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# CE Marking for Windows and Doors

## Product Standard EN 14351-1

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### Explanations:

Our FAQ catalogue answers a various number of questions regarding the CE marking. The answers were carefully and conscientiously researched. However, we explicitly point out that the responses should only be seen as an orientation guideline, and reflect our conception the legal situation. For this reason, the results of our research is not legally binding; a check of the legal situation for the single case is required regularly. The VBH excludes any legal responsibility of the answers within the frame of applicable law.

## 1. General Questions on CE Marking:

### 1.1. **Do all window and door constructions require a CE mark?**

Product standard EN 14351-1 standardizes performance characteristics of "windows and exterior doors excluding characteristics relating to fire protection and imperviousness to smoke". The area of application is described in section 1. According to this, EN 14351-1 describes the "performance characteristics independent of the material used and applies to windows (including skylights, skylights with protection from fire from without and French doors), exterior doors (including frameless glass doors, escape doors and panic doors) and composite elements." The coexistence phase of EN 14351-1 ends on 01.02.2010. From this point onwards all windows and doors that fall within the scope of EN 14351-1 must be provided with a CE mark if they are to come onto market. As an exception, a simplified procedure for obtaining the CE mark can be sufficient if the building product concerned is a unicum not destined for series production.

### 1.2. **Is it the legal duty of the manufacturer or of the retailer who sells to the end customer to supply the CE mark?**

According to ZA.3 ("CE Marking and Signage"), the responsibility for affixing the CE mark lies with "the manufacturer or their representative located in the European economic area." According to the Code for Building Products/Building Products Act, the manufacturer is defined as the person responsible for producing a building product and for bringing it onto the market. As the Code for Building Products/Building Products Act considers "ready-to-install building products", a fitting-only company can also be considered to be a manufacturer if they create a building product by joining together components supplied by different sources. Under these conditions a fitting company could also be responsible for the CE mark.

### 1.3. **Must documents be kept for longer than five years?**

According to section 7.2.3 of EN 14351-1, the "complete set of test reports on a product" must be kept by the manufacturer "for as long as the product remains in production and for at least five years thereafter." Five years alone would be therefore insufficient, especially considering that a longer period of time (10 years?) generally makes more sense from the point of view of defending against liability claims.



EN 14351-1 contains no specifics on the length of time for which documentation from the in-house manufacturing control is to be kept. However, one can assume that these documents should be kept for at least as long as the test reports, although a longer period of time (10 years?) generally makes more sense from the point of view of defending against liability claims.

#### **1.4. *May a window manufacturer sell windows with no CE marks to a building parts retailer after 01.02.2010?***

CE marking of windows is obligatory from 01.02.2010. The moment at which a window manufacturer sells a building parts retailer a window, they are bringing that product onto the market. According to the Code for Building Products/Building Products Act, they must therefore previously have labeled the product with the CE mark.

#### **1.5. *Who inspects CE marking?***

§ 13 of the Building Products Act (Bauproduktengesetz, BauPG) prohibits the affixing of CE marks to products that fail to comply with the standard. The "notified centre as authorized by federal state law or the agency authorized by the regional state governments" can prohibit the entry onto the market and the free trading of building products and can invalidate or remove their labels if the labels were wrongly granted.

Take the example of Bavaria:

In Bavaria, the "authorized agencies" are, according to § 11 of the competency bye-laws in the building trade (Zuständigkeitsverordnung im Bauwesen, ZustVBau) of 05.07.1994, the "state administration authorities and, if the product is intended for use exclusively in areas subject to the authority of the supervisory authority for building, the municipalities that assume the duty of the lower supervisory authority for building as per § 5; the competency of larger state seats arises from the bye-laws on the duties of larger state seats."

Take the example of Baden-Wuerttemberg:

In Baden-Wuerttemberg the "authorized agency" arises from the regional building law (Landesbauordnung, LBO-BW). The factual authority is the lower supervisory authority for building. The supervisory authorities for building are the municipalities and the administrative collectivities, § 46 sec. 2 LBO-BW.

