORS), ROADS AND OTHER TRAFFICKED AREAS; PREFABRICATED SYSTEMS FLOORS AND GALLERIES, STAIRS, RAMPS, RAISED ACCESS FLOORS, BALUSTRADES AND HAND RAILS, INCLUDING EXTERNAL WORKS; FLOOR AND STAIR FINISHES**, enabling the works to satisfy the essential requirements set out in annex 1 of the Directive, provided that barriers to trade in these products exist and that the products fall within the scope of article 2.1 of the Directive;

3. Levels or classes of requirements for the works are under the responsibility of Member States and are not covered by the present mandate. As a consequence, they are not expected to be defined in the harmonised standard.

4. Levels or classes of requirements for the products may be determined either in the Interpretative Documents or according to the procedure provided for in article 20 (2) of the Directive. In either case, where levels or classes of requirements for products are determined, guidance is given in Annex 3 to this mandate. This is not the case for classes of convenience, which are classes of product performances developed as a means of convenience for specifiers, manufacturers and purchasers. Such classes of convenience are not covered by the present mandate and should not be defined within the harmonised standard. Nevertheless, the results of the determination of the product characteristics may be expressed using classes of convenience introduced by European standards. Articles 3.2 and 6.3 of CPD do not apply to such classes.

5. The harmonised standards resulting from this mandate must allow for products to comply with them even where performance does not need to be determined for a certain characteristic because at least one Member State has no legal requirement at all for such characteristic. Declaration of performance for such a characteristic, in this case, must not be imposed on the manufacturer if he does not wish to declare it.

6. Indications regarding the documents which should be taken into account to inform standardisers and manufacturers on national and harmonised legislation on substances classified as dangerous are given in Annex 4.

CHAPTER II. EXECUTION OF THE MANDATE

(1) O.J N°C 62, 28.02.1994

1. CEN/CENELEC will present the Commission with a detailed work programme, at the latest, **three months after approval of 83/189 Committee**.
2. The work programme should identify clearly the list of harmonised standards to be developed. For each harmonised standard it should:
 - a) indicate the name(s) of the product(s) to be covered;
 - b) define the characteristics, durability aspects, intended uses and the forms and materials to be covered (in accordance with Annexes 1, 2 and 3 of this mandate);
 - c) attach the list of supporting documents (e.g. work items on test methods, ...);
 - d) justify the timetable foreseen for its finalization; and
 - e) identify the Technical Committee(s) responsible for the work.
3. Clear differentiation should be made between the item to become the harmonised standard for the product and the items to be used as supporting documents.
4. When a supporting test standard for one characteristic does not exist or is not in the work programme of the TC, a clear statement should be presented indicating whether CEN is able to produce one or not.
5. Any proposals for the addition of products, intended uses and materials and forms not included in the mandate but considered relevant by the TC should be presented separately from the work programme for further analysis by the Commission services. Standards prepared for products outside this mandate will not achieve the status of harmonised standards. In addition to the provisions of article 4.1 of the CPD, it must be taken into account that all the products included in the mandate have a system of attestation of conformity in accordance with the relevant Decision of the Commission; those products not included have not.
6. Any proposal for the addition of characteristics and durability aspects not included in the mandate but considered relevant by the TC should be proposed in a special chapter of the work programme for further analysis by the Commission services.
7. Where a classification system of the product performances is envisaged in Annex 3 of the present mandate, CEN/CENELEC are requested to make an appropriate proposal for its implementation.
8. CEN/TCs must give a technical answer for the determination of the characteristics of the mandate taking into account the conditions stated below; test methods suggested must be directly related to the relevant required characteristic and must not make reference to determination methods for characteristics not required by the mandate. Durability requirements should be dealt with in the framework provided by the state of the art at present.
9. Reference to test/calculation methods must be in accordance with the harmonisation aimed at. In general, only one method should be referred to for the determination of each characteristic, for a given product or family of products.

If, however, for a product or family of products because of justifiable reasons, more than one method is to be referred to for the determination of the same characteristic, the situation must be justified. In this case all referenced methods should be linked by the conjunction "or" and an indication of application should be given.

In any other case, two or more test/calculation methods for the determination of one characteristic can be accepted only if a correlation between them exists or can be developed. The relevant harmonised product standard must then select one of them as the method of reference.

Testing and/or calculation methods shall have, whenever possible, a horizontal character covering the widest possible range of products

10. Within the work programme, CEN/CENELEC will also specify those cases where the performance-based approach will not be followed in the harmonised standard and will give the relevant justification.

11. After examination of the work programme and consultations with CEN/CENELEC, the Commission services will endorse the timetable and the list of standards or parts of standards which meet the terms of this mandate and which will be recognised as harmonised or supporting standards.

12. The terms of reference of this mandate may be subject to modification or addition, if necessary. Acceptance of the work programme by the Commission services does not imply acceptance of all the WIs listed as supporting standards. TCs will need to demonstrate the direct link between WIs and the needs for harmonisation of the products, intended uses and characteristics given in the mandate. Nor does acceptance exclude the possibility for further WIs to be added by CEN, in order to fully respond to the terms of the mandate

13. Representatives of the authorities responsible for national regulations have the right and shall be able to participate in the activities of CEN/CENELEC through their national delegations and to present their points of view at all stages of the drafting process of the harmonised standards.

14. The Commission may participate in standardisation activities as observer and has the right to receive all relevant documents.

15. CEN/CENELEC will immediately inform the Commission of any problem relating to the carrying out of the mandate and will present an annual progress report on work within the framework of the mandate.

16. The progress report will include a description of work carried out and information on any difficulties being met, whether political or technical, with particular reference to those that might lead the authorities of a Member State to raise objections or to resort to article 5.1 of the Directive.

17. The progress report will be accompanied by the latest drafts of each standard under the mandate and by updated reports on any subcontracted work.

18. Acceptance of this mandate by CEN/CENELEC will initiate the standstill procedure referred to in article 7 of Council Directive 83/189/EEC of 28 March 1983 modified by Council Directive 88/182/EEC of 22 March 1988 and the European Parliament and the Council Directive 94/10/EC of 23 March 1994.

