

Revision of the Construction Products Regulation

Impact assessment (SWD(2022) 88, SWD(2022) 89 (summary)) and a subsidiarity grid (SWD(2022) 87) accompanying a Commission proposal for a regulation of the European Parliament and of the Council laying down harmonised conditions for the marketing of construction products, amending Regulation (EU) 2019/1020 and repealing Regulation (EU) 305/2011, COM(2022) 144.

This briefing provides an initial analysis of the strengths and weaknesses of the European Commission's impact assessment (IA) accompanying the above-mentioned [proposal](#),¹ submitted on 30 March 2022 and referred to the Parliament's Committee on Internal Market and Consumer Protection (IMCO). The proposal, included in the [Commission work programme 2021](#) (Regulatory Fitness and Performance initiatives, REFIT), seeks to address the identified shortcomings of the Construction Products Regulation (EU) No [305/2011](#) (CPR). Besides aiming to improve the functioning of the internal market for construction products, it would also address the objectives of the [European Green Deal](#) and the [Circular Economy action plan](#) in relation to construction products. In a [resolution](#) of March 2021, the European Parliament welcomed the Commission's intention to revise the CPR with a view to further addressing barriers in the internal market for construction products and contributing to the objectives of the green and digital transition.

Problem definition

The CPR lays down harmonised conditions for the marketing of construction products in the EU. It provides rules on how to express the performance of these products with regard to their essential characteristics (e.g. sound insulation) and rules on [CE marking](#). The Commission's [2019 evaluation report of the CPR](#) (drawn up in line with the 'evaluate first' principle) – accompanied by the evaluation [report](#) on the work of the European Organisation for Technical Assessment (EOTA) – identified shortcomings in the standardisation, market surveillance and simplification provisions for micro-enterprises, among others. The evaluation report, the [2016 supporting study for the Fitness Check on the construction sector](#) and the [REFIT Platform opinion](#) pointed out the lack of legal clarity of the CPR framework and its legal overlaps and inconsistencies with other EU legislation. Besides the finding that the CPR framework is clearly underperforming, the IA considers that there is a need for the construction sector to contribute to the European Green Deal objectives, given its large potential to reduce emissions and render buildings more climate-friendly.

The IA defines **four problem areas** (pp. 4-12):

P1) The internal market for construction products has not been achieved. Harmonised European standards are essential for the functioning of the internal market, as they offer manufacturers a single technical framework (common technical language) for assessing and communicating the performance of construction products. Harmonised standards are drafted by [European standardisation organisations](#) based on a request made or mandate issued by the Commission, and are then submitted to the Commission for citation in the Official Journal of the EU (OJEU). Once harmonised standards are cited there, their use becomes mandatory, and manufacturers draw up a [Declaration of Performance](#) (DoP) and CE mark their products. Member States are obliged to allow the marketing of CE-marked construction products without requiring any additional marks, certificates or testing. However, according to the IA, the standardisation



process related to the CPR has been underperforming. In recent years, draft harmonised standards have rarely been cited in the OJEU; since early 2019, not a single one has been cited. According to the IA, this situation is due to legal problems, such as a 'contradiction [of draft standards] with the requirements of the CPR or trespassing the scope of the mandate/standardisation request'. The IA considers that the slow rate at which standards are cited undermines the internal market, as outdated harmonised standards cause costs (no estimates mentioned in the IA) for the businesses, especially for SMEs. Consequently, manufacturers have increasingly relied on an alternative route (the [EOTA route](#), originally intended for innovative products), which allows a manufacturer to voluntarily request a European Technical Assessment (ETA) from a technical assessment body. Once an ETA has been issued, the manufacturer provides a DoP and CE marks the product. In this alternative route, only the manufacturer requesting an ETA can affix the CE marking to its product. This leads to a large number of requests and additional costs for each manufacturer requesting an ETA, while also increasingly burdening the Commission's resources.

The IA notes that inherent safety risks (not related to the safety of construction works), such as mechanical risks (slipping) or incompatibility of substances/materials (glues for floorings) are not addressed in a consistent manner in the construction products. As these issues are mostly dealt with by the Member States, they may add to the trade barriers in the internal market.

The IA considers that, due to the incomplete 'character' of harmonisation under the CPR (no possibility to introduce standards for safety or environmental requirements for products), national approvals, marks and certifications continue to exist, thus creating barriers to the internal market, additional testing and additional costs. The IA does not describe the magnitude of this issue or mention cost estimates.

