

<b>GNB-CPD</b> <b>AG</b>	<b>Co-ordination of the Group of Notified Bodies for the Construction Products Directive</b> <b>89/106/EEC</b>	<b>NB-CPD/07/307</b> Issued: 8 November 2007 <b>Draft Minutes</b>
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**PLEASE NOTE:**

Any comments please before 6 December 2007 (ie 4 weeks from uploading) - these should be sent to CPD TechSec (newmanc@mgt.fbe.co.uk).

## **Draft minutes 22nd Advisory Group (AG) meeting of the Group of Notified Bodies (GNB) for the Construction Products Directive (CPD)**

***Brussels, 2 October 2007 at Carrefour de l'Europe Hotel***

**Chair:** Mr J Sobola (TZUS) - President of the Group of Notified Bodies for the CPD

**Attendees:**

**Members**

AT	Mr N Glantschnigg Mr W Höhnl	Bautechnische Versuchs- und Forschungsanstalt Salzburg ÖN - Österreichisches Normungsinstitut
BE	Mrs M Vandendoren	BOSEC
DE	Prof. M Geirloff Mr Gerlach	DIBt - Deutsches Institut für Bautechnik Universität Karlsruhe (TH)
DK	Mr A Elbek	DTI - Danish Technological Institute
ES	Mr R Pascual	AENOR
FI	Mrs L Rautiainen	VTT Technical Research Centre of Finland
FR	Mr Y Lemoigne Mrs B Cromieres	CSTB CSTB
IR	Mr F O'Byrne	NSAI
IS	Mr R Gíslason	The Innovation Centre of Iceland
IT	Mr R Vinci Mr D Agalbato	ITC-CNR IGQ
LT	Dr A Žukas	SPSC
NL	Mrs C Bekker	SBK - Stichting Bouwkwaliiteit
NO	Mr J Karlsen	KR - Kontrollrådet for Betongprodukter
PL	Dr J Fangrat	ITB
PT	Mr P Pontífice	LNEC
SE	Mr P Bengtsson	SITAC AB
SK	Mr R Kyška	TSÚS
SI	Mr M Japelj	ZAG Ljubljana - Nat. Building & Civil Engineering Inst.
TR	Mr H Ergin	Turkish Standards Institute
UK	Mr J Rigg	BSI

**Observers**

CEN	Mr A da Costa	CEN Management Centre (CEN/MC)
EOTA	Mr P Caluwaerts	EOTA
UEPC	Mr J Haynes	NHBC
CPD TechSec	Mr T Newman Mr C Newman	FBE Management Limited FBE Management Limited
Admin Sec	Mrs S Simon	ECTA

### Guest for lunch

BE Dr C Bleiman President of GNB-CPD 1998 to 2002, now independent consultant

### Apologies:

CEC Mr R Klein European Commission - DG Enterprise and Industry  
CEC Mr G Katsarakis European Commission - DG Enterprise and Industry  
LU Mr G Scharfe Laboratoire des Ponts et Chaussées

## 1 Welcome and introduction

The Chairman welcomed several new members to the GNB-CPD (some of who had attended the Extraordinary AG meeting on revision of the CPD 12 July 2007). These were: Mr Hakan Ergin, the full member for Turkey, represented at AG for the first time; Mr Norbert Glantschnigg, new full member for Austria; Mr Rögnvaldur Gíslason, new full member for Iceland; Mr Anders Elbek, new full member for Denmark who has recently stepped down from being chairman of SG06 "Doors & windows; Mr Dario Agalbato, 2nd full member for Italy who is secretary of SG04 "Circulation fixtures" and SG17 "Structural metallic products; Mrs Béatrice Cromieres, new alternate member for France, attending with Mr Lemoigne as an introduction to AG; Dr Andrius Žukas, now formally the alternate member for Lithuania, and; Mrs Michèle Vandendoren, the alternate member for Belgium. These new members introduced themselves with a brief resume of their working backgrounds.

No-one from the Commission attended the meeting. Mr Klein sent apologies for himself and his unit as a whole.