19. Acceptance of this mandate by CEN/CENELEC can take place only after the work programme has been endorsed by the Commission services.

20. CEN/CENELEC will develop the draft harmonised European standards and of the relevant supporting standards on the basis of the work programme and will inform the Commission in good time that the draft is being circulated for public comment.

21. CEN/CENELEC will present the final drafts of the harmonised European standards and of the relevant supporting standards to the Commission services for confirmation of compliance with this mandate at the latest in accordance with the timetable agreed between CEN/CENELEC and the Commission and referred to in point II.2.d).

22. CEN/CENELEC members will publish the standards transposing the harmonised European standards at the latest 6 months after a positive vote in CEN/CENELEC. National standards covering the same scope will continue to be applicable until the date agreed between CEN/CENELEC and the Commission in accordance with point II.2.d)

CHAPTER III. HARMONISED STANDARDS

1. Harmonised standards shall be prepared to allow those products listed in Annexes 1 and 2 to be able to demonstrate the satisfaction of the essential requirements. One of the purposes of the Directive being to remove barriers to trade, the standards deriving from it will therefore be expressed, as far as practicable in product performance terms (art. 7.2 of the Directive), having regard to the Interpretative Documents.

2. The harmonised standard will contain:

- A detailed scope and field of application
- A detailed description of the product or family of products covered and the relevant intended uses of the different products;
- The definition of the characteristics of the products listed in Annex 2 of the mandate (expressed in performance terms, as far as practicable) that are relevant to the satisfaction of the essential requirements;
- The methods (calculation, test methods or others) or a reference to a standard containing the methods for the determination of such characteristics;
- Guidance on the characteristics that have to be stated within the labelling that will accompany the CE marking (depending on the intended use of the product) and on the way of expressing the determined values of these characteristics;
- The classification system and the levels for the above values of characteristics, if required by the mandate;
- The system for attestation of conformity as required in annex 3 of the mandate and the corresponding specific provisions for the evaluation of conformity.

3. A minimum or a maximum level of a given characteristic (e.g. for masonry units, a compressive strength not less than 2 N/mm²) that has to be met by the family of products or a product may be identified by the harmonised standard only if required by agreement of Member States expressed by positive vote under the procedure of article 20 .

4. As far as possible, each standard will make reference to performances common to other standards developed under mandate and which constitutes a cohesive and compatible group of harmonised European standards developed in parallel. CEN/CENELEC shall ensure consistency within the whole package.

5. A producer not wishing to meet a non-mandated European standard will be able to use the CE marking on his product by referring only to the relevant harmonised standard. On the other hand, if a non-mandated standard includes the entire content of the harmonised standard, compliance with the former standard will also give a presumption of conformity to the harmonised standard and will enable the bearing of the CE marking.

In the latter case, an appropriate system should be established in the European standard in order to clearly distinguish the CPD-related content from the remaining part of the standard.

6. Harmonised standards must permit construction products which allow works to meet the essential requirements and which are produced and used lawfully in accordance with technical traditions warranted by local climatological and other conditions to continue to be placed on the market.

7. The essential requirements being expressed in terms of performance of the works, the characteristics of the products should be also expressed in terms of performance so that, in referring to the harmonised European standards, the regulations may "approximate" evolving in terms of "performance requirements". As far as practicable and depending on the intended use mentioned in the annexes of this mandate, the standard shall include a definition of the durability in term of performance of the declared values of the product characteristics as well as suitable methods for its evaluation against the actions listed in Annex 2. If the durability is expressed in terms of classes of periods, articles 3.2 and 6.3 of the CPD will not apply.

8. The relevant systems for attestation of conformity, according to Article 13.3 and Annex III of the Directive, are listed in annex 3. For the establishment of the corresponding specific provisions of evaluations of conformity, the harmonised standard will take into account:

- the different intended uses of the product mentioned in the annexes of this mandate and, if any, the different levels or classes of performance;
- cases of individual (non series) production according to Article 13.5 of the Directive;
- the recommendations of paragraph 3 of Annex 3

9. The label accompanying the CE marking will list all the characteristics to be declared according to the declared intended uses mentioned in the annexes of this mandate. In order to take into account existing regulations on products where performance for one or more characteristics may not be required, the label should allow the manufacturer the application of the "No performance determined" case for that or those characteristics.

ANNEX 1

FLOORINGS, PAVINGS AND ROADS FINISHES EXCEPT IN SITU FORMED PRODUCTS

PRODUCTS TO BE USED IN :

- 01/33 : FLOOR BEDS (INCLUDING SUSPENDED GROUND FLOORS), ROADS AND OTHER TRAFFICKED AREAS
 06/33 : PREFABRICATED SYSTEMS FLOORS AND GALLERIES, STAIRS, RAMPS, RAISED ACCESS FLOORS, BALUSTRADES AND HAND RAILS, INCLUDING EXTERNAL WORKS
 13/33 : FLOOR AND STAIR FINISHES

FORM	MATERIALS	PRODUCTS FOR CONSIDERATION
Bricks, blocks	stone concrete, (cast stone) clay glass	Paving units including pavers , flags, kerbs, blocks, Pavement lights
Prefabricated components	stone ceramic clay fiber reinforced concrete concrete cast stone metal timber (fiber, particle, cement particle, plywood) plastic & rubber glass	Raised access floors, cavity floors
Mesh	metal	Expanded metal or grid floor decking
Rigid sheets	metal wood org. fibres	Self finished decking of metal sheet, timber planks, ply or composite board Floor gratings
Rigid tiles	stone concrete clay wood asphalt concrete natural asphalt cork plastic resins	Rigid floor tiles or paving flags, slate, ceramic tiles, mosaics, quarry tiles, terrazzo, parquet, laminate floorings
Flexible sheets/tiles	org. fibres, cork inorganic fibres and particles rubber, plastics including linoleum	Textile floor coverings including tiles Flexible laminate floorings Plastic and rubber sheets, Linoleum and cork Floor loose laid tiles Anti static flooring