P2) Implementation challenges at national level. The IA states that market surveillance is considered uneven and ineffective (not explained), which undermines trust in the regulatory framework and is a disincentive for companies to comply with the legislation. The IA finds that this is detrimental for levelling the playing field for market players and opening up markets. According to the IA, more accurate CPR provisions would benefit the functioning of [Notified Bodies](#), in charge of assessing the performance of construction products. The IA provides a very limited description of this problem; it could have offered further explanations, for example by drawing on the evaluation report and its supporting study, to which it refers.

P3) Complexity of the legal framework/simplification not achieved. The IA explains that it is not clear for all stakeholders that the CE marking under the CPR is linked to the assessment of the performance of construction products and not to its conformity with product requirements (as is the rule in most of the internal market legislation). This creates 'significant legal uncertainty' (the IA could have explained further how this problem appears in practice). Moreover, the uptake of the simplification provisions built into the current CPR, addressed specifically at SMEs/micro-enterprises, has been very limited. While these provisions were expected to reduce costs and administrative burdens, it turned out to be the opposite. The IA refers to the 2016 [study](#) on the economic impacts of the CPR, which indicated that the smallest companies had borne the heaviest burden. In addition, the IA considers that certain CPR provisions lack clarity or create overlaps, either within the CPR or between it and other pieces of EU legislation. For example, the overlap between the information requirements in relation to the DoP and the CE marking process causes 'redundant administrative and financial burdens'; however, the IA states that 'no information is available on the cost of this overlap'. The IA also describes overlaps and inconsistencies with other pieces of EU legislation (e.g. the [Ecodesign Directive](#) and the [Standardisation Regulation](#)) (IA, pp. 108-111).

P4) Inability of the current CPR to deliver on broader policy priorities, particularly the green and digital transition. The IA explains that the CPR (Annex I) provides for basic requirements for construction works (BWR), of which BWR3 refers to the environmental impacts and BWR7 to sustainable use of natural resources. However, the current harmonised standards under the CPR cover only some elements of BWR3 and none of BWR7. Consequently, the possibilities for the sector

to declare the performance of its products and to differentiate the products with regard to climate, environment and sustainability performances are quite limited. The IA also recognises the limitation of the CPR to take account of the new business models (e.g. 3D printing) resulting from the digitalisation of the sector. The IA mentions that the CPR does not provide any product-related digital information; it does not cover the application of a [Digital Product Passport](#) (a method of digitally recording information of a product) or [Level\(s\)](#) (an assessment and reporting tool for sustainability performance of buildings), for instance.

The IA defines the following **problem drivers for P1**: A mismatch between the Commission's legal criteria and the ability of standardisers to deliver the requested outputs (the Commission applies a more stringent approach in line with the numerous rulings of the Court of Justice of the EU, which stress the Commission's role in managing the standards' development); a lack of alternative options whenever the standardisation process is not delivering; and an incomplete 'character' of harmonisation. **Drivers for P2**: A lack of appropriate resources in the Member States to tackle non-compliance effectively; and a lack of clarity of the current provisions. **Drivers for P3**: Low awareness and a lack of clarity of the simplification provisions. **Drivers for P4**: Absence of references to sustainability performance; the CPR does not provide for the application of digital tools; and is not able to 'deliver' on new business models (e.g. 3D-printers). The IA appears to mention the same elements under P4 and Drivers for P4, which could have been clarified. The IA expects that without further EU action, the problem drivers would persist and the discrepancy between the CPR framework and the needs of the Member States and market players would increase. As the current CPR does not cover sustainability aspects, these would have to be dealt with under the [Sustainability Products Initiative](#) (SPI) – which seeks to improve the environmental sustainability of products – entailing an additional administrative burden (products regulated under two acts) (IA, pp. 12-19).

Overall, whilst the problem definition is well evidenced, the description is at times quite limited. It would have benefited the problem definition if the IA had illustrated the problems with concrete examples and described their scale in greater detail, to give a clearer picture of their magnitude. In addition to the identified four problems, the IA considers that the revision of the CPR should address one of the challenges faced by the construction sector – building affordable houses – owing to the increased building costs. It finds that a European market for prefabricated small houses would 'allow for reaching economies of scale to drive down building costs, if standards for such houses would be developed under the CPR' (IA, p. 12). This suggestion in the context of the problem definition appears not to be in line with the [Better Regulation Guidelines](#) (BRG), as measures should be selected only after assessment of the impacts of policy options.