There was a request for clarification of the position of Turkey. Turkey appears under the list of countries with notified bodies on NANDO (currently 3 NBs). There is an agreement of the EC-Turkey Association Council which states, under Notification of Turkish conformity assessment bodies, that Turkey shall notify the Commission and Member States of conformity assessment bodies that it has designated, and the results of conformity assessment procedures carried out by Community bodies and by Turkish bodies shall be mutually recognised.

## 2 Approval of the draft Agenda

**NB-CPD/07/298r3**

The draft agenda was approved.

## 3 Draft Minutes of 21st Advisory Group meeting

**NB-CPD/07/272**

No comments or requests for changes had been received prior to the meeting. At the meeting, Mr Lemoigne requested that the minutes be amended to clarify the French position on agenda item 12C, namely that the responsibilities of NBs are its main concern.

**ACTION** - CPD TechSec to amend the minutes to clarify the French position on Item 12C, that the responsibilities of NBs are its main concern.

*(This change has been made, and the approved minutes uploaded as NB-CPD/07/272r1.)*

## **4 Matters arising from minutes not dealt with on the Agenda and actions still outstanding after 21st Advisory Group meeting**

**NB-CPD/07/299**

There were no actions on CPD TechSec that were uncompleted and did not appear elsewhere on the agenda. The chairman gave a résumé of progress on the other actions.

Under the 21<sup>st</sup> AG agenda item 6B, the President had discussed representations on revisions to the New Approach. FIEC agreed approaches that they considered would lead to a better business environment and reduced the “grey economy”. However, he was less able to find common ground with NORMAPME. For the New Approach, all notified bodies are represented by Eurolab (the European Federation of National Associations of Measurement, Testing and Analytical Laboratories), or by CEOC (International Confederation of Inspection and Certification Organisations). Position papers can be found on their websites, [www.eurolab.org](http://www.eurolab.org) and [www.ceoc.com](http://www.ceoc.com). Members were advised to contact their national Eurolab organisations and submit their comments.

Under the 21<sup>st</sup> AG agenda item 6E, there was considerable discussion of the Commission’s document CONSTRUCT 06/761, and the contradictions that NBs faced between issues such as the requirements of their accreditation and those of CONSTRUCT 06/761 and some Commission Guidance Papers. Members were informed that this documents was presented to SCC as the legal position of the Commission, which was neither discussed during SCC nor approved by MSs. Some members were critical that, for a second consecutive time, the Commission was not represented at AG to exchange views on all subjects of interest, and CPD TechSec was asked to draft a letter to the Commission, for the President to send. See agenda item 6D of these minutes.

## **5 Dates of next meetings**

<p><b>CONCLUSION</b> - The next (23<sup>rd</sup>) GNB-CPD AG meeting was confirmed as Tuesday 11 March 2008, and will be probably held in Prague.</p> <p>- The 24<sup>th</sup> GNB-CPD AG meeting was set provisionally for Tuesday 7 October 2008, and will be held in Brussels.</p>
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## **6 Report on SCC and Commission matters**

### **6A Report on meeting with the Commission, 25 April 2007**

**NB-CPD/07/280**

No issues were raised following the GNB-CPD President and CPD TechSec’s meeting with the Commission, 25 April 2007, additional to those discussed under agenda item 4. However, the chairman informed the meeting that Unit 15 “Construction and Pressure Equipment” has a new deputy head, Mr Tapani Mikkeli from Finland.

### **6B Revision of the New and Global Approach**

**NB-CPD/07/276r1**

The chairman stated that the European Parliament has established a group to consider the draft New Approach legislation, and the group has raised many issues relating to the legislation. The meeting agreed that the New Approach legislation was considered generally satisfactory for the GNB-CPD, provided that the revision of the CPD is not forced to adopt the New Approach modules for attestation of conformity. It includes helpful definitions and responsibilities of economic operators. The requirement for NBs to be accredited should help bring all NBs to an equivalent standard, although it was felt that there should be more pressure to enforce equivalent standards between accreditation bodies. However, it was foreseen that the legislation would not resolve the difficulties of relating market surveillance centred on products to the MSs construction regulations based on the works.

Mr Caluwaerts was concerned that although the European Parliament group had proposed improvements to the legislation, these might not be incorporated in the final directives. We need to make sure that we can guarantee the specificity of the CPD.