ANNEX 2
TECHNICALS TERMS OF REFERENCE

FLOORINGS, PAVINGS AND ROADS FINISHES EXCEPT IN SITU FORMED PRODUCTS

TO BE USED IN :

- 01/33 : FLOORS BED (INCLUDING SUSPENDED GROUND FLOORS), ROADS AND OTHER TRAFFICKED AREAS
- 06/33 : PREFABRICATED SYSTEMS FOR FLOORS AND GALLERIES, STAIRS, RAMPS, RAISED ACCESS FLOORS, BALUSTRADES AND HAND RAILS, INCLUDING EXTERNAL WORKS
- 13/33 : FLOOR AND STAIR FINISHES

FAMILY AND SUB-FAMILIES

RIGID FLOORING PRODUCTS FOR EXTERNAL USES AND ROAD FINISHES

- rigid floorings products (Paving units including pavers, flags, kerbs, blocks, pavement lights; self finished decking of metal sheet; rigid floor tiles; slate; tiles; mosaics; quarry tiles; terrazzotiles; expanded metal or grid floor decking; floor gratings) for external uses and road finishes; used to cover external pedestrian and vehicular circulation areas, (mainly foot paths, precincts, cycle tracks, car parks, roads, highways, industrial areas including docks and harbours, airport areas, bus stations, petrol filling station...)
Paving units can have flat or tactile surfaces.

E R	CHARACTERISTICS	DURABILITY
1		Y
2		
3		
4	<ul style="list-style-type: none"> -breaking strength -slipperiness (<i>for pedestrian circulation area</i>) -skid resistance (<i>for vehicular circulation area</i>) -tactility/visibility (<i>for tactile surfaces only</i>) 	
5		
6		

RIGID FLOORINGS FOR INTERNAL USES INCLUDING ENCLOSED PUBLIC TRANSPORT PREMISES

A) COMPONENTS :

- rigid flooring products in the form of components (Paving units, tiles, mosaics, parquet, decking of mesh or sheet, floor gratings, rigid laminated floorings, wood based products) for internal uses; paving units can have flat or tactile surfaces.

E R	CHARACTERISTICS	DURABILITY
1		Y
2	- reaction to fire	
3	- water tightness <i>(where applicable)</i> - emission of asbestos (content) <i>(where applicable)</i> - emission of formaldehyde <i>(where applicable)</i> - emission of pentachlorophenol <i>(where applicable)</i>	
4	-breaking strength -slipperiness -tactility/visibility <i>(for tactile surfaces only)</i>	
5		
6	-thermal conductivity	

Introduction of the characteristic "Emission of asbestos (content)" is related to indoor use. Emission of asbestos is required due to wearing out of the product in normal conditions of use

B) LOAD BEARING SYSTEMS PUT ON THE MARKET AS KITS :

Raised access floors

Cavity floors (monolithic or multilayered construction with a close and tight surface for the internal fitting out of a building)

E R	CHARACTERISTICS	DURABILITY
1		Y
2	- reaction to fire <i>(including cavity surface)</i> - resistance to fire	
3	- water tightness <i>(where applicable)</i> - emission of asbestos (content) <i>(where applicable)</i>	
4	- load bearing capacity	
5	- impact sound insulation <i>(only for kits including floor finishes)</i>	
6	- thermal conductivity	

Introduction of the characteristic "Emission of asbestos (content)" is related to indoor use. Emission of asbestos is required due to wearing out of the product in normal conditions of use

RESILIENT AND TEXTILE FLOOR COVERINGS FOR INTERNAL USES

- resilient and textile floorings in the form of homogeneous and heterogeneous resilient floor coverings supplied either in tile, sheet or roll form (Textile floor covering including tiles; plastic and rubber sheets (aminoplastic thermosetting floorings); linoleum and cork; anti-static sheet ; floor loose laid tiles ; resilient laminated floorings) for internal uses,

E R	CHARACTERISTICS	DURABILITY
1		Y
2	- reaction to fire	
3	- emission of asbestos (content) - emission of pentachlorophenol (<i>where applicable</i>) - emission of formaldehyde (<i>where applicable</i>) - water tightness (<i>where applicable</i>)	
4	- slipperiness - electrical behaviour (static) (<i>where applicable</i>)	
5		
6	- thermal conductivity	

Introduction of the characteristic "Emission of asbestos (content)" is related to indoor use. Emission of asbestos is required due to wearing out of the product in normal conditions of use

RESILIENT AND TEXTILE FLOOR COVERINGS FOR EXTERNAL USES

- resilient and textile floorings in the form of homogeneous and heterogeneous resilient floor coverings supplied either in tile, sheet or roll form (Textile floor covering including tiles; plastic and rubber sheets (aminoplastic thermosetting floorings); linoleum and cork; anti-static sheet ; floor loose laid tiles ; resilient laminated floorings) for external uses,

E R	CHARACTERISTICS	DURABILITY
1		Y
2		
3		
4	- slipperiness	
5		
6		

COMPREHENSIVE TABLE OF CHARACTERISTICS

FLOORINGS, PAVINGS AND ROADS FINISHES EXCEPT IN SITU FORMED PRODUCTS

E R	Performance characteristics	rigid floorings for external uses	rigid floorings for internal uses		resilient and textile floorings		durability
			components	kits	internal	external	
1							Y
2	- reaction to fire - resistance to fire		Y	Y Y	Y		
3	- water tightness (<i>where applicable</i>)		Y	Y	Y		
	- emission of asbestos (content) (<i>where applicable</i>)		Y	Y	Y		
	- emission of formaldehyde (<i>where applicable</i>)		Y		Y		
	- emission of pentachlorophenol (<i>where applicable</i>)		Y		Y		
4	- breaking strength	Y	Y		Y	Y	
	- slipperiness(<i>for pedestrian circulation area</i>)	Y	Y				
	- skid resistance(<i>for vehicular circulation area</i>)	Y					
	- load bearing capacity			Y			
	- tactility/visibility (<i>for tactile surfaces only</i>)	Y	Y				
	- electrical behaviour (static) (<i>where applicable</i>)				Y		
5	- impact sound insulation (<i>only for kits including floor finishes</i>)			Y			
6	- thermal conductivity		Y	Y	Y		

