



Timber Trade Federation  
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in collaboration with



## GUIDANCE NOTE

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# Fire Rated Timber Products and the Construction Products Regulation (CPR)



CE marking of construction products (*those and only those covered by a harmonised European standard*) is mandatory under the Construction Products Regulation (CPR). Harmonised standards include guidance on the minimum information that should be included with the CE mark. The following is a list of harmonised standards for wood-based products that include provisions for fire where the reaction to fire classification may be changed by treatment.

- **EN 13986:2004** Wood-based Panels for use in Construction. Characteristics, evaluation of conformity and marking
- **EN 14374:2004** Timber structures. Structural laminated veneer lumber. Requirements
- **EN 14342: 2013** Wood Flooring. Characteristics, evaluation of conformity and marking
- **EN 14915:2013** Solid wood panelling and cladding. Characteristics, evaluation of conformity and marking

## Declaration of Performance

Those who manufacture construction products for which a harmonised standard exists have an obligation to draw up a Declaration of Performance (DoP) and apply a CE mark when the product is first placed on the market.

*Key CPR definitions include:*

**Construction product** means any product which is produced and placed on the market for incorporation in a permanent manner in construction works and the performance of which has an effect on the performance of those works

**Manufacturer** means any person who manufactures a construction product or who has such a product designed or manufactured and markets that product under his name or trademark.

**Placing on the market** means the first making available of a construction product on the market.

It is the person who first places the product on the market who must produce and take responsibility for the DoP. The CPR places obligations on manufacturers to draw up documentation as the basis for the DoP describing all the relevant elements related to the required system of assessment and verification of constancy of performance. Such documentation must be underpinned by Factory Production Controls which are audited and accredited by a notified body<sup>1</sup>.

## Commercial Implications

The pressure impregnation of sheet materials with a flame retardant is likely to sufficiently alter the structural integrity of those materials to invalidate the information on the original DoP and the associated CE mark. If the treated boards are not subsequently retested, then that material must be reclassified as non-structural and the DoP amended to reflect that loss of performance.

It is the responsibility of those placing the materials on the market to **remove the CE mark on the product to reflect this change in status**. The timber treater cannot do this themselves if the material is not their property.

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### Article 5 of CPR

Article 4 of the CPR is clear that producing a DoP is mandatory for manufacturers of products covered by a Harmonised standard. For products **not** covered by a Harmonised standard, Article 5 (a) of CPR allows a derogation for the manufacturer from the requirements of CE marking when –

‘ ... the construction product is individually manufactured or custom-made in a non-series process in response to a specific order ... ‘.

The relevant definitions include:

**Individually manufactured** are products manufactured according to customer designs and installed as part of a single project

**Custom made** means ‘made to fit the needs or requirements of a particular person’ or ‘made according to the specifications of an individual purchaser’.

**Series process** is the manufacture of goods in large quantities using standardized designs and assembly-line techniques (*and advertised through e.g. published catalogues, website etc*).

It follows that a ‘**non-series process**’ should be understood as the manufacture of goods without using standardised designs and assembly line techniques. Where products are produced which are similar in various aspects, you should normally assume a series process. The difference in just one characteristic (*e.g. dimensions*) is usually not sufficient to assume non-series process.

### Commercial Implications

Recent advice from two UK notified bodies<sup>1</sup> is that where, for example, a cladding manufacturer is supplying the same species, profile and finish to multiple projects, then that constitutes placing that product on the market and CE marking applies, even if the flame retardant treatment of that material is carried out by a third party on a project by project basis.

In these circumstances, that service treatment company must operate factory production controls which have been audited and accredited by a notified body<sup>1</sup>, alongside those of the company placing the product on the market, so as to maintain the full traceability which must underpin the CE mark and associated claims on the Declaration of Performance.

### NOTES

1: A **notified body** is an organisation designated by an EU member state to assess the conformity of certain products before being placed on the market. These bodies carry out tasks related to conformity assessment procedures set out in the applicable legislation, when a third party is required. The European Commission publishes a list of such notified bodies. Third party assessment is required for safety critical criteria such as the performance of a material in fire.