Countries such as France, where accreditation is to individual specifications, believe that this will result in high costs and long delays, and consider that there should be a community-wide move to accreditation to broad scopes covering groups of technical specifications.

Mr Lemoigne also pointed out that although both the New Approach and revision of the CPD promote mutual recognition, within construction it has proved very difficult to achieve this because regulations are on buildings not products. We must continue to remind the Commission of this.

There were mixed opinions within the GNB-CPD over the desirability the New Approach requirement that accreditation in any area should be available only from a single body within each MS, with no freedom to chose to be accredited by a body from another MS except for an area that was outside the scope of the national body.

<b>ACTION</b>	<ul style="list-style-type: none"><li>- AG members to advise NBs in their countries to lobby their national authorities, and MEPs, regarding the horizontal New Approach legislation, so as to seek or maintain:<ul style="list-style-type: none"><li>• a high level of equivalence between national accreditation systems (to maintain the credibility of the CE marking);</li><li>• flexible accreditation to reasonably broad scopes covering groups of technical specifications (to reduce delays and high costs);</li><li>• options for flexible application of certain provisions to the CPD (such as attestation systems).</li></ul></li></ul>
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## **6C Revision of the CPD as a Regulation NB-CPD/07/287, NB-CPD/07/288, NB-CPD/07/295, NB-CPD/07/296**

The chairman described the hurried process adopted by the GNB-CPD to influence the revision of the CPD. TechSec had circulated draft documents released by the Commission (NB-CPD/07/287 and NB-CPD/07/288), made initial comments and proposals for changes, circulated those documents and called for further comments. An Extraordinary meeting of the GNB-CPD was arranged for the morning of 12 July 2007, which Mr Leoz-Argüelles, who is responsible for drafting the revised legislation for the Commission, attended in person. However, many AG members were unable to attend at short notice in the summer period, whilst Mr Leoz-Argüelles informed the meeting that his working drafts had already changed substantially from those the GNB-CPD had received. Despite this, the meeting was considered helpful and productive. Key proposals for change to the proposed legislation were then sent to Mr Leoz-Argüelles (NB-CPD/07/295).

The meeting approved the minutes of the Extraordinary AG meeting, NB-CPD/07/296.

It is understood that no further drafts of the regulation will be circulated outside the Commission until, under a very rapid timetable, draft legislation is presented to the European Parliament. After that time, any comments will need to go via national representatives such as MEPs.

The draft regulation is a radically different document and does not simply attempt to rectify outstanding problems with the current CPD. However, despite the radical changes to attestation of conformity levels originally proposed (see NB-CPD/07/287), it is now expected that there will be little change from the levels in the current CPD, except that System 2 is expected to be discontinued. It is believed that the Commission's target date for a full transfer to the revised CPR is now the end of 2012.

<b>ACTION</b>	<ul style="list-style-type: none"><li>- Regarding the proposed Construction Products Regulation (CPR), AG members should consult NBs in their countries once the new text becomes available for consideration by the European Parliament and Council of Ministers.</li></ul> <p>Meanwhile, the GNB-CPD President will consider whether:</p> <ul style="list-style-type: none"><li>• to call an extraordinary AG meeting, and/or;</li><li>• to ask CPD TechSec to draft a paper on potential consequences for NBs that GNB-CPD members might wish to use in any lobbying.</li></ul> <p>If members believe that the provisions present problems for NBs, they should consider lobbying their national authorities and MEPs.</p>
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## 6D Citation of hENs (no OJ since 13 December 2006)

Tony Newman reported that no Official Journal citing standards under the CPD had been published since 13 December 2006. Tony Newman thought the next OJ was not expected until December 2007, but Mr da Costa, who had recently met with the Commission to discuss standards ready for citation, believed that an OJ would be issued before the next SCC meeting, which will be held 21<sup>st</sup> November 2007. (Post meeting note: now changed to 3 December.) The latest CEN Snapshot, issued 25 September 2007, lists 106 approved standards not yet cited in the OJ. Mr da Costa said that 43 of these were new standards whilst others were corrigenda and amendments. It was stated that some standards were published with dates of withdrawal as early as December 2007; Mr da Costa reported that such instances were likely to result in postponement of the dates of the end of the coexistence periods for such standards.