ANNEX 3
ATTESTATION OF CONFORMITY

Product family : floorings (1/2)

1 Systems of attestation of conformity

For the product(s) and intended use(s) listed below, CEN/CENELEC are requested to specify the following system(s) of attestation of conformity in the relevant harmonised standard(s) :

Product(s)	Intended use(s)	Level(s) or class(es)	Attestation of conformity system(s)
RIGID FLOORINGS PRODUCTS Paving units (with flat or tactile surface) including pavers, flags, kerbs, blocks, pavement lights, self finished decking of metal sheet, rigid floor tiles, slate, tiles, mosaics, quarry tiles, terrazzotiles, expanded metal or grid floor decking, floor gratings,	for external uses and road finishes to cover external pedestrian and vehicular circulation areas		4
System 4 : see CPD annex III.2.(ii), Third possibility			

3. Conditions to be applied by CEN on the specifications of the attestation of conformity system

The specification for the system should be such that it can be implemented even where performance does not need to be determined for a certain characteristic, because at least one Member State has no legal requirement at all for such characteristic [see Article 2.1 of the CPD and, where applicable, clause 1.2.3 of the Interpretative Documents]. In those cases the verification of such a characteristic must not be imposed on the manufacturer if he does not wish to declare the performance of the product in that respect.

1. Levels and classes for product performances

- 1.1 According to article 3.2 of the CPD and Clause 1.2.1 of the IDs, a classification of product performance has been identified as the means of expressing the range of requirement levels of the works in respect of **reaction to fire** and of **resistance to fire**.

Regarding reaction to fire, CEN is requested to follow the Commission Decision 94/611/EC [O.J. L 241 of September 1994] and make reference to the standard(s) to be prepared under Commission mandate to CEN/CENELEC "Horizontal complement to the mandates in respect of reaction to fire" in dealing with reaction to fire in the specific harmonised standards to be developed under this mandate.

Regarding resistance to fire, the relevant classification system is indicated in the interpretative document n°2 and CEN is requested to make reference to the standard(s) to be prepared under Commission mandate to CEN/CENELEC "Horizontal complement to the mandates in respect of resistance to fire" in dealing with resistance to fire in the specific harmonised standards to be developed under this mandate.

- 1.2 Reaction to fire and resistance to fire are risks for which the need for a classification has been identified for the time being.

Further needs may be identified on the basis of differences specified in Article 3 (2) of the CPD, which are justified in conformity with Community law (IDs Clause 1.2.1).

Where for such needs it is recognised that a classification of product performance is the means of expressing the range of requirement levels of the works, the Commission will give the appropriate guidance or will request CEN to make the appropriate proposal through a modification to this mandate.

2. Systems of attestation of conformity

For the product(s) and intended use(s) listed below, CEN/CENELEC are requested to specify the following system(s) of attestation of conformity in the relevant harmonised standard(s) :

Product(s)	Intended use(s)	Level(s) or class(es) <i>reaction to fire</i>	Attest. conform. system(s)
RIGID FLOORING PRODUCTS A) components: Paving units, tiles, mosaics, parquet, decking of mesh or sheet, floor gratings, rigid laminated floorings, wood based products B) load bearing systems put on the market as kits: Raised access floors , cavity floors	FOR INTERNAL USES including enclosed public transport premises	A _n - B _n - C _n (*)	1
		----- A _n - B _n - C _n (**)	3
		----- A _n (***)- D _n - E _n - F _n	4
RESILIENT AND TEXTILE FLOORINGS Homogeneous and heterogeneous resilient floor coverings supplied either in tile, sheet or roll form (Textile floor covering including tiles; plastic and rubber sheets (aminoplastic thermosetting floorings); linoleum and cork; anti-static sheet; floor loose laid tiles ; resilient laminated floorings)	FOR INTERNAL USES	A _n - B _n - C _n (*)	1
		----- A _n - B _n - C _n (**) A _n (***), D _n - E _n - F _n	3
RESILIENT AND TEXTILE FLOORINGS Homogeneous and heterogeneous resilient floor coverings supplied either in tile, sheet or roll form (Textile floor covering including tiles; plastic and rubber sheets (aminoplastic thermosetting floorings); linoleum and cork; anti-static sheet; floor loose laid tiles ; resilient laminated floorings)	FOR EXTERNAL USES	---	4
System 1: See CPD Annex III.2.(i), without audit-testing of samples System 3: See CPD Annex III.2.(ii), Second possibility System 4 : See CPD Annex III.2.(ii), Third possibility			

(*) Materials for which the reaction to fire performance is susceptible to change during production (In general, those subject to chemical modification, e.g. fire retardants, or where changes of composition may lead to changes in reaction to fire performance)

(**) Materials for which the reaction to fire performance is not susceptible to change during the production process

(***) Materials of class A that according to the Decision 96/603 do not require to be tested for reaction to fire.

3. Conditions to be applied by CEN on the specifications of the attestation of conformity system

3.1 The specification for the system should be such that it can be implemented even where performance does not need to be determined for a certain characteristic, because at least one Member State has no legal requirement at all for such characteristic [see the "no performance determined" case under Article 2.1 of the CPD and when article 3.2 classes apply, clause 1.2.3 of the Interpretative Documents]. In those cases the verification of such a characteristic must not be imposed on the manufacturer if he does not wish to declare the performance of the product in that respect.

3.2 Regarding "**rigid flooring products**" under system 1 and system 3, for the initial type testing of the product (to be required by the manufacturer in case of system 3) {see Annex III.1.a of the CPD} the task for the approved laboratory will be limited to the assessment of the following characteristics :

-Euroclasses characteristics for reaction to fire (except products classified as A***, D, E, F) as indicated in the Decision of the Commission 94/611/EC.

