

DBC input to the European Commission's call for evidence on housing supply and affordability

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1. Horizontal Considerations for the Housing Simplification Package

Deutsche Bauchemie welcomes the European Commission's initiative to identify and address regulatory obstacles affecting the supply and affordability of housing. Europe's housing challenge requires measures that enable faster, more affordable and sustainable construction while making better use of the existing building stock. Renovation, repair, refurbishment and conversion can improve the quality, performance and usability of buildings, extend the service life of components and help bring existing space back into effective use. The Housing Simplification Package should therefore address obstacles affecting both new construction and work on existing buildings while preserving high standards of safety, health, environmental protection and building performance.

Housing affordability should not be assessed solely through initial construction costs. Durability, maintenance and repair needs, energy performance and the ability to renovate or adapt a building influence the total cost for owners and occupants over its lifetime. Simplification measures must therefore avoid discouraging high-performance and durable solutions that contribute to lower lifecycle costs and preserve the value and usability of buildings. Prefabrication, modular construction and other industrialised methods can support faster project delivery, improved quality control and greater resource efficiency. Construction chemicals, including sealants, mortars, resins and protective systems, are enabling technologies in many conventional and industrialised construction systems. Regulatory frameworks should facilitate innovative construction solutions and avoid unnecessary barriers to their deployment across the Single Market.

A well-functioning Single Market for construction products is essential to address housing supply and affordability. Deutsche Bauchemie therefore recommends that the Housing Simplification Package also supports the simplified and swift implementation of the **Construction Products Regulation (CPR)** by resolving legal uncertainties and providing more proportionate solutions on key implementation aspects to ensure an efficient, and workable regulatory framework. In addition, Deutsche Bauchemie underlines the importance of addressing the implementation challenges associated with the **Drinking Water Directive (DWD)** as a matter of priority, thereby ensuring a smooth transition, legal certainty for economic operators and the effective functioning of the Single Market.

2. Construction Products Regulation: Swift simplification of the implementation via a package of delegated acts

The following recommendations therefore focus on those implementation choices under the revised CPR that are necessary to reduce avoidable administrative effort, support reliable environmental declarations, and maintain a workable pathway to market for construction chemical products. These recommendations could

be swiftly implemented through a secondary legislation, notably delegated acts, without necessitating any legislative changes to the legal text of the CPR:

A SME-friendly and efficient declaration of environmental performance

Over the last decade, Environmental Product Declarations (EPDs) have become an established voluntary instrument for communicating the environmental performance of construction products. Many industry associations have developed solutions based on sector EPDs using a worst-case approach, enabling member companies to declare verified environmental data following a successful conformity assessment with only limited additional effort. With the introduction of CPR-2024, the declaration of the environmental impact categories defined in EN 15804 and communicated through EPDs will become mandatory.

Obtaining and verifying product-specific environmental data for construction products is a complex, time-consuming and costly process. Small and medium-sized enterprises (SMEs) in particular are dependent on external expertise, as they often lack the necessary in-house resources. In the field of construction chemicals, a large variety of products is available on the market for which the declaration of essential environmental characteristics will be required, although these products are generally used only in very small quantities in construction works and their individual contribution to the overall environmental impact of a building is therefore comparatively limited.

Against this background, association-based solutions are indispensable to significantly reduce the burden on companies and to consolidate costs efficiently. Unfortunately, the newly introduced AVS 3+ system for the validation of declared essential environmental characteristics does not provide any substantial simplifications for the validation of data or tools offered by associations.

Industry associations are uniquely positioned to develop calculation tools that can be used by a broad range of manufacturers, thereby avoiding duplication of effort and high costs. Based on current understanding, LCA calculator tools drawing on background LCA datasets for raw materials and generic process data could provide a suitable basis for the development of association-based solutions to assess the environmental performance of products. Manufacturers would significantly benefit from such tools through the outsourcing of software development and the sharing of validation costs. However, it is essential that the validation process remains simple and proportionate. A single validation of the software tool, the underlying PCR and c-PCR, the referenced datasets, and any additional requirements laid down in product-specific standards should be sufficient to allow manufacturers to use the tool without requiring any further validation.

Furthermore, the introduction of mandatory declarations of essential environmental characteristics under the new Construction Products Regulation (CPR) should be accompanied by the provision of reliable data, enabling manufacturers to fulfil these requirements in a practical and cost-effective manner. In particular, comprehensive Commission-supported background LCA datasets covering the wide range of product families falling within the scope of the CPR are indispensable. The availability of harmonised datasets provided at EU level would ensure a consistent approach to the calculation of environmental performance, improve comparability of results, and reduce the risk of diverging methodologies. At the same time, it would contribute to keeping compliance costs proportionate, particularly for SMEs, by ensuring that manufacturers have the option to access the data needed to meet regulatory obligations irrespective of their ability to invest in additional external data sources or additional database licences. Efforts in this direction should be underpinned by adequate budgetary resources and accompanied by timely implementation, thereby ensuring that manufacturers can rely on the necessary data when these obligations take effect.

Moreover, in cases where no product-specific information beyond the bill of materials is provided, requirements such as initial inspections of the manufacturing plants or the validation of the correct use of the software appear disproportionate to the actual validation needs.

To enable industry associations to effectively support their sectors, the regulatory framework must facilitate and encourage the validation of association-based tools and datasets by notified bodies. Once validated, manufacturers should be able to use them under specified conditions being subject to further individual validation requirements.

