COMMISSION DECISION
of 1 July 1999

on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of
Council Directive 89/106/EEC as regards pipes, tanks and ancillaries not in contact with water
intended for human consumption
(notified under document number C(1999) 1482)
(Text with EEA relevance)

(1999/472/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

administrative provisions of the Member States relating to construction products (1), as amended by Directive
93/68/EEC (2), and in particular Article 13(4) thereof,

(1) Whereas the Commission is required to select, as
between the two procedures under Article 13(3) of
Directive 89/106/EEC for attesting the conformity of a
product, the ‘least onerous possible procedure consistent
with safety’; whereas this means that it is necessary to
decide whether, for a given product or family of prod-
ucts, the existence of a factory-production control
system under the responsibility of the manufacturer is a
necessary and sufficient condition for an attestation of
conformity, or whether, for reasons related to compli-
ance with the criteria mentioned in Article 13(4), the
intervention of an approved certification body is
required;

(2) Whereas Article 13(4) requires that the procedure thus
determined must be indicated in the mandates and in
the technical specifications; whereas, therefore, it is
desirable to define the concept of products or family of
products as used in the mandates and in the technical
specifications;

(3) Whereas the two procedures provided for in Article
13(3) are described in detail in Annex III to Directive
89/106/EEC; whereas it is necessary therefore to specify
clearly the methods by which the two procedures must

be implemented, by reference to Annex III, for each
product or family of products, since Annex III gives
preference to certain systems;

(4) Whereas the procedure referred to in point (a) of Article
13(3) corresponds to the systems set out in the first
possibility, without continuous surveillance, and the
second and third possibilities of point (ii) of section 2 of
Annex III, and the procedure referred to in point (b) of
Article 13(3) corresponds to the systems set out in point
(i) of section 2 of Annex III, and in the first possibility,
with continuous surveillance, of point (ii) of section 2 of
Annex III;

(5) Whereas the measures provided for in this Decision are
in accordance with the opinion of the Standing
Committee on Construction,

HAS ADOPTED THIS DECISION:

Article 1

The products and families of products set out in Annex I shall
have their conformity attested by a procedure whereby the
manufacturer has under its sole responsibility a factory
production control system ensuring that the product is in
conformity with the relevant technical specifications.

Article 2

The products set out in Annex II shall have their conformity
attested by a procedure whereby, in addition to a factory
production control system operated by the manufacturer, an
approved certification body is involved in assessment and
surveillance of the production control or of the product itself.

Article 3

The procedure for attesting conformity as set out in Annex III shall be indicated in mandates for harmonised standards.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 1 July 1999.

For the Commission

Karel VAN MIERT

Member of the Commission
ANNEX I

Piping kits, pipes, tanks, leakage alarm systems, overfill prevention devices, fittings, adhesives, joints, joint sealings, gaskets, ducts and conduits for protection, pipe/duct supports, valves and taps, safety ancillaries

For use in installations for the transport/distribution/storage of gas/fuel intended for the supply of building heating/cooling systems, from the external storage reservoir or the last pressure reduction unit of the network to the inlet of the heating/cooling systems of the building, and in installations for the transport/disposal/storage of water not intended for human consumption, and for heating systems, other than those specified in Annex II.

ANNEX II

Tanks, ducts and conduits for protection

For use in areas subject to resistance to fire regulations, in installations for the transport/distribution/storage of gas/fuel intended for the supply of building heating/cooling systems, from the external storage reservoir or the last pressure reduction unit of the network to the inlet of the heating/cooling systems of the building.

Piping kits, pipes, tanks, leakage alarm systems, overfill prevention devices, fittings, adhesives, joints, joint sealings, gaskets, ducts and conduits for protection, pipe/duct supports, valves and taps, safety ancillaries

For use in areas subject to reaction to fire regulations, in installations for the transport/distribution/storage of gas/fuel intended for the supply of building heating/cooling systems, from the external storage reservoir or the last pressure reduction unit of the network to the inlet of the heating/cooling systems of the building, and in installations for the transport/disposal/storage of water not intended for human consumption for products for which the reaction to fire class is A (1), B (1) or C (1).

