

Commission Decision of 14 July 1997 on the procedure for attesting the conformity of construction products pursuant to Article 20 (2) of Council Directive 89/106/EEC as regards external thermal insulation composite systems/kits with rendering (ETICS) (Text with EEA relevance) (97/556/EC)

COMMISSION DECISION

of 14 July 1997

on the procedure for attesting the conformity of construction products pursuant to Article 20 (2) of Council Directive 89/106/EEC as regards external thermal insulation composite systems/kits with rendering (ETICS)

(Text with EEA relevance)

(97/556/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to 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⁽¹⁾, as amended by Directive 93/68/EEC⁽²⁾, and in particular Article 13 (4) thereof,

Whereas the Commission is required to select, as between the two procedures under Article 13 (3) of Directive 89/106/EEC for attesting the conformity of a product, the ‘least onerous possible procedure consistent with safety’; whereas this means that it is necessary to decide whether, for a given product or family of products, the existence of a factory production control system under the responsibility of the manufacturer is a necessary and sufficient condition for an attestation of conformity, or whether, for reasons related to compliance with the criteria mentioned in Article 13 (4), the intervention of an approved certification body is therefore required;

Whereas Article 13 (4) requires that the procedure thus determined must be indicated in the mandates and in the technical specifications; whereas, therefore, it is desirable to define the concept of products or family of products as used in the mandates and in the technical specifications;

Whereas the two procedures provided for in Article 13 (3) are described in detail in Annex III to Directive 89/106/EEC; whereas it is necessary therefore to specify clearly the methods by which the two procedures must be implemented, by reference to Annex III, for each product or family of products, since Annex III gives preference to certain systems;

Whereas the procedure referred to in Article 13 (3) (a) corresponds to the systems set out in the first possibility, without continuous surveillance, and the second and third possibilities of section 2 (ii) of Annex III, and the procedure referred to in Article 13 (3) (b) corresponds to the systems set out in section 2 (i) of Annex III, and in the first possibility, with continuous surveillance, of section 2 (ii) of Annex III;

Changes to legislation: There are outstanding changes not yet made to Commission Decision of 14 July 1997 on the procedure for attesting the conformity of construction products pursuant to Article 20 (2) of Council Directive 89/106/EEC as regards external thermal insulation composite systems/kits with rendering (ETICS) (Text with EEA relevance) (97/556/EC). Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Construction,

HAS ADOPTED THIS DECISION:

Article 1

The products set out in Annex I shall have their conformity attested by a procedure whereby, in addition to a factory production control system operated by the manufacturer, an approved certification body is involved in assessment and surveillance of the production control or of the product itself.

^{F1}Article 2

The procedure for attesting conformity as set out in Annex II shall be indicated in mandates for guidelines for European technical approvals. The procedure for attesting conformity as set out in Annex III shall be indicated in mandates for harmonised European standards.]

Textual Amendments

- F1** Substituted by [Commission Decision of 13 January 2011 amending Decision 97/556/EC on the procedure for attesting the conformity of construction products pursuant to Article 20\(2\) of Council Directive 89/106/EEC as regards external thermal insulation composite systems/kits with rendering \(ETICS\) \(notified under document C\(2011\) 34\) \(Text with EEA relevance\) \(2011/14/EU\)](#).

Article 3

This Decision is addressed to the Member States.

Changes to legislation: There are outstanding changes not yet made to Commission Decision of 14 July 1997 on the procedure for attesting the conformity of construction products pursuant to Article 20 (2) of Council Directive 89/106/EEC as regards external thermal insulation composite systems/kits with rendering (ETICS) (Text with EEA relevance) (97/556/EC). Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

ANNEX I

External thermal insulation composite systems/kits with rendering using products classified with regard to reaction to fire as [F²A1⁽³⁾, A2⁽⁴⁾, B⁽⁵⁾, C⁽⁶⁾, D, E, (A1 to E)⁽⁷⁾, F] intended to be applied on external walls subject to fire regulations and external thermal insulation composite systems/kits with rendering intended to be applied on external walls not subject to fire regulations.

