
STATUTORY INSTRUMENTS

1991 No. 1620

The Construction Products Regulations 1991

PART II

REQUIREMENTS RELATING TO CONSTRUCTION PRODUCTS

EC mark and other information on or accompanying products

- 5.—(1) Where a construction product is not a minor part product and—
- (a) (i) complies with the relevant national standards which are applicable to the product; or
 - (ii) complies with a European technical approval which is applicable to the product; or
 - (iii) in as much as no harmonised specifications are applicable to the product, complies with the national technical specifications which are so applicable,
- and the manufacturer, or his agent established in the Community, has followed the appropriate attestation procedures; or
- (b) has not been manufactured, or has been manufactured only partly, in conformity with the relevant technical specifications applicable to the product, but
 - (i) the appropriate attestation procedures are the procedures described in the second and third possibilities set out in paragraph 4 of Schedule 3; and
 - (ii) the manufacturer has followed the attestation procedure described in the third possibility set out in that paragraph,and an EC certificate or declaration of conformity has been issued or made in respect of the product, and the product complies with the requirements of any other Community directive applying to it, the manufacturer, or his agent established in the Community, may affix the EC mark to the product.
- (2) The EC mark shall be accompanied by sufficient information to enable the manufacturer of the product easily to be identified and, where appropriate:
- (a) indications to identify the characteristics of the product, by reference to relevant technical specifications where they apply;
 - (b) the last two digits of the year of manufacture;
 - (c) identification of the approved body involved;
 - (d) the number of EC certificate of conformity.
- (3) Any person who—
- (a) makes an EC declaration of conformity in respect of a construction product which does not satisfy the criteria set out in sub-paragraph (a) or (b) of paragraph (1) above;
 - (b) affixes the EC mark to a construction product otherwise than in accordance with paragraphs (1) and (2) above;
 - (c) affixes to a construction product any mark which is likely to be confused with the EC mark;

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- (d) supplies, on the first occasion on which it is supplied in the Community, a construction product to which the EC mark has been affixed outside the Community otherwise than in accordance with paragraphs (1) and (2) above or the Directive as implemented under the law of a member State other than the United Kingdom; or
- (e) supplies, on the first occasion on which it is supplied in the Community, a construction product to which any mark which is likely to be confused with the EC mark has been affixed outside the Community,

shall be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding level 5 on the standard scale or to both.