-Resistance to fire (*for load bearing systems put on the market as kits*)

-Content of asbestos (*where applicable*)

-Emission of formaldehyde (*where applicable*)

The assessment of the rest of the relevant characteristics will be a task of the manufacturer.

3.3 Regarding "**resilient and textile flooring for internal uses**" under system 1 and system 3, for the initial type testing of the product (to be required by the manufacturer in case of system 3) {see Annex III.1.a of the CPD} the task for the approved laboratory will be limited to the assessment of the following characteristics :

-Euroclasses characteristics for reaction to fire (except products classified as A***, D, E, F) as indicated in the Decision of the Commission 94/611/EC

-Content of asbestos (*where applicable*)

-Emission of formaldehyde (*where applicable*)

The assessment of the rest of the relevant characteristics will be a task of the manufacturer.

3.4 For products under system 1, regarding the certification of the product on the basis of the initial inspection of the factory production control and its continuous surveillance, assessment and approval {see Annex III.2.i(4) and (5) of the CPD} the task for the approved body will be limited to parameters related to the following characteristics :

-Euroclasses characteristics for reaction to fire as indicated in the Decision of the Commission 94/611/EC.

ANNEX 4

European Technical Specifications must be adopted taking into account the necessary legislation on substances classified as dangerous.

This results from the Interpretative Documents, where it is noted in the introduction note to all six Interpretative Documents, that :

"Concerning dangerous substances which are in construction products, classes and/or levels of performance to which technical specifications will refer, shall allow the levels of protection needed by the works to be guaranteed, taking into account the purpose of the works."

In addition, outside the scope of the Directive, writers of technical specifications must take into account legislation which affects material to be used for construction products, and which are regulated for reasons not related to the incorporation into the works of the construction products.

In order to permit technical specifications writers to take into account the necessary legislation, a working document was elaborated by the Commission services (doc.CONSTRUCT 95/148 Rev.1 of January 4, 1996). Specification writers should use this document as a guide but must also take account of any other relevant legislation or dangerous substances which the working document does not yet include.



EUROPEAN COMMISSION
 ENTERPRISE AND INDUSTRY DIRECTORATE-GENERAL
 New Approach Industries, Tourism and CSR
Construction, Pressure Equipment, Metrology

Brussels, 22nd June 2010

M/119 rev.1 EN

AMENDMENT TO:

MANDATE TO CEN/CENELEC

CONCERNING THE EXECUTION OF STANDARDISATION WORK

FOR HARMONISED STANDARDS ON

Floor coverings (M/119)

1. EXPLANATORY NOTE

The Construction Products Directive (89/106/EC) – CPD covers six essential requirements for construction products. In the original mandate and work programme these aspects were only partly taken into consideration, mostly due to a lack of data on existing requirements and/or lack of technical instruments to be harmonised in European standards.

Construction products could emit or contain substances that have been defined as “dangerous substances” under European Directives and national regulations. While the emission (or the content) shall be below any existing European and/or national threshold values (where the product is placed on the market), manufacturers and authorities need transparent and understandable schemes in place for the declaration of product performance in this respect in order to determine conformance of the product with these regulatory requirements. This requires harmonised standards for the declaration of the potential release (or presence in those cases where a substance is banned or content where it is not possible to measure releases) of dangerous substances from construction products. The test methods to support this declaration will be provided by CEN TC 351 following the requirements of the Commission’s mandate M 366.

To identify substances to be assessed¹, CEN TCs have to consider the current versions of EU Directives and notified national regulations.

Regulatory requirements to be referred to can be found:

- Commission's database on dangerous substances²;
- Indicative list indoor air/soil and (ground) water (DS 051)
- Annexes of amendment of mandate M/119

To facilitate the work of CEN product TCs, the attached annexes provide an inventory of substances/materials that are considered as the most relevant³ in the first phase for products covered under mandate M/103. It remains to the product TC to select the most efficient approach of identifying dangerous substances regulated and relevant for their specific products⁴.

However, the financial and technical burden of testing could in many cases be avoided if a clear definition and product declaration of a product and/or its intended use is introduced in a product standard. This could allow manufacturers and authorities to avoid any testing or to focus on a few relevant substances/components/materials for testing, while they could exclude certain substances/components/materials from their test schemes⁵.

2. OBJECTIVE

¹ Any substances identified in the original mandate M/119 have also be included in the work programme following this amendment.

² <http://ec.europa.eu/enterprise/construction/cpd-ds/>

³ The term “most relevant” for substances/materials in the inventory as well as in the selection and reply of each product TC highlights the importance of a *fast and pragmatic approach* two step approach for the first generation of product standards covering ER 3. The focus in the inventory as well as in the selection and reply by CEN TCs is on the substances/materials which are

- most likely present in a product or will most likely emit form products;
- have been identified by regulators as risk for health and the environment;

To avoid that the standardisation work will be unnecessarily delayed by trying to cover less likely or less dangerous risks in the first generation, the first generation is supposed to cover the *majority* of risks and substances/materials, but allows for adaptations in subsequent five year reviews of the product standards.

⁴ However, the manufacturer, or his agent established in the Community, shall be responsible for the attestation that products are in conformity with the requirements of a technical specification. (Art.13 of the CPD)

⁵ Following this approach not all substances listed in a mandate have to be tested. Some substances can be excluded by description (i.e. “substance xy is not used in concentrations above 0.1 % w/w”)

The objective of this mandate is for CEN to amend existing harmonised product standards (or standards under development) to cover ER3 requirements⁶ to an extent that will allow CE marked construction products to be placed on national markets without additional national requirements.

Note: It should be stressed that this exercise shall not duplicate the ongoing work in TC 351 and its links to product TCs. But to avoid later misunderstandings and complications that might lead to delayed publications of harmonised product standards and/or the use of CE marking the dialogue between specification writers and the Commission/regulators/experts should be facilitated and strengthened.

3. DESCRIPTION OF THE MANDATED WORK

The attached annex provides an overview on national notified regulatory requirements that have been linked by several experts of the Commission's expert group on dangerous substances to products covered under mandate M/119.