(1) Materials for which the reaction to fire performance is susceptible to change during production (in general, those subject to chemical modification, e.g. fire retardants, or where changes of composition may lead to changes in reaction to fire performance).
ANNEX II

Note: for products having more than one of the intended uses specified in the following families, the tasks for the approved body, derived from the relevant systems of attestation of conformity, are cumulative.

PRODUCT FAMILY

PIPES, TANKS AND ANCILLARIES NOT IN CONTACT WITH WATER INTENDED FOR HUMAN CONSUMPTION (1/5)

Systems of attestation of conformity

For the product(s) and intended use(s) listed below, CEN/Cenelec are requested to specify the following system(s) of attestation of conformity in the relevant harmonised standard(s):

<table>
<thead>
<tr>
<th>Product(s)</th>
<th>Intended use(s)</th>
<th>Level(s) or class(es) (Reaction to fire)</th>
<th>Attestation of conformity system(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>— Piping kits</td>
<td>in installations for the transport/distribution/storage of gas/fuel intended for the supply of building heating/cooling systems, from the external storage reservoir or the last pressure reduction unit of the network to the inlet of the heating/cooling systems of the building</td>
<td>—</td>
<td>3</td>
</tr>
<tr>
<td>— Pipes</td>
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<tr>
<td>— Tanks</td>
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<td></td>
<td></td>
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<tr>
<td>— leakage alarm systems and overfill prevention devices</td>
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<td></td>
<td></td>
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<tr>
<td>— Fittings, adhesives, joints, joint sealings and gaskets</td>
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<tr>
<td>— Ducts and conduits for protection</td>
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<tr>
<td>— Pipe/duct supports</td>
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<tr>
<td>— Valves and taps</td>
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<td></td>
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<tr>
<td>— Safety ancillaries</td>
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</tbody>
</table>


The specification for the system should be such that it can be implemented even where performance does not need to be determined for a certain characteristic, because at least one Member State has no legal requirement at all for such a characteristic (see Article 2(1) of Directive 89/106/EEC and, where applicable, point 1.2.3 of the Interpretative Documents). In those cases the verification of such a characteristic must not be imposed on the manufacturer if he does not wish to declare the performance of the product in that respect.
## PRODUCT FAMILY

**PIPPES, TANKS AND ANCILLARIES NOT IN CONTACT WITH WATER INTENDED FOR HUMAN CONSUMPTION (2/5)**

### Systems of attestation of conformity

For the product(s) and intended use(s) listed below, CEN/Cenelec are requested to specify the following system(s) of attestation of conformity in the relevant harmonised standard(s):

<table>
<thead>
<tr>
<th>Product(s)</th>
<th>Intended use(s)</th>
<th>Level(s) or class(es) (Reaction to fire)</th>
<th>Attestation of conformity system(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>— Piping kits</td>
<td>in installations for the transport/disposal/storage of water not intended for human consumption</td>
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<td>4</td>
</tr>
<tr>
<td>— Pipes</td>
<td></td>
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<td></td>
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<tr>
<td>— Tanks</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>— Leakage alarm systems and overfill prevention devices</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>— Fittings, adhesives, joints, joint sealings and gaskets</td>
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<td></td>
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<tr>
<td>— Ducts and conduits for protection</td>
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<tr>
<td>— Pipe/duct supports</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>— Valves and taps</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>— Safety ancillaries</td>
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</tbody>
</table>


The specification for the system should be such that it can be implemented even where performance does not need to be determined for a certain characteristic, because at least one Member State has no legal requirement at all for such a characteristic (see Article 2(1) of Directive 89/160/EEC and where applicable, clause 1.2.3 of the Interpretative Documents). In those cases the verification of such a characteristic must not be imposed on the manufacturer if he does not wish to declare the performance of the product in that respect.
PRODUCT FAMILY

PIPES, TANKS AND ANCILLARIES NOT IN CONTACT WITH WATER INTENDED FOR HUMAN CONSUMPTION (3/5)

Systems of attestation of conformity

For the product(s) and intended use(s) listed below, CEN/Cenelec are requested to specify the following system(s) of attestation of conformity in the relevant harmonised standard(s):

