



Feedback on draft Milestone I

As [Alliance for Low-Carbon Cement and Concrete](https://alliancelccc.com/) (ALCCC), we are committed to bring European cements within planetary boundaries, targeting a net zero value chain by 2040. A robust and ambitious policy, standards and financial framework is needed to make low carbon cement and concrete the norm within the next decade. A key priority for the ALCCC is the swift adoption of performance-based cement and concrete standards in Europe (see also <https://alliancelccc.com/policy/report-fast-tracking-cement-decarbonisation/>). Such reform is much needed to fix existing market entrance barriers for clean innovations and materials. Furthermore, also from a legal point of view, the existing recipe-based approach to cement and concrete standards is not in line with the performance-based approach of the old and new construction products regulation (CPR).

In relation to draft Milestone I, we welcome the ambition of the European Commission to review the scope of EN 197-1 to better reflect market dynamics and innovations. As signalled by the ALCCC (but also academia, civil society and industry actors), European cement and concrete standards are increasingly outdated, especially in the light of wider international standardisation trends and the proliferation of clean tech cement and concrete innovations.

Unfortunately, we fail to see how the proposed draft Milestone I marks any significant shift from the current recipe-based approach, nor understand how it complies with the legal requirements put forward by the old and new CPR (e.g. articles 1 and 4). Therefore, we urge the European Commission and all involved stakeholders to urgently address the issues raised below, as such creating a much needed (and legally required) technology neutral regulatory framework for the CE marking of cement, building limes and hydraulic binders.

Requirements for harmonised technical specifications:

1) Adopt a recipe-based approach to CE marking

Despite the clear requirements of the old and new CPR to CE mark products on the basis of performance-based essential characteristics, **the current proposal continues to follow a recipe-based logic by limiting the scope of the standard to a predefined set of cement types today present on the market.** This obviously defeats the purpose of a performance-based standard, it creates legal uncertainties around the compliance of the future standard with the CPR. Therefore we urge the European Commission to:



- **Remove all limitations introduced in Table 1** for the different cement types. This can be done without jeopardising the quality, durability and safety of the cements placed on the market, which are guaranteed by the performance-based essential characteristic of the hEN. Furthermore, it should be pointed out that additional checks are in place at both the level of concrete standards and building codes.
- **Use the Declaration of Performance for composition declaration:** as required per Annex I.4 of the new CPR, manufacturers will have to declare the composition of a product in the DOP as a non-essential characteristic. We urge the European Commission to apply this principle to the CE marking of cement, building limes and other hydraulic binders.
- **Address (potential) safety issues via product requirements:** while performance-based standards and approaches to cement other markets (e.g. US, Canada, Latin-America) and for other construction products in Europe (and beyond) clearly indicate that such approach does not negatively impacts safety; we fully support the introduction of additional product requirements if needed to guarantee safety. In line with Annex I.3 of the new CPR, this should be done through the framework of product requirements, on the basis of state-of-the art justification, as well as motivations on the inability to mitigate risks in a more proportional way. An approach whereby the scope of a standard is used to achieve the same objectives is therefore not compliant with the CPR.

2) Widen the scope or abandon the scope of table 1

As pointed out above, the scope presented in table 1 of draft Milestone I includes a predefined list of cement types, present on the market already today. Inherent to such an approach, a number of cement types are missing from the scope. Most notably in this regard are those cement types which are already present on the market today in Europe and/or are likely to be in the nearby future. These are:

- **CE marked cements via 'EOTA' route**, with EAD reference numbers EAD: 150058-00-0301 ; EAD: 150059-00-0301 and EAD: 150080-00-0301.
- **Cement and binders**, which are compliant with standards in non-EU markets (e.g. US) and/or successfully used on the European market via the EPC route in concrete standards.

Therefore draft table 1 should be amended as follows – on top of removing the limitations (cf. supra):



- **Preferred option:** merge rows 1 to 36 in table 1 and redefine the scope of the products covered by this standard to “common” and “special cements”. This is solution is most elegant and corresponds best with how the CPR defines product families and categories (art 4).
- **Alternative option:** given that some Member States wish to keep existing cement designations, one could also add extra rows to Table 1 in order to include all of the above listed EADs, as well as introduce a new product with the definition “products compliant with international cement standards (e.g. ASTM C1157)”.

On top of the above (legal) concerns, we would also like to emphasize that **an approach whereby the scope of table 1 is gradually widened is unrealistic and not desirable**. The rate at which new cement constituents and cement types are being developed is extremely high, typically outpacing the speed at which harmonised standards are being drafted, developed, and revised. A smart and proactive approach is therefore needed to save value time and resources of all involved actors, as well as public funding that is attached to the development of harmonised standards. This is especially true for cement standards, as updates typically set into motion reforms at the level of concrete standards as well.