Members reported that the delay in citations is causing severe problems for NBs and manufacturers. It is also causing problems with the relationships between some NBs and their manufacturer clients, when the clients do not understand the transition arrangements. Such clients do not accept that, even when standards have been published, NBs cannot be notified against them, and cannot complete assessment tasks, until the standards have been cited and reached their date of applicability. Mrs Vandendoren reported that some manufacturers may be forced to close production lines because they cannot CE mark, and so anticipated demand for products has not materialized.

**ACTION** - CPD TechSec to draft letter to Commission expressing concern at the long delay in citing available standards in the Official Journal. President to ensure that the issue is raised at PG, and to send the completed letter to the Commission.

*NB-CPD/07/305 uploaded to CIRCA 5 October 2007 for comment.*

## 6E Article 5(1) cases

Tony Newman reported that no new procedures under Article 5(1) had been raised at the previous SCC meeting (19, 20 April 2007), and none had been advertised yet for the next SCC meeting (21 November 2007, preceded by PG 8 October 2007).

There had been activity on the following standards:

- EN 10080:2005 “Steel for the reinforcement of concrete - Weldable reinforcing steel - General”: CE marking to this standard was revoked under Decision 2006/893/EC of 05 Dec 2006, OJ L 343 p 102, 08 Dec 06. Mr da Costa reported that the Commission changed its position on this standard; the TC will not restart work on this standard until they have the final text of the mandate from the Commission.
- EN 14250:2004 “Timber structures - Product requirements for prefabricated structural members assembled with punched metal plate fasteners”: Finland has raised an objection to this standard. SCC agreed to extend the coexistence period whilst an amendment was prepared, but Finland is now complaining of slow progress on the amendment. This is on the agenda for PG.
- EN 494:2004 “Fibre-cement profiled sheets and fittings - Product specification and test methods”: France has accepted an amendment to this standard.
- EN 1457:1999 “Chimneys - Clay/Ceramic Flue Liners - Requirements and test methods” and EN 1857:2003 “Chimneys - Components - Concrete flue liners”: Finland requested the withdrawal of these standards at SCC, but that call was rejected by other MSs. The standard will be amended in stages; the first is to state that if fails to meet Finland’s needs.

Tony Newman also raised issues with standards on the agenda for the forthcoming PG meeting, 8 October 2007. Finland is becoming concerned about structural standards calling up the Eurocodes. Some other Member States are beginning to give early warnings of their concerns with standards - ideally they should ensure that their national delegates raise these concerns earlier within the TCs, so that the standards can be redrafted in a timely way, thereby avoiding the need to raise issues at SCC. The Commission has a list of standards with which it has concerns, although not all of these standards have yet been cited in the OJ. It may be possible to satisfy the concerns with corrigenda.

Regarding new standards to be dealt with by the GNB, two draft mandates are on the agenda for PG, covering power, control and communication cables and non-structural sealants. The standards for sealants

for non-structural use are almost complete; the main characteristics are at AoC System 3 for most uses, with reaction to fire at AoC System 1/3/4. Regarding the relevant GNB Sector Groups, it was agreed that general standards on sealants should be included in the scope of GNB-CPD SG01 "Building finishes". For cables, resistance to fire, reaction to fire, dangerous substances and durability are the only relevant characteristic under the CPD, with fire at AoC System 1+3/4. Because this mandate mainly concerns fire performance under the CPD, the meeting agreed that they should be included in the scope of GNB-CPD SH02 "Fire".

Mr da Costa added that he had met with the Commission recently, to explain a number of cases where the Commission thought standards were deficient. However, CEN were able to demonstrate that most of these standards had met the Commission's requirements. The remaining issues form the Commission's list for PG. The only serious deficiency to be discussed at PG relates to EN 14509:2006 "Self-supporting double skin metal faced insulating panels - Factory made products - Specifications".

The chairman asked CPD TechSec to prepare a report on standards being challenged under the 5(1) process, and Mr da Costa offered the assistance of CEN.

