



# How to counteract misconceptions surrounding CE Marking

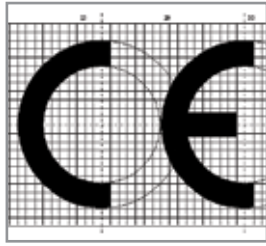
**ASSA ABLOY**

A white paper

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The global leader in  
door opening solutions

# Synopsis



This white paper attempts to address the misconceptions associated with CE marking, as one of the biggest issues for the lock and hardware industry. As a discussion document, the paper will explain the purpose of CE marking and why it has become obligatory (where relevant), examine the common misconceptions about the process, and attempt to clarify their impact and look at how the industry can work to solve them.

## About the Author



Andy Stolworthy, is Product Manager and BIM Project Leader at ASSA ABLOY Security Solutions. Andy specialises in the accreditation of industry standards and is passionate about anything that is a driver within the construction industry. Having come into contact with a host of people working within the industry in a variety of capacities, Andy believes that more can be done to clarify the common misconceptions associated with CE marking.

## Introduction

While the trade press has been saturated with articles on how to negotiate the changes to CE marking that came into effect last year, the importance of 'getting it right' should not be underestimated.

By affixing the CE mark on a product, a manufacturer is declaring conformity with all of the legal requirements to achieve CE marking, and is therefore ensuring validity for that product to be sold throughout the European Economic Area. Other parties in the supply chain might also be responsible for compliance in some scenarios. Getting it wrong, or failing to affix the CE mark to a relevant product, can result in hefty fines or even prosecutions through trading standards, and has the potential to undermine an entire business.

For those already CE marking under the Construction Product Directive (CPD) the transition should be straightforward, but for others unaccustomed to the process before July 2013, it has required (and will continue to require) an investment in time and resource.

Manufacturers, importers, distributors, specifiers, installers, certification and test bodies, and regulatory authorities all have a hand in upholding the new requirements, and so it is critical that all relevant businesses have an accurate understanding of what the changes mean, in regards to both doorsets and door assemblies.

# About CE marking

1

In July 2013, it became an offence to place a non CE-marked construction product on the market if it is covered by a harmonised standard.

The changes to the CE marking system means that, if you are placing a product for sale that is covered by a harmonised standard on the market, you must ensure that it is CE marked. This applies to doorsets, as well as individual hardware products that relate to door assemblies.

## **What is CE marking?**

CE marking is the manufacturer's declaration that the product complies with the essential requirements of the relevant European health, safety and environmental protective legislation.

It is not necessarily an indication of performance or quality. CE marking serves as a form of manufacturer's guarantee that it meets current market directives, ensuring that as long as it has the relevant characteristics, any EEA government cannot exclude it.

You can identify a CE marked product if it displays the CE mark affixed by the manufacturer (or its authorised representative in the European Union), according to its legal format "visibly, legibly and indelibly", to the product.

## **Why the change?**

Fundamentally, the changes to the CE marking system occurred as the Construction Products Directive – a legislative act under the European Union – was updated and replaced.

The Construction Products Directive (CPD) was originally introduced in 1989, to create a common framework for the regulations on buildings and construction works.

While the CE marking process was previously voluntary in the UK, it was still possible to CE mark construction products under the existing CPD.

However, under the new Construction Products Regulation (CPR), which replaced the CPD in 2011 (and whose remaining parts came into force in July 2013), it became mandatory for manufacturers to apply CE marking to any of their products that are covered by a harmonised European standard (hEN) or European Technical Assessment (ETA).



**Door Assemblies: What do I need to know?**

Door assemblies (i.e. where components come from more than one source) have traditionally been the route to market for hardware manufacturers. However, due to the very misconceptions this paper aims to deal with, many specifiers and contractors think they should be switching suppliers to ensure compliance, opting for a CE marked doorset from a single source. We'll revisit the finer details of the misconception itself later, but in the meantime, it is important to understand that door assemblies can still be compliant with CE marking rules and continue to be a perfectly legitimate route to supply hardware.

For door assemblies, all relevant components covered by a harmonised standard should be CE Marked separately. The manufacturer would assess and/or test the product to meet the essential requirements of the relevant Directive(s), compile the technical documentation (made available to the market in the form of the Declaration of Performance, or DoP), and finally affix the CE mark, before putting the construction product on the market. It is then the responsibility of the installer or architect to then ensure the entire doorset is compliant once assembled and in-situ, while the business owners would be personally liable for any failure to comply.

For example, a hinge would have to be CE marked to the relevant harmonised standard (EN1935) by the manufacturer, and could then contribute to a whole compliant doorset (providing the other components are appropriately specified). The installer or architect is then responsible for ensuring all the individual components of the door assembly act as intended when installed and in-situ – and it's worth noting that just because the individual components meet with the relevant European or British Standards, there is no guarantee that the doorset will be compliant.