#### **1.6. *What notified test centres are there?***

The notified test centres responsible for the testing, monitoring and certification of building products based on harmonized standards and European technical approvals as defined by the Building Products Act can be found in the so-called Nando list (list of centres notified by the European Union).

You can also get information from the DIBt. The DIBt has a directory of notified test, monitoring and certification centres as approved by the building Products Act and regional building law.



**1.7. What are the differences between the regulations for wood products and plastics products?**

EN 14351-1 applies to all materials. There are therefore no differences.

**1.8. If the CE marking of a product should be incorrect, will the assumption always be made that the product itself is inadequate?**

Correct CE marking originates from the (public law) Building Products Act and a distinction must be made between it and (civil law) warranty claims. It will only be possible to make statements on liability under civil law in particular once pertinent legal judgments have been made.

**1.9. Can a mutual agreement on a missing CE mark be reached with the builder?**

No agreements may be reached that contravene a legal ban (ban on the entry onto the market of a product subject to mandatory labelling without the CE mark). In as far as the product is to be built directly into the building site, the question may arise as to what extent the product has been entered onto the market in the first place. From the point of view of building law, it should be permissible to use the product.

**1.10. Can custom constructions be manufactured if no initial type test report for constructions of that type have yet been made?**

The "custom construction" can be manufactured, but must first be subjected to an (in-house) initial type test.

**1.11. The manufacturer is named on a CE mark. Retailers often want no reference made to third-party manufacture. What options are available if a retailer does not want the manufacturer to be listed?**

The manufacturer must be listed on the label always. It is the identification of the manufacturer that allows the product to be traced.

**1.12. What performance characteristics is it obligatory to list in other countries?**

The performance characteristics that one is required to list on a CE mark in other countries depends on their building regulations.

Further information will become available in the following months.



### **1.13. Under what circumstances can manufacturers employ the proofs supplied by the system designer in their CE marking?**

The product standards generally do not address this topic. Details on the duties of the designers of systems can generally be found in the "Guidance Paper M". According to the designation "Cascading ITT", the test reports of system designers can be used by processors under the following conditions:

- Use of the same components
- The system designer makes the manufacturing guidelines available
- The processor is responsible for the correct manufacture and for bringing the product onto the market
- The processor must incorporate the system designer's manufacturing guidelines into their own in-house manufacturing control

## **2. Labelling**

### **2.1. What mandated performance characteristics must be listed in Germany?**

Performance characteristics must be listed if (national) building law makes demands of the mandated characteristics as per the ZA of an EN standard. If the building law makes (additional) demands, the CE mark must identify classes/levels of performance. In this case, the option NPD (no characteristic determined) may not be used.

For example, (national) building law in Germany makes demands on heat transfer coefficients and air permeability in the form of the energy saving ordinance (Energieeinsparverordnung, EnEV).

### **2.2. What are the consequences of misuse, e.g. incorrect identification with a CE mark?**

The respective EU member state is obliged to ensure that the CE mark is used correctly. If a label has been affixed unjustifiably, the product must be withdrawn immediately or its trade must be restricted.

## **3. Constructions and Special Constructions:**

### **3.1. Do special constructions such as lifting-sliding doors require a CE mark?**

Lifting-sliding doors are also subject to EN 14351-1 and require a CE mark.



### **3.2. *What is a family of products?***

A family of products consists of products with identical characteristics. According to section 7.2.1 of EN 14351-1, for testing purposes "windows and exterior doors can be collected into families of products for which the assumption can be made that the characteristic selected is identical for all windows and exterior doors of that family."

According to EN 14351-1, a product can belong to different families with respect to different characteristics.

If, for example, the "selected characteristic" of a rocking window not identical to that of a IV 68 window, they may not be grouped together as one family. The test required must therefore be performed on both windows.

### **3.3. *Can oversized constructions no longer be manufactured?***

Oversized constructions may no longer be manufactured. In order to be released onto the market, however, oversized constructions require their own initial test and a CE mark.