Subsidiarity / proportionality

The legal basis is Article 114 of the Treaty on the Functioning of the European Union (TFEU). The IA clearly explains the need for EU action and the added value expected from seeking to improve the functioning of the internal market for construction products, in particular by addressing the identified issues and levelling the playing field for the market players (IA, pp. 20-21). In accordance with the BRG, additional explanations are provided in a separate [subsidiarity grid](#). On the other hand, the policy options are not compared against the proportionality criterion, unlike what is required by the BRG. However, given that this is a REFIT initiative, proportionality is embedded in the discussion throughout the IA concerning the simplification provisions, efficiency and reduction of administrative burden. No reasoned opinions were submitted by national parliaments in the [subsidiarity check](#) by the deadline of 15 July 2022.

Objectives of the initiative

The IA defines two **general objectives**: i) 'to achieve a well-functioning internal market for construction products' and ii) 'to make the framework apt to contribute to the objectives of the green and digital transition, particularly the modern, resource-efficient and competitive economy'. It identifies seven **specific objectives** (SO): SO1) 'to deblock the technical harmonisation system';

SO2) 'to reduce national barriers to trade for products covered by the CPR'; SO3) 'to improve enforcement and market surveillance'; SO4) 'to provide more clarity (more comprehensive definitions, reducing overlaps, collision rules with other legislation) and simplification'; SO5) 'to reduce the administrative burden, including through simplification and digitalisation'; SO6) 'to ensure safe construction products'; and SO7) 'to contribute to reducing the overall climate and environmental impact of construction products, including through the application of digital tools (Digital Product Passport)' (IA, p. 21). However, contrary to the BRG, the IA does not present **operational objectives** (defined in terms of the deliverables of specific policy actions after having selected the preferred option), which may weaken the measurability of the objectives. In addition, the objectives could have been more specific, and the formulation of the objectives is not time-bound. Therefore, they only partially meet the SMART criteria, which state that the objectives should be specific, measurable, achievable, relevant and time-bound.

Range of options considered

The IA presents four policy options in addition to the baseline. A, B and E are stand-alone options, while Options C and D largely build on Option B with some differences. Option C differs from Option B regarding the scope of application and Option D regarding product requirements (IA, pp. 22-39).

Option A (Baseline): no revision of the CPR.

Option B (Repairing CPR) would empower the Commission to adopt Commission acts (with a similar status to the harmonised standards) containing technical specifications in support of the CPR (a 'fall-back' solution) in case the standardisation system is not delivering standards in time and of sufficient quality. Option B would mitigate the existence of national requirements by clearly defining the areas regulated at the EU level. It would also enable a harmonised framework to assess and communicate the environmental performance of construction products, promote the reuse of construction products and set up a digital structure compatible with the Digital Product Passport. Market surveillance would be improved by strengthening enforcement powers and aligning the performance of market surveillance authorities (e.g. delegated acts on the minimum number of checks and the minimum level of human resources). Common decision-making among authorities and notified bodies would be enhanced by setting up a mechanism for the exchange of information. The CPR provisions would be clarified (e.g. 3D printing) and the CPR would also cover prefabricated small houses. Option B would introduce a specific marking for construction products (European Construction Product – ECP) to clarify that the marking refers to the performance declaration and not to conformity. This option would mitigate overlaps with other EU legislation by introducing collision rules. Option B would clarify the simplification provisions and empower Member States to exempt certain micro-enterprises from the CPR obligations. Product safety would be addressed only indirectly by enhancing the harmonisation system and improving market surveillance.

Option C (Focusing the CPR) differs from Option B in that it has a limited scope of application. It provides three sub-options, which can be combined. **Sub-option C1:** Harmonised standards and Commission acts containing technical specifications would concern only assessment methods for performance calculation. **Sub-option C2:** The CPR's scope would focus on the 'core areas' identified according to three criteria: coherence of Member States' regulatory needs; relevance to the environment; and product safety and market relevance. Mutual recognition principles would apply outside the core areas. **Sub-option C3:** Member States could offer an alternative path for ensuring market access – one that is based on national regulations and not on harmonised standards and Commission acts. Manufacturers can choose which one to follow.

Option D (Enhancing CPR – preferred option) builds on Option B, but in addition, empowers the Commission to set mandatory minimum standards for products. The product-specific requirements could follow different approaches in three sub-options. **Sub-option D1** would introduce more specific product requirements (essential requirements) based on the [New Legislative Framework](#) (NLF) approach (standards developed by the European Standardisation Organisations). **Sub-option**

D2: Product requirements would be formulated following the common technical specifications approach (developed either by harmonised standards or by the Commission acts). **Sub-option D3 (preferred sub-option):** The combination of sub-options D1 and D2.