Textual Amendments

F2 Substituted by Commission Decision of 8 January 2001 amending Decisions 95/467/EC, 96/578/EC, 96/580/EC, 97/176/EC, 97/462/EC, 97/556/EC, 97/740/EC, 97/808/EC, 98/213/EC, 98/214/EC, 98/279/EC, 98/436/EC, 98/437/EC, 98/599/EC, 98/600/EC, 98/601/EC, 1999/89/EC, 1999/90/EC, 1999/91/EC, 1999/454/EC, 1999/469/EC, 1999/470/EC, 1999/471/EC, 1999/472/EC, 2000/245/EC, 2000/273/EC and 2000/447/EC on the procedure for attesting the conformity of certain construction products pursuant to Article 20 of Council Directive 89/106/EEC (notified under document number C(2000) 3695) (Text with EEA relevance) (2001/596/EC).

External thermal insulation composite systems/kits with rendering using products classified with regard to reaction to fire as [F²A1⁽⁸⁾, A2⁽⁹⁾, B⁽¹⁰⁾, C]⁽¹¹⁾ intended to be applied on external walls subject to fire regulations.

ANNEX II

PRODUCT FAMILY EXTERNAL THERMAL INSULATION COMPOSITE SYSTEMS/KITS WITH RENDERING (1/1)

Systems of attestation of conformity

For the product(s) and intended use(s) listed below, EOTA is requested to specify the following system(s) of attestation of conformity in the relevant Guideline for European technical approvals:

Product(s)	Intended use(s)	Level(s) or class(es)(Reaction to fire)	Attestation of conformity system(s)
External thermal insulation composite	in external wall subject to fire regulations	[F ² A1 ^a , A2 ^a , B ^a , C] ^a	1
		[F ² A1 ^b , A2 ^b , B ^b , C ^b , D, E	2+

a [F²Products/materials for which as clearly identifiable stage in the production process results in an improvement of the reaction to fire classification (e.g. an addition of fire retardants or a limiting of organic material)]

b [F²Products/materials not covered by footnote 1]

c [F³Products/materials that do not require to be tested for reaction to fire (e.g. Products/materials of Classes A1 according to Commission Decision 96/603/EC)]

System 1: See Annex III Section 2 (i) of Directive 89/106/EEC, without audit-testing of samples.

System 2+: See Annex III Section 2 (ii) of Directive 89/106/EEC, first possibility, including certification of the factory production control by an approved body on the basis of initial inspection of factory and of factory production control as well as of continuous surveillance, assessment and approval of factory production control

Changes to legislation: There are outstanding changes not yet made to Commission Decision of 14 July 1997 on the procedure for attesting the conformity of construction products pursuant to Article 20 (2) of Council Directive 89/106/EEC as regards external thermal insulation composite systems/kits with rendering (ETICS) (Text with EEA relevance) (97/556/EC). Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

systems/kits with rendering (ETICS)		(A1 to E) ^c , F]	
	in external wall not subject to fire regulations	any	2+
a	[^{F2} Products/materials for which as clearly identifiable stage in the production process results in an improvement of the reaction to fire classification (e.g. an addition of fire retardants or a limiting of organic material)]		
b	[^{F2} Products/materials not covered by footnote 1]		
c	[^{F3} Products/materials that do not require to be tested for reaction to fire (e.g. Products/materials of Classes A1 according to Commission Decision 96/603/EC)]		

System 1: See Annex III Section 2 (i) of Directive 89/106/EEC, without audit-testing of samples.

System 2+: See Annex III Section 2 (ii) of Directive 89/106/EEC, first possibility, including certification of the factory production control by an approved body on the basis of initial inspection of factory and of factory production control as well as of continuous surveillance, assessment and approval of factory production control

Textual Amendments

F3 Inserted by Commission Decision of 8 January 2001 amending Decisions 95/467/EC, 96/578/EC, 96/580/EC, 97/176/EC, 97/462/EC, 97/556/EC, 97/740/EC, 97/808/EC, 98/213/EC, 98/214/EC, 98/279/EC, 98/436/EC, 98/437/EC, 98/599/EC, 98/600/EC, 98/601/EC, 1999/89/EC, 1999/90/EC, 1999/91/EC, 1999/454/EC, 1999/469/EC, 1999/470/EC, 1999/471/EC, 1999/472/EC, 2000/245/EC, 2000/273/EC and 2000/447/EC on the procedure for attesting the conformity of certain construction products pursuant to Article 20 of Council Directive 89/106/EEC (notified under document number C(2000) 3695) (Text with EEA relevance) (2001/596/EC).

