GNB-CPD **AG**	**Guidance from the Group of Notified Bodies for the Construction Products Directive** **89/106/EEC**	**NB-CPD/AG/06/007** Issued: 14 September 2006 **APPROVED – GUIDANCE**

GNB-CPD AG position paper

Shared and cascading ITT

In May 2005, EC Guidance paper 'M' was adopted, introducing the manufacturer's possibilities to use the concepts of "shared ITT results and cascading ITT". The principle behind EC Guidance paper 'M' is that its provisions can only be used if incorporated into harmonised technical specifications. However, discussions with the head of the European Commission's Construction Unit indicated that "shared ITT results" can already be used by manufacturers, even though not (yet) incorporated into harmonised technical specifications.

The Group of Notified Bodies supports these concepts insofar that they prevent duplication of tests that have no technical added value, but cannot support them if they lead to wrong declarations or abuse.

The technical condition making it possible to use these concepts is that products concerned are identical, as far as relevant for the relevant performance(s). The parameters will be highly dependent on the product and the characteristic(s) concerned.

Starting from EC Guidance paper 'M', the CEN consultants have now developed "model clauses" for integration into harmonised standards (see enclosed). The CEN Technical Committees are expected to indicate for which characteristics the concepts apply and under which conditions, i.e. which parameters determine that products are sufficiently identical to assume that their performance(s) will be similar.

Pending the integration into harmonised standards and as a support for CEN Technical Committees developing those clauses, Sector Groups are requested to develop position papers to address these issues, permitting manufacturers to start benefiting from "shared ITT results" and/or "cascading ITT". Referring to NB-CPD/05/172, the notes on the Ad hoc meeting of GNB officials with the EC Construction Unit on 2005-11-09, the Commission is of the opinion that shared ITT is possible even when not referred to in hENs or ETAGs/CUAPs/ETAs. Therefore, especially in this case, sector groups need to ensure that notified bodies treat the subject in the same way.

More specifically, taking into consideration the product under consideration, SGs should consider:

- For which characteristics can "shared ITT results" and/or "cascading ITT" be used, while maintaining confidence that the performances claimed will indeed be achieved, under the assumption that manufacturers dispose of the corresponding in-coming material/products, the described production process and that manufacturers handle and store products as intended;
- Which evaluation methods (e.g. determination of geometry, density, viscosity) and number of test samples should be used to determine whether products are indeed identical as far as achieving the performance(s) is concerned and what are the tolerances.

It should be clear that in AoC system 3, laboratories can only be responsible for confirming that products are identical with respect to the evaluation method indicated in position papers and

harmonised technical specifications, they cannot confirm that the products will indeed have the same performances, since this depends on aspects (e.g. production process, handling, storage) they have no control over. In the framework of AoC systems 1 and 1+, the laboratory will have the same limited responsibility, but the certification bodies can go beyond that, to confirm that these concepts can be used.

Proposed EoC clauses in hENs incorporating the principles of GP ‘M’

Proposed EoC clauses in hENs incorporating the principles of GP ‘M’ (document used by CEN Consultants with proposed GNB modification):

7.4 Shared ITT results [Note to TC: in principle applicable to all AoC systems]

7.4.1 General

An individual manufacturer may use ITT results, hereafter called ‘owner ITT results’, obtained by another party (who may be either a designer, another manufacturer or a body providing a common service to manufacturers) to justify his own declaration of performance for an identical product providing that:

a) the criteria for an identical product shall be as 7.4.2;

b) the owner of the ITT results shall have specifically agreed[1] to share the results and the test report(s) with the manufacturer together with any information essential for confirming that the product is identical;

c) the owner of the ITT results shall have specifically agreed to share the information regarding the production facilities and production control processes that would be essential to ensure the manufacture of a functionally identical product;

d) the manufacturer using another party’s ITT results shall accept responsibility for the product being in compliance with all the declared performance characteristics and in terms of both design and manufacture;

e) there are no significant differences in performance regarding the production facilities and production control process compared to that which was documented for the product actually subjected to ITT;

f) the manufacturer shall keep available a copy of the ITT report complying with Annex ‘X’ which shall also contain the information needed to verify that the product against which the declaration is made is functionally identical to the product against which the ITT was performed;

g) the manufacturer may not share the ITT but only test <u>results</u> arising from the type test.

NOTE 1 This clause does not permit “shared ITT”. An ITT concerns the evaluation of a specific product made by a given manufacturer. The declaration of conformity by the manufacturer is a legal document referring to a manufacturer’s specific product, where a specific product is identified with the name of the manufacturer. Therefore, ITT cannot be shared, but only test results.

NOTE 2 The term ‘functionally’ identical is used because it is not normally possible in practice for one manufacturer to produce an ‘identical’ product to another manufacturer without access to exactly the same material and using exactly the same machinery, processes and equipment.

