

Commission Delegated Regulation (EU) 2016/364 of 1 July 2015 on the classification of the reaction to fire performance of construction products pursuant to Regulation (EU) No 305/2011 of the European Parliament and of the Council (Text with EEA relevance)

COMMISSION DELEGATED REGULATION (EU) 2016/364

of 1 July 2015

on the classification of the reaction to fire performance of construction products pursuant to Regulation (EU) No 305/2011 of the European Parliament and of the Council

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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⁽¹⁾, and in particular Article 27(1) thereof,

Whereas:

- (1) A system for classifying the performance of construction products with regard to their reaction to fire was adopted by Commission Decision 2000/147/EC⁽²⁾. It was based on a harmonised solution of assessing this performance and classifying the results of these assessments.
- (2) Decision 2000/147/EC provides several classes of reaction to fire performance. In addition, it contains classes F, F_{FL}, F_L and F_{ca}, which are defined as ‘no performance determined’.
- (3) In accordance with Article 2(7) of Regulation (EU) No 305/2011, a class means a range of levels, delimited by a minimum and a maximum value of performance. Classes defined as ‘no performance determined’ do not correspond to this definition and thus cannot be incorporated in a classification system under Regulation (EU) No 305/2011.
- (4) The use of ‘no performance determined’ in the context of drawing up the declaration of performance is provided in Article 6(3)(f) of Regulation (EU) No 305/2011.
- (5) In order to enable the manufacturers to declare lower reaction to fire performance than that covered by classes E, E_{FL}, E_L and E_{ca}, it is necessary to change the classification criteria of classes F, F_{FL}, F_L and F_{ca} accordingly.
- (6) It is therefore necessary to replace the classes F, F_{FL}, F_L and F_{ca} provided in Decision 2000/147/EC with new classes for products not reaching at least the reaction to fire performance under the classes E, E_{FL}, E_L and E_{ca}.

Changes to legislation: There are outstanding changes not yet made to Commission Delegated Regulation (EU) 2016/364. 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](#)

- (7) Decision 2000/147/EC has been amended several times and further amendments to that Decision are necessary. In the interests of clarity and rationality that decision should therefore be repealed and replaced,

HAS ADOPTED THIS REGULATION:

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- (1) [OJ L 88, 4.4.2011, p. 5.](#)
- (2) Commission Decision 2000/147/EC of 8 February 2000 implementing Council Directive 89/106/EEC as regards the classification of the reaction to fire performance of construction products ([OJ L 50, 23.2.2000, p. 14](#)).

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Changes and effects yet to be applied to the whole legislation item and associated provisions

- Signature modified by [S.I. 2019/465 Sch. 3 para. 8](#)