### **Doorsets: What do I need to know?**

The supply and manufacturer of CE marked external doorsets as a complete package (i.e. supplied from a single source), which meets the required standard, removes the need to verify the suitability of each individual component of the full door when assembled and in situ. Providing that a doorset has minimal risk (e.g. is non-escape) it can be self-certified to System 3 by the manufacturer, which produces a Declaration of Performance and affixes the CE marking to its own product.

There are three principle-harmonised standards that should be understood as part of adhering to the recent changes to CE marking in the door and window industry. BS EN 14351-1 refers to the performance of perimeter, non-fire doors. The other two standards are still in draft, but refer to internal doorsets (non-fire or smoke) and internal doorsets (fire and smoke) and are due to be launched within the next five years.

Launched in February 2010, BS EN 14351-1 affects the majority of windows and doors. It refers to 'windows and external pedestrian door sets without resistance to fire and smoke leakage characteristics but including external fire performance for roof windows.'

Architects and specifiers still have a responsibility to only specify compliant products for whole doorsets. They can refer to the DoP, which will be available from the manufacturer.

#### **Affixing the CE mark**

There are two main parties directly involved in the CE marking of a product; the manufacturer and the Notified Body (this is the certification body). The method of dictating which party is responsible for each step in the process undertaken to CE mark a product is called the Assessment and Verification of Constancy of Performance (AVCP).

As part of the AVCP, System 1 (previously referred to as Attestation Level 1) is the verification undertaken by the third party (or the Notified Body), while System 3 (previously known as Attestation Level 3) means the characteristic has been self-certified by the manufacturer.





## Why are there misconceptions in the market about CE marking?

### 2

There is much misinformation about the changes to CE marking, given the depth and complexity of the standards – and the caveats and exceptions therein. Conflicting messages within the industry, fuelled by commercial competition, have added to the confusion.

As before, it is critical that these myths are abolished, as a business acting upon misinformation could find itself at risk.

1. Amid industry panic and the ‘rush’ to ensure compliance, the prevalent myth is that everything must be CE Marked, as of July 2013. The truth is, for some hardware it is not required.

Whether or not an item of hardware should be CE Marked relates to its application. To find out, you need to refer to Annex ZA of the relevant harmonised standard, which details the intended use of the product and explains for what use or application the product is required to be CE marked.

For example, the relevant standard for door closers is EN1154. CE Marking is indeed possible, but the Annex ZA under EN1154 details that if the intended use is on escape route doors, CE Marking is not necessary [N.B. CE Marking is necessary if the intended use is on smoke and fire control doors.] See the table below for more examples.

Product Group	Standard	CE Marking Possible	Intended Use Requiring CE Marking	
			Smoke & Fire Control Doors	Escape Route Doors
Single Point Locks	EN12209	Yes	✓	✗
Door Closers	EN1154	Yes	✓	✗
Electric Locks	EN14846	Yes	✓	✗
Hinges	EN1935	Yes	✓	✓
Lever Handles	EN1906	No	N/A	N/A
Panic Devices	EN1125	Yes	✓	✓
Emergency Devices	EN179	Yes	✓	✓
Cylinders	EN1303	No	N/A	N/A

2. Associated with number 1, there is a certain degree of scaremongering within the industry that would appear to place manufacturers at a competitive disadvantage. As we touched upon briefly earlier, in 'Door assemblies: What do I need to know?', overarching statements that come from a fundamental misunderstanding of the details of the CE marking legislation have led to a belief that door assemblies are no longer acceptable. In a commercial situation this translates to specifiers and contractors switching suppliers to ensure a doorset comes from a single source.

However, it is important to understand that door assemblies can still be compliant with CE marking rules and continue to be a perfectly legitimate route to supply hardware (assuming the hardware components meet their individual requirements). It is then the responsibility of the architect or specifier – as detailed above – to ensure that the components in the door assembly act as intended, once installed and in situ.

3. One of the other most predominant misconceptions surrounding CE Marking is the question of existing hardware put on the market before July 2013.

Even for those items of hardware now required by law to be CE marked, if a product was placed on the market before July 2013, it does not need to be withdrawn, even if the item is now required by law to be CE marked. It is only hardware placed on the market after July that the changes apply to.



## Why it is important to clarify these misconceptions?

### 3

Following the changes in July of last year, relevant products that don't carry a CE mark, or any false or incorrect declarations, will face hefty fines, and even prosecutions through Trading Standards. With so much at stake, it is critical to adhere to the new requirements.

There is no denying that the CE marking system can appear complicated, especially to those not accustomed to its intricacies or application, but it will become and is a fundamental part of the construction industry. Therefore, it is vital we clarify and solve these common misconceptions.