7.4.2 Identical products

"The compliance criteria for a [construction product] to be considered identical with that subject to ITT shall be that the following are the same:”.

a) product description -

[1] The formulation of such an agreement can be done by licence, contract, or any other type of written consent.

b) performance characteristics [Note to TC: the TC needs to consider, per characteristic or group of characteristic which aspects are relevant to determine whether one product is functionally identical or not.]

c) form –

d) dimensions –

e) materials –

f) production facilities -

g) factory production control achieving the same level of compliance –

h) rules relating to the creation of product families -

7.5 Cascading ITT [Note to TC: applicable to AoC systems 1; 1+ and 3]

7.5.1 General

A component manufacturer who designs an assembly and produces a component or components for the assembly (sometimes called a 'system house') may submit an "assembled product", using components manufactured by him or by others, to initial type testing and then make the ITT report available to assemblers, i.e. the actual manufacturer of the product(s) placed on the market. In this case the component manufacturer may make ITT reports available to assembling manufacturers on the basis of 'cascading' the appropriate test report(s) down to them.

7.5.2 Conditions for use of designers ITT results

A manufacturer assembling components, some or all of which may be manufactured by others, may take into account the concept of 'cascading ITT' in respect of the ITT report(s) when declaring the performance of the product for which he has responsibility for placing on the market only under the following conditions.

a) the characteristics which may be taken into account shall be as 7.5.3;

b) the assembler (manufacturer) shall be responsible for placing the [construction product] on the market and he shall be responsible for the correct assembly of the [construction product] in accordance with the assembly instructions issued by the assembly designer or by any body appointed by him to provide such assembly instructions;

c) the assembly designer's instructions for assembling the components shall be an integral part of the assembler's Factory Production Control (FPC) system and shall be referred to in the ITT report in so far as the ITT shall make reference to specific and identifiable documents as being the basis of assembly under which the product is submitted for test;

d) the assembler shall be able to provide documented evidence that on the basis of 7.4.2 the combination of components he is using, and his manufacturing processes, correspond to the product that has been subject to the ITT;

e) the assembler shall retain a copy of the ITT report(s);

f) irrespective of any responsibility and liability issue within any agreement signed with the assembly designer, the assembler shall remain responsible for the product being in compliance with all declarations of performance in accordance with this document.

A product that does not comprise the same components, combination of components, and does not include the same assembly instructions as the assembled product subject to the ITT shall be subject to a new ITT, unless the relationship between components as regards the characteristic concerned has been established.

7.5.3 Permitted characteristics

The characteristics that may be taken into account for the purposes of cascading ITT shall be: [Note to TC: The TC should decide on a technical basis which characteristics could be subject to the concept of cascading ITT for each product and those characteristics should be listed in the standard whether they are all or only part of the product's characteristics addressed in the standard.]

a)

b)

c)

d)

e)

Annex 'X'
(Normative)

Test reports for the use of parties cooperating under either a shared or cascading ITT agreement

The results of each test shall be recorded in a "test report". The test report shall, as a minimum, include the following information:

1.0 General

a) Manufacturer and manufacturing plant;

b) identification of the construction product in accordance with this document;

c) information about sampling;

   1) date and time of sampling;
   2) production line or unit;
   3) involved personnel in sampling;
   4) applied sampling method(s) (according the relevant technical specifications, if any);

d) identification of the organization and personnel executing the test;

e) applied test method(s) according to this document;

f) place and date(s) of testing;

g) the results of the test, including analysis of these when relevant;

h) critical documented factory production control[2];

i) critical documented production facilities[3];

j) rules for product families if appropriate;

k) rules for direct and extended applications if appropriate;

l) place and date of the delivery of the test report;

m) registration number of the notified laboratory where relevant;

n) signature of the head of the testing laboratory and stamp.

The test report shall demonstrate performance of the product with the relevant clauses of the technical specifications.

A complete set of test reports shall be retained by the manufacturer for a minimum of ten years after the manufacturer has ceased manufacture/assembly of the product for which the ITT was representative.

NOTE: The testing laboratory should specify in the report that the information concerning FPC and production facilities was presented to them by the manufacturer or a third party and that it does not bear responsibility for the content of the information.

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[2] Those aspects of FPC considered, by the system house, to be critical for products to be identical (to be supplied by the system house), or reference to a document which gives these aspects.

[3] Those aspects of the production facilities considered, by the system house, to be critical for products to be identical (to be supplied by the system house), or reference to a document which gives these aspects.

ZA.3 [Note to TC: Relevant text from the following should be added to existing ZA.3 according to the appropriateness for the product(s) covered by the standard.]

Non-series production – Where a manufacturer produces an individual or non-series product(s) he may be permitted to declare conformity without the involvement of a notified body, unless products in this document are classified as particularly important with respect to health and safety. (This is not related to the size of a manufacturer but whether he is producing a 'special' product in terms of his normal production.)

Shared ITT (applicable to AoC systems 1; 1+ and 3) – If a notified certification body or notified test laboratory that undertakes the ITT is asked by a manufacturer to use third party ITT results, he may take such results into consideration if he is satisfied that the product is identical (according to 7.4.2) with the one that has been subjected to ITT and that there are no significant performance differences regarding the production facilities and production control process compared to that used for the product that was subjected to ITT. He shall also check that the sampling regime gives the same level of confidence in conformity and that the test method was the same or more onerous. (This is a similar principle to the criteria applicable to the use of test reports as historical data.)

Cascading ITT - The ITT report(s) resulting from tests carried out by (a) notified laboratory(ies) may be used for CE marking purposes without the assembler having to involve a Notified Body to check the product subject to 7.5. However the body with legal responsibility for affixing CE marking will have to be able to demonstrate that the product is identical to the one used for the ITT report (see 7.5.2).