Option E (Repealing CPR) would rely on mutual recognition in the internal market of construction products and would therefore repeal the CPR (no harmonisation).

Within the descriptions of the policy options, some measures, such as those relating to SMEs and micro-businesses (simplification provisions, exemption), could have been explained in more detail. Option E does not appear a realistic option, as it is not in line with the objectives and is clearly opposed by most stakeholders. Likewise, the viability of Option C may be questionable, as it is not in line with the internal market objective and the IA expects that it would present obstacles to the free circulation of construction products in the EU.

Assessment of impacts

The IA analyses the main **economic, social and environmental impacts** of the policy options (IA, pp. 39-52). It openly explains the limitations in the **economic assessment** owing to the lack of detailed information on the nature of costs and the low level of stakeholder feedback. Consequently, the IA stresses the uncertainties relating to the quantified cost and benefit estimates. It explains that the baseline cost estimates are the comparative basis to estimate the different options' economic impacts. The supporting study for the IA estimates manufacturers' costs at around €2.56 billion per year in the baseline (an administrative burden of €900 million, compliance costs of €450 million for the DoP and CE marking, regulatory charges of €300 million, and compliance costs of €300 million for national requirements). The IA also estimates manufacturers' foregone revenue to be more than €4 billion per year due to the shortcomings in market surveillance. Under Option B, the IA expects a reduction by €160 million in annual costs for manufacturers and gained revenue of €2.5 billion from improved market surveillance. The IA notes that delegated acts will be accompanied by a specific assessment of the required resources. Under Option C, the IA expects a reduction of €23 million in annual costs for manufacturers; it also expects the benefits from the improved market surveillance to be the same as in Option B. Option D would increase the annual costs by around €200 million for manufacturers due to the product requirements, however the IA points out that a more accurate cost estimate is possible only when developing delegated acts. Option D would similarly as Option B bring revenue gains from market surveillance. Option E would decrease the administrative burden (not estimated), but increase costs by around €5.6 million to 6.4 million per year for manufacturers.

Under **social impacts**, the IA notes the lack of data relating to safety incidents and risks on health and safety of construction products. The IA considers that improved market access for construction products and access to reliable information on construction products would benefit the users and consumers under Option B. It finds that consumers would benefit from including prefabricated houses in the scope of the CPR (affordability). The IA also refers to an 'increase in construction product innovation', which could have been explained more. Option D would bring similar social impacts as Option B, but would additionally improve the safety and protection of end users through the introduction of product requirements. The IA mentions benefits for citizens in the form of lower prices and improved labour market for designers, but does not provide further descriptions of these. Options C (sub-option C3) and E are likely to have a negative impact on safety.

The EU environmental objectives ('do not significant harm principle') and the use of digital tools ('digital by default') are embedded in the initiative. In the assessment of **environmental impacts**, the IA finds that Option B would facilitate the green transition through a harmonised method for assessing and communicating the climate and environmental performance of construction products. Option D would fully address the environmental objectives and allow synergies with the SPI. The IA mentions negative impacts under Option C, which would only partially address the EU environmental objectives, and Option E which would not contribute to the green transition at all.

The IA assesses the policy options against the Better Regulation criteria of **effectiveness, efficiency, coherence**, but not against the criterion of **proportionality**. The IA finds that Option D is the most effective option in terms of reducing national barriers, ensuring safe construction products and contributing to the environmental objectives. The comparison regarding efficiency is only qualitative. The IA explains that given the increased costs of Option D due to the introduction of product requirements, Option B would be the most efficient one. However, as the costs cannot be estimated at this stage and Option D would provide benefits resulting from product requirements and alignment with the SPI, the IA argues that Option D (D3) scored best. Option D is also considered the most coherent option as it contributes best to the linked policy initiatives, especially the SPI. The IA concludes that **Option D (D3) is the preferred option**. It can be noted that the sub-options D1-3 score equally in terms of effectiveness and coherence, but regarding efficiency, sub-option D3 is better than the others. More detail in the IA on this would have been useful. A summary of the costs and benefits associated with the preferred option is provided in Annex 3 (IA, pp. 84-85).