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.

[^{F4} ANNEX III

PRODUCT FAMILY EXTERNAL THERMAL INSULATION COMPOSITE SYSTEMS/KITS WITH RENDERING (1/1)

Textual Amendments

F4 Inserted by Commission Decision of 13 January 2011 amending Decision 97/556/EC on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive 89/106/EEC as regards external thermal insulation composite systems/kits with rendering (ETICS) (notified under document C(2011) 34) (Text with EEA relevance) (2011/14/EU).

Systems of attestation of conformity

For the product(s) and intended use(s) listed below, CEN is requested to specify the following system of attestation of conformity in the relevant harmonised European standards:

Changes to legislation: There are outstanding changes not yet made to Commission Decision of 14 July 1997 on the procedure for attesting the conformity of construction products pursuant to Article 20 (2) of Council Directive 89/106/EEC as regards external thermal insulation composite systems/kits with rendering (ETICS) (Text with EEA relevance) (97/556/EC). Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Product(s)	Intended use(s)	Level(s) or class(es)(Reaction to fire)	Attestation of conformity system(s)
External thermal insulation composite systems/kits with rendering (ETICS)	In external walls	Any	1

System 1: see point (i) of Section 2 of Annex III to Directive 89/106/EEC, without audit testing of samples.

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 Directive 89/106/EEC 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.]

Changes to legislation: There are outstanding changes not yet made to Commission Decision of 14 July 1997 on the procedure for attesting the conformity of construction products pursuant to Article 20 (2) of Council Directive 89/106/EEC as regards external thermal insulation composite systems/kits with rendering (ETICS) (Text with EEA relevance) (97/556/EC). Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (1) OJ No L 40, 11.2.1989, p. 12.
- (2) OJ No L 220, 30.8.1993, p. 1.
- (3) [F2Products/materials not covered by footnote (2).]
- (4) [F2Products/materials not covered by footnote (2).]
- (5) [F2Products/materials not covered by footnote (2).]
- (6) [F2Products/materials not covered by footnote (2).]
- (7) [F2Products/materials that do not require to be tested for reaction to fire (e.g. Products/materials of Classes A1 according to Commission Decision 96/603/EC).]
- (8) [F2Products/materials for which a clearly identifiable stage in the production process results in an improvement of the reaction to fire classification (e.g. an addition of fire retardants or a limiting of organic material).]
- (9) [F2Products/materials for which a clearly identifiable stage in the production process results in an improvement of the reaction to fire classification (e.g. an addition of fire retardants or a limiting of organic material).]
- (10) [F2Products/materials for which a clearly identifiable stage in the production process results in an improvement of the reaction to fire classification (e.g. an addition of fire retardants or a limiting of organic material).]
- (11) [F2Products/materials for which a clearly identifiable stage in the production process results in an improvement of the reaction to fire classification (e.g. an addition of fire retardants or a limiting of organic material).]

Textual Amendments

- F2** Substituted by Commission Decision of 8 January 2001 amending Decisions 95/467/EC, 96/578/EC, 96/580/EC, 97/176/EC, 97/462/EC, 97/556/EC, 97/740/EC, 97/808/EC, 98/213/EC, 98/214/EC, 98/279/EC, 98/436/EC, 98/437/EC, 98/599/EC, 98/600/EC, 98/601/EC, 1999/89/EC, 1999/90/EC, 1999/91/EC, 1999/454/EC, 1999/469/EC, 1999/470/EC, 1999/471/EC, 1999/472/EC, 2000/245/EC, 2000/273/EC and 2000/447/EC on the procedure for attesting the conformity of certain construction products pursuant to Article 20 of Council Directive 89/106/EEC (notified under document number C(2000) 3695) (Text with EEA relevance) (2001/596/EC).

Changes to legislation:

There are outstanding changes not yet made to Commission Decision of 14 July 1997 on the procedure for attesting the conformity of construction products pursuant to Article 20 (2) of Council Directive 89/106/EEC as regards external thermal insulation composite systems/kits with rendering (ETICS) (Text with EEA relevance) (97/556/EC). Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- Decision modified by [S.I. 2019/465 Sch. 3 para. 2](#)