### **3.4. *Do plastics manufacturers need to label their products?***

There are no special restrictions on plastic windows; they also require a CE mark. Designers of systems are also involved with plastic windows. EN 14351-1 is material-independent.

### **3.5. *Does each system with each bracket require testing or is a CE mark from the bracket manufacturer sufficient?***

EN 14351-1 applies to "associated brackets, if present". Appendix A describes the interdependency of characteristics and components. Thus if brackets are replaced, the following applies: "If documented proofs created as per the relevant bracket standards exist stating that the characteristics of the brackets correspond to those of the replaced brackets (applied during the initial test), no repeat test must be performed". System designers offer various different solutions in this regard.

### **3.6. *What deviations from tested components are permissible and when are new tests required?***

Deviations from tested components are permissible; the responsibility lies with the manufacturer. The manufacturer must ensure that replaced components or alterations in the construction and dimensions do not lead to deterioration in the performance characteristics.

### **3.7. *Do carpenters that manufacture their own HT blanks need to furnish them with a CE mark?***

Every manufacturer - including every manufacturer of HT blanks - is responsible for the CE marking of their own products. This means that house doors made of flat door leaves are also subject to the requirements of CE marking (initial tests, in-house manufacturing control IMC, maintenance and service instructions, etc.).



### 3.8. **As of when will CE marks be required interior doors?**

The relevant product standard for interior doors (excluding characteristics relating to fire protection and imperviousness to smoke) is 14351-2, currently available as a draft standard. Once the coexistence phase for EN 14351-2 draws to a close, interior doors will be subject to mandatory CE marking. We are not currently in a position to suggest when this may be.

## 4. IMC

### 4.1. **Are maintenance and service instructions obligatory?**

Section 6 of EN 14351-1 determines "on which aspects" the manufacturer must provide details. Among other things, the manufacturer is obliged to provide details on service, intended use and notes on safe use.

### 4.2. **Does each single workpiece manufactured be documented in the IMC?**

Information on the in-house manufacturing control can be found under section 7.3 of the EN 14351-1. According to this, the in-house manufacturing control system must "consist of procedures, of regular inspections and inquiries and/or appraisals and the implementation of the results of inspections made of raw materials and other basic materials or components, the manufacturing equipment, the manufacturing process and of the product." The in-house manufacturing control system "must be suited to the type and method of manufacture, e.g. batch size, product type." This means that not every single workpiece need be documented; test samples must be taken at a frequency that corresponds to the size of the batch, and the results of these tests must be documented.

## 5. VBH Solution

### 5.1. **What will be the cost of a manufacturer using VBH initial test results?**

A manufacturer will be subject to a lump-sum cost if they wish to use a VBH ITT. The only costs are administrative costs per proof due one time only. We do not charge licence fees!

The initial proof with all related documents costs around €200, the second proof costs around €100 and every subsequent proof €70. For alterations made to an existing proof or for extensions (after 3 years) a fee of €40 is currently levied.

Proofs are valid for a period of 3 years.



## 6. Facades

**6.1. *Within the framework of CE marking for curtain walls, may an alternative post-and-beam connector from a competitor that has also been granted official technical approval be used, rather than the respective system test of a given manufacturer?***

The relevant product standard for curtain walls is EN 13830. The entire curtain wall is tested; curtain wall components need not be labeled individually. If the product is altered, it is the responsibility of the manufacturer to decide whether further tests are required. If the most significant construction characteristics are retained one can assume that in case of minor alterations no further tests will need to be carried out.

An official technical approval is required for connectors.

We recommend that this point be raised with the notified test centre that carried out the façade test.

**6.2. *Can a manufacturer that uses the initial type test results of a system designer use components (e.g. beams, cross connectors) that have not been supplied by that system designer?***

A manufacturer is entitled to carry out an initial type test on a product that consists of components supplied by a variety of sources. In as far as a manufacturer wishes to fall back on test results already available (Cascading ITT), they are obliged to conform to the cascading agreement reached. The manufacturer must check whether the agreement excludes the use of "third-party" components or not.

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