<b>ACTION</b>	- CPD TechSec, with assistance from CEN, to prepare a report on standards being challenged under CPD Article 5(1).
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## 6F CIRCA performance, membership and use of aliases

**NB-CPD/07/304**

Chris Newman introduced NB-CPD/07/304. During the last summer, CIRCA was struggling to cope with the demands on it. The GNB-CPD thought it had won an agreement to permit more CIRCA memberships per NB working on the CPD than the three members set by the Commission. However, the agreement had not been accepted by the key unit within the Commission. In practice, ECTA is prepared to inscribe up to 10 members from large NBs, and is also prepared to inscribe email aliases instead of individual members.

CPD TechSec sought AG approval to circulate a document to all members:

- asking each organization to report redundant memberships to ECTA, and;
- explaining that email aliases may be used for several members of staff to obtain access to CIRCA under the same alias username, and also be sent documents if the organization's email server is set up appropriately.

Concerns raised over the use of aliases were:

- The greater convenience and effectiveness of individual memberships. For example, organizations prefer not to have to manage incoming traffic.
- The inability of NBs to demonstrate that their staff were using CIRCA to maintain their competence.
- The lack of security. (Post meeting note from CPD TechSec: this concern is probably not relevant. When a member leaves an organization, that organization rarely informs ECTA that his membership should be cancelled. Members inscribed individually could change their email address and other details after they had left the NB. Meanwhile, over 1000 members have access to all GNB-CPD folders, and so information on the site cannot be considered secure.)
- The commitment of NBs is demonstrated by their participation in this work. This should be reflected by the facilities made available by the Commission.

There was general agreement that the Commission should expand the capacity of CIRCA to enable all NB staff to be encouraged to have their CIRCA username and follow relevant work within the GNB-CPD. CPD TechSec were asked to include concerns over the capacity of CIRCA in the draft letter to the Commission (see agenda item 6D). The meeting also approved sending the proposed document on CIRCA membership to all GNB-CPD CIRCA members.

<b>ACTION</b>	- CPD TechSec to send a document to all NBs on CIRCA, asking them to report unused CIRCA names, and describing the possible use of aliases.
	- CPD TechSec to include a firm request for better provision of CIRCA access in the draft letter to be sent by the President to the Commission (also see Item 6D above).

## Lunch – thanks to Dr Bleiman

Dr Bleiman has retired from CRIC, and also as the Belgian representative on AG. Accordingly, he was invited as a guest for lunch. The chairman thanked Dr Bleiman for his work as the first GNB-CPD President, and presented him with a gift in the form of a large glass wine goblet inscribed with a CE mark and the words "The Bleiman Compromise". The goblet stood on a walnut stand with the words "Claude Bleiman, GNB - CPD President, 1998 - 2002".

## 7 Development of AG guidance and agreed viewpoint

### 7A Minimum and recommended ITT report content and GNB model test report NB-CPD/06/214r3

Chris Newman introduced this latest draft.

There was substantial discussion over whether a report on a test that had been conducted using a manufacturer's test facilities (§2.3) should include a justification of why those facilities were used. However, it was agreed that in practice the true justification was usually cost, and no justification need be given because the NB's notification authority should have approved the NB to use manufacturers' test facilities. Only the location of the facilities need be stated.

Mr Höhn commented that the heading of §2.3 should be clarified - the section applies when manufacturer's test facilities are used.

Prof. Gierloff requested that the final bullet point of §2.3, asking for the name of the NB representative conducting the test be deleted. This was agreed.

Mr Caluwaerts drew attention to the difference between historic data and EOTA approval test reports, §2.4, and asked for the section to be split into two parts.

Mr Elbek was concerned that validation of shared ITT reports, §2.5, was contrary to the accreditation requirements of test bodies under EN ISO/IEC 17025. After considerable discussion, it was agreed that §2.5 was not a logical part of the document, and should be removed. The content could be considered for a future AG position paper.

Mr Vinci proposed that §3.6, stating that manufactures must retain ITT reports in the technical file for ten years, was not appropriate content for this document. This was agreed.