CEN has to assess the list and to take it completely into consideration when describing and justifying its selection of substances and their relevance in its work programme, in particular on the following aspects:

- If these substances may be present in products covered by mandate M/119 and in all existing harmonised product standards or harmonised product standards under development;
- If these substances are likely to emit from the above mentioned products and if these emissions are close to existing limit values in regulations referred to in this document⁷;
- If there is available data, particularly where the above mentioned products have been tested in the past on either content or emission of these substances by national authorities/bodies⁸;

Note: The work programme of the product TC will be used for further discussion in the EGDS between the Commission, national experts and experts of the product TC and TC 351.

CEN has to provide in existing harmonised product standards or harmonised product standards under development either

⁶ These ER-requirements include that the products put on a national market can fulfil the national legal requirements.

⁷ The possibility of excluding products, components or substances from testing will be dealt with in detail in another document describing a system of defining products "without testing" or "without further testing".

⁸ If products have not been subject to testing for dangerous substances (or specific substances now mentioned in this document have not been assessed in the past) will be helpful to assess the priority given by regulators or the lack of useful technical instruments for the assessment, but does not necessarily indicate that Member State authorities might not insist on these specific requirements during the development of a standard or *after* it has been finalised. Therefore, each substance should be assessed carefully by the TC and in case of doubt clarification should be requested from the Commission.

- clear and transparent definitions of products⁹ that will make further requirements for testing for dangerous substances obsolete or
- a set of clear and transparent requirements for product which will be laid down in product standards for these specific product families or relevant sub-families.

4. EXECUTION OF THE MANDATE

The standards resulting from this amended mandate will have to be delivered by no later than 12 months after the adoption of technical specifications developed under the mandate M/366.

After formal acceptance of the mandate, CEN will present to the Commission within 2 months a detailed proposal for the Work Programme. Having regard to the scope of this mandate this Work Programme will include

- a selection and clear indication of substances/materials indicated in the annexes of this mandate which are considered as relevant in products covered by mandate M/119, or a justification for excluding substances/materials of the attached annex from standardisation work in the relevant product TC;
- a list of all product standards considered to require declaration categories for the potential release or content of regulated dangerous substances to enable fulfilment of regulatory requirements;
- the timetable for the development and the publication of each amended standard; if not all regulated dangerous substances can be dealt with in one phase/generation, it should be explained how and when to handle the other substances and which steps still need to be taken.

Note: Due to regulatory requirements (e.g. the content of restricted and banned substances in construction products), content¹⁰ measurement/test standards may also be considered.

Content may also be used as screening method in FPC or as part of a “Without Further Testing” scenario.

⁹ If necessary with regard to materials, constituents, admixtures, etc.

¹⁰ For other regulations than the CPD the content of substances in a product/materials is relevant. Therefore the characteristic to be considered can also, as pointed out in the Guidance Paper H, be the content of the dangerous substance in the construction product, when this is the only practicable or legally correct solution (e.g. when waste is used). Although the CPD deals in particular with the emission of dangerous substances, measurement methods based on content may help for example with regard to incoming materials (e.g. any material used in the production process, treated or not, be it raw materials or materials resulting from any previous use or production).

After examination of the Work Programme and consultations with CEN, the Commission will endorse the timetable and the list of measurement/test standards or parts of measurement/test standards, which meet the terms of this mandate.

The terms of reference of the mandate may be subject to modification or addition, if necessary, following the consultation of the Standards and Technical Regulations Committee, where appropriate. Especially, when the Commission has endorsed the Work Programme, the annex will be updated with the corresponding parts of the endorsed Work Programme.

The Commission¹¹ may participate in standardisation activities as an observer and has the right to receive all relevant documents.

CEN will immediately inform the Commission of any problem relating to the carrying out of the mandate from within the Technical Committees.

In an annual review meeting CEN/CENELEC will inform the Commission about the progress of the work.

The formal acceptance of this mandate by CEN will initiate the standstill procedure referred to in article 7 of the European Parliament and the Council Directive 98/34/EC of 22 June 1998.

CEN will present the final drafts of the harmonised European product standards to the Commission for confirmation of compliance with this mandate at the latest in accordance with the timetable agreed between CEN and the Commission.

The text of the European standards shall be delivered to the Commission in the three working languages of CEN (English, French, German).

CEN will provide the titles of the standards in all the official languages of the European Union.

Organisations to be involved

As appropriate, CEN will invite the representative organisations of consumers' interests (ANEC), environmental protection (ECOS), workers (ETUI-REHS) and small and medium-size enterprises (NORMAPME) to take part in the standardisation work.

¹¹ This could also include assistance from the European Commission expert group on regulated dangerous substances.

Annex I to the amendment to Mandate M/119 "Floor coverings" with respect to ER3 related requirements

NOTE: this is a general list of notified regulations which may relate to regulated dangerous substances and ER 3 but which also deals with other issues. TC 134 is asked to check through these and establish which regulations and which substances or properties are relevant to this specific task and to cover them in its standards. Further, in the below list of regulations, the different floor covering types are not always aligned with the definitions of types in the aggregate product standards so TC 134 is asked to adjust as appropriate.