SMEs/ Competitiveness

The IA mentions that the manufacturers of construction products and the construction ecosystem are mainly micro-enterprises (p. 1). As per the Better Regulation Toolbox ([Tool 23](#)), the Commission has carried out a four-step SME test, the results of which are described in Annex 5 of the IA (pp. 90-95). The IA explains that amongst SMEs, the initiative would mainly affect manufacturers and importers, but also distributors and designers. The SMEs have given their feedback in several targeted consultation meetings (CPR Technical Platform). According to the SME test, under the preferred option D, the annual costs for SMEs would increase by €153 million (manufacturers), whilst in Option B the costs would decrease by €151 million. On the benefits' side, a reduction in foregone revenue for compliant manufacturers is estimated at €2 166 million under Option D (same as in Options B, C). Option D would exempt non-cross-border trading micro-companies from the requirements of the CPR. The IA also mentions indirect benefits, for example, improved safety of construction products, benefiting especially SMEs, which are important construction contractors. According to the IA, Option D would generate the largest increase in the competitiveness (not specified) of SME manufacturers compared to other options, as it would allow for the introduction of mandatory environmental requirements that would serve as drivers for innovation and competitiveness.

Simplification and other regulatory implications

As this initiative is part of the Commission's [REFIT](#) programme, the IA describes the expected cost savings in the preferred Option D (pp. 56-57). As per the BRG (see also [Tool 59](#)), the IA applies the 'one-in, one-out' (OIOO) approach and identifies and estimates the compliance costs, administrative cost savings and ways to offset the administrative burden. According to the OIOO calculations, the CPR revision would bring annual gross savings of around €630 million in administrative costs, yet increase businesses' administrative burden by €450 million. The IA notes that the administrative costs would be offset by the benefits and the annual net reduction of businesses' administrative burden would be around €180 million. It would have been useful if the IA had explained in more detail how the OIOO approach relates to the REFIT cost-saving calculations, as while some of the REFIT estimates are not quantified (e.g. standardisation, overlaps, digital tools), quantified estimates related to these areas do feature in the OIOO calculations (IA, pp. 57, 83). The IA explains in Annex 10 (pp. 108-111) how the initiative relates to other EU legislation (e.g. [Ecodesign Directive](#), [Energy Labelling Directive](#), [Energy Performance of Buildings Directive](#)). In Annex 11 (pp. 112-118) it explains how the future CPR would interact with the [Sustainable Products Initiative](#) (SPI).

Monitoring and evaluation

The IA presents a monitoring and evaluation plan, including data sources (e.g. the Commission, Member States, EOTA). The described monitoring indicators are indicators of success and appear relevant. The IA does not provide operational objectives. It considers that an evaluation of the revised CPR would be carried out 4-5 years after the entry into force of the regulation (IA, pp. 57-59).

Stakeholder consultation

Annex 2 (IA pp. 70-80) describes, as per the BRG, the broad stakeholder consultations that were carried out with the aim of gathering information on the areas under revision and the impacts of the policy options. The IA provides a breakdown of the stakeholders by groups and size, while also noting the geographical representativeness of the replies. The revised² inception impact assessment (IIA) received 76 replies during the feedback period from 17 June 2020 to 19 August 2020. An **open public consultation** (OPC) was carried out from 4 September 2020 to 25 December 2020 (263 replies), meeting the BRG's requirement for a 12-week consultation period. The IA presents the views of the stakeholder groups on the policy options, with Option A appearing to be the most supported and Option B the second most supported option. For example, 67 % of manufacturers, 60 % of business associations and 47 % of public authorities considered Option A the best option. Option B was supported by 19 % of manufacturers, 40 % of public authorities, 29 % of designers. Option C was supported by 4 % of manufacturers and 30 % of distributors, and Option D by 10 % of manufacturers, 33 % of consumer, environmental and non-governmental organisations, and 31 % of construction companies. A large majority (around 76 %) rejected Option E. In addition, **targeted consultations** were conducted, namely a **horizontal survey** addressed to different stakeholders (e.g. manufacturers, industry associations) from 11 October 2019 to 31 October 2019 (83 replies from 217 respondents, with a response rate of 38 %), and a **company survey** from 10 August 2020 to 30 October 2020 (150 replies from 12304 companies, with a response rate of 1.2 %). The results from the latter survey appear to be in line with the views of the stakeholders on the different options in the OPC. The IA notes that sub-option D3 (preferred option) was developed after the stakeholder consultation (IA, p. 50); therefore the IA does not give stakeholder groups' views on it. The IA explains the stakeholders' preferences; for example, stakeholders supporting baseline Option A had concerns about possible delays in the application of the CPR, difficulties in the market, and economic consequences that changes in the CPR would bring (IA, p. 42). The IA explains that these stakeholders would support Option B, in case the CPR revision was to be carried out, as they would prefer that no major changes be introduced to the CPR (IA, pp. 76-77). Overall, due to the low response rates, the representativeness of the stakeholders' views is not clear.