There was some discussion as to whether ITT reports should state whether they covered the full ITT for a product, or reported only the testing against specific essential characteristics. However, there was a contrary view that the responsibility for assembling a complete ITT report lies not with the test laboratory, but with the manufacturer under System 3 and with the certification body under Systems 1 and 1+. It was agreed that no such requirement to describe the scope of the report should be included in this document.

**ACTION** - CPD TechSec to redraft NB-CPD/06/214r3 in the light of comments at the meeting, and without the current §2.5 and §3.6, and present the revised draft for approval on CIRCA, possibly for further discussion at the next AG meeting.

### 7B GNB model inspection report

**NB-CPD/06/215r4**

Chris Newman introduced this latest draft.

Mr Elbek proposed that, as accredited bodies should already have established suitable inspection report formats, the document should apply only to non-accredited bodies. Mrs Vandendoren supported this, stating that some Belgian manufacturers were requesting reports in this format in addition to the more detailed format already used by the NB. However, the model report states clearly that NBs may continue to use their own alternative formats.

Mr Japelj pointed out that the blue text box at the bottom of page 5 required an inspection to verify corrective action, yet some corrective actions can be demonstrated by exchange of documents, without the need for an additional inspection. The document will be modified to reflect this.

Mr Gierloff pointed out that a certificate can only be issued when the ITT, initial inspection and first surveillance visit are completed satisfactorily. Some of the text boxes refer only to the initial inspection. These boxes will be modified.

Mr Elbek raised the reference in the paper to EN 45012. It was pointed out that product certification (Systems 1 and 1+) is to EN 45011, whilst these standards will be replaced by others in the EN ISO/IEC 17000 series. It was proposed that the reference to EN 45012 should be replaced by a reference to Commission Guidance Paper 'A'. (Post meeting note: "EN 45012" only appears in the paper as part of the title of EA/7/01, the reference for definitions of nonconformities and their grades. Hence it would not be appropriate to remove "EN 45012" from the reference, but the reference could be clarified.)

Mr Kyska pointed out that the model report made no mention of the factory. This will be changed.

<b>ACTION</b>	- CPD TechSec to redraft NB-CPD/06/215r4 in the light of comments at the meeting, and present the revised draft for approval on CIRCA, possibly for further discussion at the next AG meeting.
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## **7C The consequences for NBs of corrigenda, amendments and revisions to harmonized European standards NB-CPD/06/213r3**

Chris Newman introduced the latest draft.

Mr Elbek proposed that the document should not state that it is unlikely that a NB will need to make any changes to its surveillance procedures in response to a corrigendum. This was agreed. CPD TechSec will accommodate the proposal, probably by combining the guidance for corrigenda and amendments. It was pointed out that corrigenda could have major technical consequences, for instance when the sign of a number was corrected. Mr da Costa said that CEN might explore the possibility of classifying corrigenda into two types - those that had technical consequences, and those that should not. If that proves feasible, it might be possible for the Commission to cite only those corrigenda with technical consequences. This would reduce the administrative burden on NBs and manufacturers when editorial corrigenda were introduced.

Mr Vinci pointed out that footnote 1 on page 3 should refer to the base CEN "document" not "standard" as, technically, CEN standards do not exist except as national implementations.

Annex B of the document quotes the "Blue Guide" ("Guide to the implementation of directives based on the New Approach and the Global Approach") §6.3: "Notified bodies have generally an obligation to inform the other notified bodies and the national surveillance authority about all certificates suspended or withdrawn ...". However, Mr Elbek warned that, unless required to do so by national law, it may be illegal for NBs to inform other NBs of withdrawal of certificates. The President will advise on suitable wording.

As at the previous meeting, there was considerable discussion over whether it was necessary for NBs to issue revised certificates in response to corrigenda. Again, the majority view was that if a corrigendum was cited in the OJ, the corrected version of the standard became the legal document against which products should be CE marked, and so the certificate should refer to this version of the standard. However, the members for France, the UK, Poland and Norway asked for it to be minuted that they disagreed with requiring a revised certificate to reflect a corrigendum.

If a version of this document is approved as an AG position paper, requiring or recommending revised certificates to reflect amendments and perhaps corrigenda, the GNB-CPD's example certificates (NB-CPD/AG/04/082r2) should be revised to include the dates of amendments and corrigenda applying to the standard in the certificate's reference to the standard.