EN number	Standard number and title	ER3 requirements	Indoors use	Outdoors use	Notifications / legislation
EN 1051-2	Glass in building - Glass blocks and glass pavers - Part 2: Evaluation of conformity/Product Standard			x	
EN 1338	Concrete paving blocks - Requirements and test methods	Emission: Antimony (Sb), Arsenic (As), Barium (Ba), Cadmium (Cd), Chromium (Cr), Cobalt (Co), Copper (Cu), Mercury (Hg), Lead (Pb), Molybdenum (Mo), Nickel (Ni), Selenium (Se), Tin (Sn), Vanadium (V), Zinc (Zn), Bromide, Chloride, Fluoride, Sulphate		x	Emission: 2006-496-NL and 2006-557-NL (Sb, As, Ba, Cd, Cr, Co, Cu, Hg, Pb, Mo, Ni, Se, Sn, V, Zn, Bromide, Chloride, Fluoride, Sulphate) Content: 2006-496-NL and 2006-557-NL (Benzene, Ethylbenzene, Toluene, Xylenes (sum), Phenol, PAHs, PCBs, Asbestos, Mineral oil)
EN 1339	Concrete paving flags - Requirements and test methods	Mercury (Hg), Lead (Pb), Molybdenum (Mo), Nickel (Ni), Selenium (Se), Tin (Sn), Vanadium (V), Zinc (Zn), Bromide, Chloride, Fluoride, Sulphate		x	
EN 1340	Concrete kerb units - Requirements and test method	Content: Benzene, Ethylbenzene, Toluene, Xylenes (sum), Phenol, Naphthalene, Phenanthrene, Anthracene, Fluoranthene, Chrysene, Benzo(a)anthracene, Benzo(a)pyrene, Benzo(k)fluoranthene, Indeno(1,2,3cd)pyrene, Benzo(ghi)perylene, PAHs total (sum 10), PCBs (sum 7), Asbestos, Mineral oil		x	
EN 1341	Slabs of natural stone for external paving - Requirements and test methods	Radioactivity (natural radiation sources)		x	Basic Safety Standards Directive (96/29/Euratom)
EN 1342	Setts of natural stone for external paving -			x	

	Requirements and test methods				
EN 1343	Kerbs of natural stone for external paving - Requirements and test methods			x	
EN 1344	Clay pavers - Requirements and test methods	Emission: Antimony (Sb), Arsenic (As), Barium (Ba), Cadmium (Cd), Chromium (Cr), Cobalt (Co), Copper (Cu), Mercury (Hg), Lead (Pb), Molybdenum (Mo), Nickel (Ni), Selenium (Se), Tin (Sn), Vanadium (V), Zinc (Zn), Bromide, Chloride, Fluoride, Sulphate Content: Benzene, Ethylbenzene, Toluene, Xylenes (sum), Phenol, Naphthalene, Phenanthrene, Anthracene, Fluoranthene, Chrysene, Benzo(a)anthracene, Benzo(a)pyrene, Benzo(k)fluoranthene, Indeno(1,2,3cd)pyrene, Benzo(ghi)perylene, PAHs total (sum 10), PCBs (sum 7), Asbestos, Mineral oil		x	Emission: 2006-496-NL and 2006-557-NL (Sb, As, Ba, Cd, Cr, Co, Cu, Hg, Pb, Mo, Ni, Se, Sn, V, Zn, Bromide, Chloride, Fluoride, Sulphate) Content: 2006-496-NL and 2006-557-NL (Benzene, Ethylbenzene, Toluene, Xylenes (sum), Phenol, PAHs, PCBs, Asbestos, Mineral oil
EN 12057	Natural stone products - Modular tiles – Requirements	Radioactivity (natural radiation sources)	x	x	Basic Safety Standards Directive (96/29/Euratom)
EN 12058	Natural stone products - Slabs for floors and stairs – Requirements		x	x	
EN 13748-1	Terrazzo tiles - Part 1: Terrazzo tiles for internal use		x		
EN 13748-2	Terrazzo tiles - Part 2: Terrazzo tiles for external use	Emission: Antimony (Sb), Arsenic (As), Barium (Ba), Cadmium (Cd), Chromium (Cr), Cobalt (Co), Copper (Cu), Mercury (Hg), Lead (Pb), Molybdenum (Mo), Nickel (Ni), Selenium (Se), Tin (Sn), Vanadium (V), Zinc (Zn), Bromide, Chloride, Fluoride, Sulphate Content: Benzene,		x	Emission: 2006-496-NL and 2006-557-NL (Sb, As, Ba, Cd, Cr, Co, Cu, Hg, Pb, Mo, Ni, Se, Sn, V, Zn, Bromide, Chloride, Fluoride, Sulphate) Content: 2006-496-NL and 2006-557-NL (Benzene, Ethylbenzene, Toluene, Xylenes (sum), Phenol, PAHs, PCBs, Asbestos, Mineral oil

		Ethylbenzene, Toluene, Xylenes (sum), Phenol, Naphthalene, Phenanthrene, Anthracene, Fluoranthene, Chrysene, Benzo(a)anthracene, Benzo(a)pyrene, Benzo(k)fluoranthene, Indeno(1,2,3cd)pyrene, Benzo(ghi)perylene, PAHs total (sum 10), PCBs (sum 7), Asbestos, Mineral oil			
EN 13813	Screed material and floor screeds - Screed material - Properties and requirements	Emission: VOC (single substances and TVOC), Σ SVOC, volatile carcinogens, benzene, trichloroethylene Content: CMR substances, Chromium VI, 2-(2-methoxyethoxy)ethanol (DEGME)	x		Emission: 2005-255-D and 2009-167-D (VOC, SVOC, volatile carcinogens), 1996-PL and 2008-273-FIN (VOC), 2009-34-F (trichloroethylene), 2009-104-F (benzene); Content: Regulation (EC) No 1907/2006, Annex XVII (CMR substances in preparations), 1996-PL (chromium VI), 2005-255-D and 2009-167-D (carcinogens and mutagens of categories 1 and 2), DECISION No 1348/2008/EC (DEGME)
EN 14016-1	Binders for magnesite screeds - Caustic magnesia and magnesium chloride - Part 1: Definitions, requirements		x		
EN 14041	Resilient, textile and laminate floor coverings - Essential characteristics	Emission: VOC (single substances and TVOC); Σ SVOC; volatile carcinogens; formaldehyde; benzene; trichloroethylene; dibutyl phthalate (DBP); Content: benzyl butyl phthalate (BBP); bis(2-ethylhexyl)phthalate (DEHP); dibutyl phthalate (DBP); alkanes, C10-13, chloro (SCCP); penta-, octa-, and decabromodiphenylether; pentachlorophenol; cadmium; lead; medium-chained chlorinated paraffins (MCCP); actively used carcinogens and mutagens of categories 1	x		Emission: 2005-255-D and 2009-167-D (VOC, SVOC, volatile carcinogens, formaldehyde); 2009-34-F (trichloroethylene), 2009-104-F (benzene, DBP); 1996-PL and 2008-273-FIN (VOC) Content: Regulation (EC) No 1907/2006, Candidate list (BBP, DBP, SCCP) and Annex XVII (penta- and octabromodiphenylether; cadmium); Commission Decisions 2007/395/EC (SCCP), 1999/831/EC (PCP), 94/783/EG (PCP), 2005-9020-N (decabromodiphenylether), 2007-9016-N (DEHP,