<table>
<thead>
<tr>
<th>Product(s)</th>
<th>Intended use(s)</th>
<th>Level(s) or class(es) (Fire resistance)</th>
<th>Attestation of conformity system(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>— Tanks</td>
<td>in installations in areas subject to resistance to fire regulations, used for the transport/distribution/storage of gas/fuel intended for the supply of building heating/cooling systems, from the external storage reservoir or the last pressure reduction unit of the network to the inlet of the heating/cooling systems of the building</td>
<td>any</td>
<td>1</td>
</tr>
<tr>
<td>— Ducts and conduits for protection</td>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>


The specification for the system should be such that it can be implemented even where performance does not need to be determined for a certain characteristic, because at least one Member State has no legal requirement at all for such a characteristic (see Article 2(1) of Directive 89/160/EEC and where applicable, clause 1.2.3 of the Interpretative Documents). In those cases the verification of such a characteristic must not be imposed on the manufacturer if he does not wish to declare the performance of the product in that respect.
**PRODUCT FAMILY**

**PIPES, TANKS AND ANCILLARIES NOT IN CONTACT WITH WATER INTENDED FOR HUMAN CONSUMPTION (4/5)**

**Systems of attestation of conformity**

For the product(s) and intended use(s) listed below, CEN/Cenelec are requested to specify the following system(s) of attestation of conformity in the relevant harmonised standard(s):

<table>
<thead>
<tr>
<th>Product(s)</th>
<th>Intended use(s)</th>
<th>Level(s) or class(es) (Reaction to fire)</th>
<th>Attestation of conformity system(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Piping kits</td>
<td>in installations in areas subject to reaction to fire regulations, used for the transport/distribution/storage of gas/fuel intended for the supply of building heating/cooling systems, from the external storage reservoir or the last pressure reduction unit of the network to the inlet of the heating/cooling systems of the building</td>
<td>any</td>
<td>1</td>
</tr>
<tr>
<td>Pipes</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tanks</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Leakage alarm systems and overfill prevention devices</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fittings, adhesives, joints, joint sealings and gaskets</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ducts and conduits for protection</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pipe/duct supports</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Valves and taps</td>
<td>in installations in areas subject to reaction to fire regulations, used for the transport/disposal/storage of water not intended for human consumption</td>
<td>A (1), B (1), C (1)</td>
<td>1</td>
</tr>
<tr>
<td>Safety ancillaries</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>A (1), B (1), C (1)</td>
<td>3</td>
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<tr>
<td></td>
<td></td>
<td>A (1), D, E, F</td>
<td>4</td>
</tr>
</tbody>
</table>


(1) Materials for which the reaction to fire performance is susceptible to change during production (in general, those subject to chemical modification, for example fire retardants, or where changes of composition may lead to changes in reaction to fire performance).

(2) Materials for which the reaction to fire performance is not susceptible to change during the production process.

(3) Materials of class A that according to Decision 96/603/EC do not require to be tested for reaction to fire.

The specification for the system should be such that it can be implemented even where performance does not need to be determined for a certain characteristic, because at least one Member State has no legal requirement at all for such a characteristic (see Article 2(1) of Directive 89/160/EEC and where applicable, clause 1.2.3 of the Interpretative Documents). In those cases the verification of such a characteristic must not be imposed on the manufacturer if he does not wish to declare the performance of the product in that respect.
PRODUCT FAMILY

PIPES, TANKS AND ANCILLARIES NOT IN CONTACT WITH WATER INTENDED FOR HUMAN CONSUMPTION (5/5)

Systems of attestation of conformity

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<thead>
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<th>Product(s)</th>
<th>Intended use(s)</th>
<th>Level(s) or class(es) (Reaction to fire)</th>
<th>Attestation of conformity system(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Piping kits</td>
<td>in installations subject to regulation on energy conservation, used for the transport/disposal/storage of water not intended for human consumption, and for heating systems</td>
<td>—</td>
<td>3</td>
</tr>
<tr>
<td>Pipes</td>
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<tr>
<td>Tanks</td>
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<td>Safety ancillaries</td>
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The specification for the system should be such that it can be implemented even where performance does not need to be determined for a certain characteristic, because at least one Member State has no legal requirement at all for such a characteristic (see Article 2(1) of Directive 89/160/EEC and where applicable, clause 1.2.3 of the Interpretative Documents). In those cases the verification of such a characteristic must not be imposed on the manufacturer if he does not wish to declare the performance of the product in that respect.