<b>ACTION</b>	- CPD TechSec to redraft NB-CPD/06/213r3 in the light of comments at the meeting, and present the revised draft for approval on CIRCA, possibly for further discussion at the next AG meeting.
	- CPD TechSec to include in the minutes of this meeting that France, UK, Poland and Norway disagree with the draft requirement that NBs shall issue revised certificates when corrigenda to standards are cited in the OJ.

## **7D Revision of AG position paper on manufacturer's testing facilities NB-CPD/07/297r1**

Chris Newman introduced the draft revision of this AG position paper. Document NB-CPD/06/237r1 pointed out that AG's current Position Paper on "The use of manufacturer's testing facilities by notified testing laboratories and witness testing" (NB-CPD/AG/03/005) imposed much tighter restrictions on the use of manufacturer's facilities than did the Commission's Guidance Paper 'M'. At the 21<sup>st</sup> AG meeting, CPD TechSec were requested to revise the document so that it did not conflict with GP 'M', but did not encourage the unnecessary use of manufacturer's facilities.

Mr Japelj pointed out that the example of large format concrete pipes, retained from NB-CPD/AG/03/005, is inappropriate because such pipes are at System 4. After some debate it was decided that this passage should be replaced by a requirement that a NB may only use the testing facilities of a manufacturer if it is allowed by his notifying authority. If the NB is competent to test, it should not matter where the test is done.

Mr HöhnI pointed out that the title is restricted to notified testing laboratories. The document should be applicable to all testing by NBs, whether testing or certification bodies. (This also was retained from NB-CPD/AG/03/005.)

Mr HöhnI stated that there should be no difference between the willingness of Member States to accept testing using the manufacturer's facilities.

Mr Gierloff requested a clarification of c): to refer to the NB being "in control".

<b>ACTION</b>	- CPD TechSec to further amend NB-CPD/07/297r1, draft revision of NB-CPD/AG/03/005, in the light of comments at the meeting, and then present the revised draft for approval on CIRCA, possibly for further discussion at the next AG meeting.
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## **8 SG matters NB-CPD/07/300r1, NB-CPD/M03 Sep 2007**

Chris Newman announced documents NB-CPD/07/300r1, showing annual workplans submitted by about half of the Sector Groups (SGs), and NB-CPD/M03 Sep 2007, the monitoring document showing the state of play on GNB-CPD position papers.

The chairman thanked those SGs that had submitted workplans, and expressed his wish that all would do so in future.

## **9 National Mirror Group matters**

Mr Lemoigne reported that French NBs are extremely concerned at the failure of the Commission to cite any standards in the OJ since 13 December 2006. The chairman stated that he was sure all agreed.

## **10 EOTA matters NB-CPD/07/301, NB-CPD/07/302, NB-CPD/07/303**

Mr Caluwaerts commented that members interested in the information on progress in EOTA presented for AG meetings could find the information directly on the EOTA website, <http://www.eota.be/>, which is updated approximately every 1-1½ months.

He stated that some published ETAGs have not been notified on NANDO. This causes problems as bodies cannot be notified nationally for the attestation of conformity (AoC) of ETAs based on these ETAGs, and manufacturers are unable to CE mark to these ETAs. He requested that the GNB-CPD raise this issue with the Commission.

Tony Newman asked why some but not all ETAs are notified on NANDO.

Mr Caluwaerts explained that there are 3 categories of ETA:

- ETAs issued to an ETAG;
- ETAs according to the 9(2) procedure of the CPD, but where the Commission has indicated that EOTA should refer to the AoC decision of a harmonized standard or ETAG;

- ETAs with an AoC decision specific to that area.

<b>ACTION</b>	- CPD TechSec to include a request for notification of all ETAGs on NANDO in the draft letter to be sent by the President to the Commission (also see Item 6D above).
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## **11 CEN matters**

**NB-CPD/M09 Sept 2007**

Mr da Costa apologised for the long delay in publishing the latest CEN Snapshot. He also recognized that it included some errors, and so corrections would appear. The delay and errors resulted from the introduction of a new software system.