		and 2; PAH and nitrosamines; bisphenol A; perfluorooctanic acid (PFOA) and individual salts and esters of PFOA; tri-substituted organostannic compounds, dibutyltin (DBT) compounds, dioctyltin (DOT) compounds			MCCP, bisphenol-A, PFOA), 1996-PL (lead), 2005-255-D and 2009-167-D (carcinogens and mutagens of categories 1 and 2; PAH and nitrosamines in recycled rubber), Commission Decision 2009/425/EC (organostannic compounds)
EN 14342	Wood flooring - Characteristics, evaluation of conformity and marking	Emission: VOC (single substances and TVOC); Σ SVOC; volatile carcinogens; formaldehyde, ammonia; benzene; trichloroethylene Content: wood preservatives, PCP, actively used carcinogens and mutagens of categories 1 and 2	x		Emission: 2005-255-D and 2009-167-D (VOC, SVOC, volatile carcinogens, formaldehyde), 2009-34-F (trichloroethylene), 2009-104-F (benzene), 1996-PL and 2008-273-FIN (VOC, ammonia, formaldehyde) Content: Directive 98/8/EC, Consolidated list of existing active substances for which a decision of non-inclusion into Annex I or IA of Directive 98/8/EC has been adopted and which may no longer be placed on the market (wood preservatives), 1996-183-D (wood preservatives), Commission Decisions 1999/831/EC (PCP), 94/783/EG (PCP), 2005-255-D and 2009-167-D (carcinogens and mutagens of categories 1 and 2)
EN 14411	Ceramic tiles - Definitions, classification, characteristics and marking	Content: Sodium dichromate, dihydrate	x	?	Content: Regulation (EC) No 1907/2006, Candidate list (Sodium dichromate, dihydrate)
EN 14904	Surfaces for sports areas - Indoor surfaces for multi-sports use – Specification	Emission: VOC (single substances and TVOC); Σ SVOC; volatile carcinogens; formaldehyde; benzene; trichloroethylene; dibutyl phthalate (DBP); Content: benzyl butyl phthalate (BBP); bis(2-ethylhexyl)phthalate (DEHP); dibutyl phthalate (DBP); alkanes, C10-13, chloro (SCCP); penta-, octa-, and decabromodiphenylether; pentachlorophenol;	x		Emission: 2005-255-D and 2009-167-D (VOC, SVOC, volatile carcinogens); 2009-34-F (trichloroethylene), 2009-104-F (benzene, DBP); 1996-PL and 2008-273-FIN (VOC, formaldehyde) Content: Regulation (EC) No 1907/2006, Candidate list (BBP, DBP, SCCP) and Annex XVII (penta- and octabromodiphenylether; cadmium); Commission Decisions 2007/395/EC (SCCP),

		cadmium; lead; medium-chained chlorinated paraffins (MCCP); actively used carcinogens and mutagens of categories 1 and 2, PAH and nitrosamines; bisphenol A; perfluorooctanic acid (PFOA) and individual salts and esters of PFOA; tri-substituted organostannic compounds, dibutyltin (DBT) compounds, dioctyltin (DOT) compounds			1999/831/EC (PCP), 94/783/EG (PCP), 2005-9020-N (decabromodiphenylether), 2007-9016-N (DEHP, MCCP, bisphenol A, PFOA), 1996-PL and 2008-273-FIN (lead), 2005-255-D and 2009-167-D D (carcinogens and mutagens of categories 1 and 2, PAH and nitrosamines in recycled rubber); Commission Decision 2009/425/EC (organostannic compounds)
EN 15285	Agglomerated stone - Modular tiles for flooring and stairs (internal and external)	Emission: VOC (single substances and TVOC), Σ SVOC, volatile carcinogens Content: SVHC, actively used carcinogens and mutagens of categories 1 and 2	x		Emission: 2005-255-D and 2009-167-D (VOC, SVOC, volatile carcinogens); 2009-34-F (trichloroethylene), 2009-104-F (benzene, DBP); 1996-PL and 2008-273-FIN (VOC) Content: Regulation (EC) No 1907/2006, Candidate list (SVHC), 2005-255-D and 2009-167-D D (carcinogens and mutagens of categories 1 and 2)
		Emission: Antimony (Sb), Arsenic (As), Barium (Ba), Cadmium (Cd), Chromium (Cr), Cobalt (Co), Copper (Cu), Mercury (Hg), Lead (Pb), Molybdenum (Mo), Nickel (Ni), Selenium (Se), Tin (Sn), Vanadium (V), Zinc (Zn), Bromide, Chloride, Fluoride, Sulphate Content: Benzene, Ethylbenzene, Toluene, Xylenes (sum), Phenol, Naphthalene, Phenanthrene, Anthracene, Fluoranthene, Chrysene, Benzo(a)anthracene, Benzo(a)pyrene, Benzo(k)fluoranthene, Indeno(1,2,3cd)pyrene, Benzo(ghi)perylene, PAHs total (sum 10), PCBs (sum 7), Asbestos, Mineral oil; Radioactivity (natural radiation sources)		x	Emission: 2006-496-NL and 2006-557-NL (Sb, As, Ba, Cd, Cr, Co, Cu, Hg, Pb, Mo, Ni, Se, Sn, V, Zn, Bromide, Chloride, Fluoride, Sulphate) Content: 2006-496-NL and 2006-557-NL (Benzene, Ethylbenzene, Toluene, Xylenes (sum), Phenol, PAHs, PCBs, Asbestos, Mineral oil; Basic Safety Standards Directive (96/29/Euratom)