Supporting data and analytical methods used

The IA draws on a wealth of well referenced and accessible data sources. Examples include two supporting studies for the IA of the CPR review (2021 and 2018), a supporting study for the evaluation of the CPR review (2018), a supporting study for the Fitness Check of the construction sector (2016), other studies and reports, and stakeholder consultation. Nevertheless, the analysis is weakened by limitations in the economic assessment, which the IA openly explains. The analytical methods are described in Annex 4 (pp. 86-89). The IA explains that the Commission's dedicated online calculator, based on the [EU standard cost model](#), was used for the OIOO calculations and the [Choice Modelling method](#) for gathering stakeholders' views on the policy options (pp. 74-75, 82).

Follow-up to the opinion of the Commission Regulatory Scrutiny Board

The Regulatory Scrutiny Board (RSB) adopted a negative [opinion](#) on a draft version of the IA report on 26 July 2021, and then a positive [opinion](#) with reservations on a revised draft version of the IA report on 16 January 2022. The RSB noted that the revised IA still contained significant shortcomings, such as the need to clarify the problem definition and the linkages between the problems, objectives and options. In the comparison of the options, the cost and benefit estimates, the effectiveness and efficiency scores and the choice of the preferred option needed further justification. The RSB found that the safety issue, the inclusion of 3D printed products and prefabricated small houses, the justification of incorporating sustainable product requirements into the CPR as well as the interaction between the future CPR and the SPI should be explained more clearly. The RSB considered that the IA needed to address the issue of the lack of administrative capacity in Member States and provide more information on the exemption of micro-enterprises

and the implementation of the simplification provisions. Finally, the RSB pointed to the need to explain the reasons for stakeholders' preferences for the policy options. The IA explains in Annex I (pp.61-67) how the RSB's comments were addressed. It appears that while the RSB's points were largely taken into account (although this is not possible to verify as the previous draft is not available), the comparison of options against the efficiency criterion is only qualitative, which weakens the assessment. Moreover, the simplification provisions and exemption measures for micro-enterprises could have been explained in more detail.

Coherence between the Commission's legislative proposal and the IA

The legislative proposal appears to follow the preferred option of the IA, except that the CE marking will be kept (not replaced by a new label 'ECP'), and the evaluation report will be carried out 'no sooner' than 8 years after the date of application of the regulation (instead of after 4 to 5 years).

The IA provides a good information package concerning the revision of the CPR, including a summary of the SME test that was carried out, relying on a wealth of evidence, studies and reports. Yet, while the problem definition is well evidenced, the description of the problems and their scale would have benefited from more detailed explanations. In the extensive stakeholder consultations, stakeholders had different views about the policy options; for example, the preferred option received less support than the options suggesting keeping the baseline or making a revision without major changes. The stakeholder feedback lacked detailed information on the nature of costs for manufacturers and the response rate was low, which weakens the economic analysis and raises doubts about the representativeness of the stakeholder views. The Commission openly explains the uncertainties affecting the economic analysis as well as those linked to the assessment of the risks on health and safety due to the lack of data. The IA provides the justification for the preferred option in terms of effectiveness and coherence criteria, but the efficiency aspect lacks robustness (the comparison of the options is only qualitative). The preferred sub-option of the preferred option was developed after the stakeholder consultation, and therefore the IA does not reflect stakeholders' views on it.

ENDNOTES

- ¹ See also Ragonnaud G., Revision of the Construction Products Regulation, EPRS, 2022 (upcoming); Tenhunen S., [Construction Products Regulation](#), EPRS, March 2022.
- ² The initial inception IA (back-to-back approach) was published on 20 June 2017 (121 replies by 18 July 2017).

This briefing, prepared for the Committee on Internal Market and Consumer Protection (IMCO), analyses whether the principal criteria laid down in the Commission's own Better Regulation Guidelines, as well as additional factors identified by the Parliament in its Impact Assessment Handbook, appear to be met by the IA. It does not attempt to deal with the substance of the proposal.

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eprs@ep.europa.eu (contact)

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