Despite grave warnings of the consequences of 'getting it wrong', the new process is ultimately designed to make the specification process more efficient. Providing local Building Regulations are met, designers, specifiers and users are free to set their own requirements on the performance of the works, and therefore, construction products. The information contained in the Declaration of Performance (DoP) should allow easy comparisons between products, as the methods of assessment, test and declaration of results will be the same.

The fact that the process can create something so positive highlights how important it is to clarify the misconceptions. Misunderstanding the new system can lead to unnecessary complication or over-investment that is simply not required, turning a positive into something very negative, and wasting resource that could be better spent elsewhere in the business.





# How can we clarify these misconceptions and solve them?

## 4

The most important thing, as with any complex process or system, is for each associated person or body to understand their responsibilities and carry them out accordingly. As such, communication and the sharing of knowledge between all levels of the supply chain is critical.

Here is a brief summary of the responsibilities of some of the key operatives within the supply chain of doorsets and/or door assemblies:

### **Manufacturers**

Manufacturers will – in the majority of cases – be ultimately responsible for the compliance of the products they place on the market. ‘The manufacturer’ can mean one of a few things: the original manufacturer (obviously), or alternatively, it may also mean an importer or distributor (should they have modified the product, or placed it on the market under their name or brand). Should the original manufacturer be based elsewhere, the responsibility would lie with their authorised representative in the EU.

As the supply chain operator who will usually be responsible for upholding the new CE marking legislation, manufacturers can be looked to for knowledge and expertise on the subject, in order to assist the rest of the supply chain with compliance.

A manufacturer must:

- Ensure that their product(s) are designed and manufactured in line with the requirements dictated in the relevant legislation
- Affix the CE mark to the relevant product(s) “visibly, legibly and indelibly”
- Compile the technical documentation (DoP) proving the product’s compliance
- Make the DoP readily available for its customers (and keep for the appropriate amount of time, in line with product lifespans and projected risk)

*[N.B. This list of manufacturer responsibilities is by no means exhaustive, but gives an executive overview of the process a manufacturer has to follow.]*

### **Distributors**

Responsibility for CE marks transfers to wholesalers when there is a supply chain – for example, when architectural ironmongers (AIs) stock and specify the product(s) of a manufacturer.

Supply chain operatives under the umbrella term ‘distributors’ – builders’ merchants, locksmiths and AIs to name but a few – are responsible for ensuring they only stock and supply compliant products. They will be breaking the law if they sell non-compliant stock.

It is the responsibility of a distributor to ensure the technical information is correct, in spite of whether or not it has come from a trustworthy supplier. This may mean wholesalers satisfying themselves that the information provided to them is correct, by carrying out sample tests.

If the distributor has reason to believe the product is not fit-for-purpose, it is their responsibility to withhold the product from the market – even if it carries the CE mark and all the relevant test results are presented.

### **Architects, Specifiers, Designers, Builders (etc.)**

This group in the supply chain does not have a formal role to play in the CE marking of products, but still hold some level of responsibility when it comes to compliance.

This is because the group is still responsible for ensuring that a product has the correct characteristics and is fit for purpose for a particular application. While CE marking does not necessarily address quality or fitness for purpose, (rather, it looks at the placing of the product on the market), this group should:

- Refer to the harmonised technical specifications and the requirements of individual characteristics
- Access and refer to the manufacturer's declaration of performance where necessary
- Refer to general guidance on appropriate minimum performance levels for specific intended uses of the product
- Ensure overall compliance with Building Regulations

Additionally, as professionals involved with the specification or installation of construction products, this group would be expected to inform the proper authorities (trading Standards) if they knew the law was being broken.

Of course, given the number of variables on construction projects, there is not always a prescriptive list of responsibilities for each link in the supply chain. Anyone involved in the process should always refer back to their supplier or manufacturer for advice and support on upholding the new directive, or otherwise seek formal legal advice.



# Summary

With such a big shift in industry processes, there are bound to be transitional issues, but as it becomes 'de rigueur' it is important that the industry is aligned from manufacturers through to OEMs and testing bodies. As well as clarification of some of the common misconceptions already proliferating the industry it will also require more co-operation and joined up thinking between all parties involved and an awareness of responsibility at each stage of the supply chain.

These systems are designed to bring greater efficiencies to the construction industry, as it attempts to regenerate itself after recent hardships. With the spirit of the new system in mind, manufacturers and OEMs should look for ways to work together and comply with the changes that can also generate efficiencies, whether this is through the sharing of knowledge and experience or through practical cost saving elements.

Working together to gather knowledge and ensure compliance is the most effective way to overcome some of the most common misconceptions surrounding CE marking.

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*Disclaimer:*

*It should be clear that this document is intended to be a discussion on the subject, and not a definitive guide.*

*The advice is based on the information available at the time of production, but is subject to changes or updates in legislation.*

*Independent legal advice should be sought where necessary.*

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