Only where the regulatory framework clearly enables such solutions can industry associations develop effective sector-wide approaches that reduce the administrative and financial burdens, particularly for SMEs in the construction chemicals sector, while helping counter deindustrialisation and supporting affordable construction.

Cutting unnecessary red tape: No specification of a single batch number within the DoPC

Annex V of the CPR-2024 requires that a Declaration of Performance and Conformity (DoPC) includes the batch number, where available. For manufacturers of construction chemicals, this requirement creates significant practical challenges. Given that multiple production batches are often manufactured on a single day, compliance would effectively require the generation of a separate DoPC for each batch, despite the fact that all other information contained in the declaration remains identical.

Linking batch-specific information to the DoPC would also have direct implications for the Digital Product Passport (DPP). A separate DPP would need to be generated and maintained for each batch-specific declaration, resulting in a substantial and unnecessary increase in administrative burden, data duplication, and system complexity, without delivering any meaningful additional value for users.

Where necessary, the DoPC could instead refer to an external source or register that identifies the batches covered by the declaration.

To prevent disproportionate administrative obligations and an excessive proliferation of DPP entries, prompt regulatory clarification is essential. In particular, it should be clearly established that batch numbers do not constitute a mandatory element of the DPP and that the CPR framework permits alternative practical mechanisms for providing batch-related information.

Legal certainty for manufacturers on the content of the technical documentation

The technical documentation is intended to support the declaration of performance and conformity by demonstrating how performance has been determined and compliance has been established. However, the current lack of clarity regarding its precise content creates a risk of divergent requirements and disproportionate documentation burdens across Member States.

In particular, technical documentation should be limited to the background documentation necessary to support the declared performance, demonstrate compliance with applicable product requirements, and the procedures used to ensure constancy of performance. It should not require the continuous incorporation of every result generated through routine Factory Production Control (FPC).

Avoiding unnecessary costs: Proportionate and harmonised implementation of AVS 2+

CPR-2024 extends the scope of AVS 2+ by requiring notified bodies to verify the correct determination of the product type, the assignment of the product category, and the assessment of the declared performance based on product documentation. Unlike the former AVCP System 2+, these provisions may be interpreted as shifting the focus from the assessment of the factory production control system towards product-specific verification activities.

Previous experience has already demonstrated that the relevant requirements are subject to differing interpretations among notified bodies. Without further clarification, the revised AVS 2+ is likely to increase these divergences, resulting in more extensive product-level assessments, higher costs for manufacturers, and longer verification procedures, despite the fact that the established system-based approach has proven effective.

Annex IX should therefore be revised to remove existing ambiguities and clearly confirm that AVS 2+ is intended to focus on the assessment of the factory production control system. Excessive verification of individual product data should be avoided where it does not contribute to the overall objectives of the system.

Whereas other areas of concern, such as the mandatory declaration of additional environmental indicators before robust reference methods have been validated, and the disproportionately short transitional validity period foreseen for EADs developed under the previous CPR, would require an amendment of the CPR itself, the burden reduction measures outlined above could be implemented swiftly through a targeted simplification package, incorporating appropriate delegated acts.

3. Drinking Water Directive – urgent action needed

Site-applied materials used in public drinking water infrastructure require urgent regulatory attention. The current implementation framework under Article 11 of the Drinking Water Directive was largely designed for factory-manufactured products and does not adequately reflect the specific characteristics of site-applied materials, such as concrete, cementitious coatings or mortars for repair and other construction products that are applied directly on site. As a result, manufacturers and water operators face disproportionate compliance burdens, significant legal uncertainty and, in some cases, practical conformity assessment requirements that are not technically feasible. These challenges risk delaying or preventing the use of essential products required for the construction, renovation and maintenance of drinking water infrastructure, ultimately undermining the Union's objectives for housing, infrastructure resilience and water security. The European Commission should therefore – as soon as possible – introduce targeted simplification measures to ensure that site-applied materials can continue to be placed on the market under a workable and proportionate regulatory framework. This should include adapting conformity assessment procedures to the specific nature of site-applied products, providing greater flexibility for demonstrating compliance, and removing unnecessary administrative burdens that do not contribute to a higher level of health protection. A pragmatic and risk-based approach would preserve the high public health objectives of the Drinking Water Directive while ensuring the availability of construction products that are indispensable for housing projects, water infrastructure upgrades and the efficient operation of public drinking water systems across the European Union.

Beyond site-applied materials, the Commission should address a number of broader implementation issues that risk creating unnecessary barriers for construction activities. Priority should be given to improving the functionality of the European Positive Lists system, ensuring a workable transitional regime, promoting a

consistent application of testing and assessment requirements across Member States, and establishing fair mechanisms for cost and data sharing.

Although industry has consistently raised concerns regarding practical implementation challenges that may emerge from the end of 2026 onwards, a number of issues remain to be addressed. In the absence of timely solutions, the Simplification Package may offer an opportunity to introduce targeted adjustments that help maintain a proportionate and workable regulatory framework.

Swift action on the implementation of the CPR and the Drinking Water Directive would deliver tangible simplification benefits while supporting affordable housing, regulatory predictability and the Union's broader sustainability objectives.

Deutsche Bauchemie e.V.

German Construction Chemicals Industry Association

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The German Construction Chemicals Industry Association (Deutsche Bauchemie) has been representing the interests of its member companies and the German subsidiaries of foreign corporations to the professional public, politics, authorities, science, and media for 77 years. The industrial association is a sector association within the German Chemical Industry Association (VCI). In 2024, the approximately 140 member companies generated a turnover of 4.6 billion euros in Germany with around 32,000 employees.