## **12 Any other business**

No other business was raised.

## **13 Closing of the meeting**

The chairman closed the meeting by thanking members for the good discussion.

## Annex 1 - Actions arising from minutes of the 21<sup>st</sup> AG meeting

By whom	22 <sup>nd</sup> Agenda item	Action
Administrative Secretariat	5	- <ul style="list-style-type: none"> <li>The next (23<sup>rd</sup>) GNB-CPD AG meeting was confirmed as Tuesday 11 March 2008, and will probably be held in Prague.</li> <li>The 24<sup>th</sup> GNB-CPD AG meeting was set provisionally for Tuesday 7 October 2008, and will be held in Brussels.</li> </ul>
AG members	6B	- AG members to advise NBs in their countries to lobby their national authorities, and MEPs, regarding the horizontal New Approach legislation, so as to seek or maintain: <ul style="list-style-type: none"> <li>a high level of equivalence between national accreditation systems (to maintain the credibility of the CE marking);</li> <li>flexible accreditation to reasonably broad scopes covering groups of technical specifications (to reduce delays and high costs);</li> <li>options for flexible application of certain provisions to the CPD (such as attestation systems).</li> </ul>
AG members, GNB-CPD President and CPD TechSec	6C	- Regarding the proposed Construction Products Regulation (CPR), AG members should consult NBs in their countries once the new text becomes available for consideration by the European Parliament and Council of Ministers.  Meanwhile, the GNB-CPD President will consider whether: <ul style="list-style-type: none"> <li>to call an extraordinary AG meeting, and/or;</li> <li>to ask CPD TechSec to draft a paper on potential consequences for NBs that GNB-CPD members might wish to use in any lobbying.</li> </ul> <p>If members believe that the provisions present problems for NBs, they should consider lobbying their national authorities and MEPs.</p>
CPD TechSec	3	- CPD TechSec to amend the minutes to clarify the French position on Item 12C, that the responsibilities of NBs are its main concern.  <i>(This change has been made, and the approved minutes uploaded as NB-CPD/07/272r1.)</i>
	6F	- CPD TechSec to send a document to all NBs on CIRCA, asking them to report unused CIRCA names, and describing the possible use of aliases.
		- CPD TechSec to include a firm request for better provision of CIRCA access in the draft letter to be sent by the President to the Commission (also see Item 6D above).
	7A	- CPD TechSec to redraft NB-CPD/06/214r3 in the light of comments at the meeting, and without the current §2.5 and §3.6, and present the revised draft for approval on CIRCA, possibly for further discussion at the next AG meeting.
	7B	- CPD TechSec to redraft NB-CPD/06/215r4 in the light of comments at the meeting, and present the revised draft for approval on CIRCA, possibly for further discussion at the next AG meeting.

<b>By whom</b>	<b>22<sup>nd</sup> Agenda item</b>	<b>Action</b>
CPD TechSec	7C	- CPD TechSec to redraft NB-CPD/06/213r3 in the light of comments at the meeting, and present the revised draft for approval on CIRCA, possibly for further discussion at the next AG meeting.
		- CPD TechSec to include in the minutes of this meeting that France, UK, Poland and Norway disagree with the draft requirement that NBs shall issue revised certificates when corrigenda to standards are cited in the OJ.
	7D	- CPD TechSec to further amend NB-CPD/07/297r1, draft revision of NB-CPD/AG/03/005, in the light of comments at the meeting, and then present the revised draft for approval on CIRCA, possibly for further discussion at the next AG meeting.
	10	- CPD TechSec to include a request for notification of all ETAGs on NANDO in the draft letter to be sent by the President to the Commission (also see Item 6D above).
CPD TechSec and CEN	6E	- CPD TechSec, with assistance from CEN, to prepare a report on standards being challenged under CPD Article 5(1).
CPD TechSec and GNB-CPD President	6D	- CPD TechSec to draft letter to Commission expressing concern at the long delay in citing available standards in the Official Journal. President to ensure that the issue is raised at PG, and to send the completed letter to the Commission.  <i>NB-CPD/07/305 uploaded to CIRCA 5 October 2007 for comment.</i>