JOINT LETTER

In defense of technology-neutral European Standards for cement

To: **Ms. Margarethe Vestager**, Commissioner VP Competition and Internal Market
Ms. Teresa Ribera Rodríguez, Commissioner-designate VP for Clean, Just and Competitive Transition
Mr. Stéphane Séjourné, Commissioner-designate VP for Prosperity and Industrial Strategy

Cc: **Ms. Kerstin Jorna**, Director-General of DG for Internal Market, Industry, Entrepreneurship and SMEs
Mr. Olivier Guersent, Director-General of DG for Competition

Date: 16 October 2024

Dear Commissioner(-designates),

Dear Directors-General,

We would like to bring to your attention a case where the EU could have a competitive edge globally but where fair market access, innovation upscaling and industrial decarbonisation are actively hampered by the Commission's reluctance to reform a technical standard governing market access of cement. The current standard is neither technology-neutral nor in line with the overarching construction products regulation's requirements. Potential evidence backing the Commission's current position has not been made available.

In the last few weeks and months, strong pressure has been directed to the European Commission to water down the ambitions of the planned reform of the harmonised European standards on cement (EN 197 series). This restricts the scope of the standards to a predefined set of technologies, thereby disregarding many proven and scalable low carbon products and innovations. Obviously, this comes at the expense of industrial decarbonisation and will jeopardise the long-term competitiveness of the European cement industry. Furthermore, it will undermine the Union's role as a global standard setter, this in an area where it has historically always been at the forefront of driving change in and beyond Europe through its cement standards.

The undersigned 23 organisations, representing impacted industry associations, think tanks and civil society organisations **urge the European Commission to stay committed to the development of a technology-neutral and performance-based approach to cement standardisation in Europe.** Anything short of that is at odds with European competition law and the Construction Products Regulation; and undermines the competitiveness of the European cement industry.

1. Cement standards need to be technology-neutral and agile at a time when innovations in low-carbon cement manufacturing is at an all-time high

A rapidly growing set of mature and proven solutions exist that reduce the need for traditional Portland cements, especially those with a high clinker[1] content. The number of cleantech solutions will only continue to increase in the years to come, as reflected by the exponential growth of research[2] and investments[3] in this area.

Changing the way in which cement is made is especially relevant for Europe. European cements have a clinker content that sits well above the global average without signs of improvements. This stands in sharp contrast with the enormous potential for low-carbon cements in Europe. Ongoing research by leading institutes and industry[4] shows that Europe can ***halve the amount of clinker in its cements by 2030 and drop to a third by 2035, but standards need urgent and deep changes to accommodate for that.***

Performance-based cement standards are the only ones capable of offering an agile and technology neutral framework to respond to the needs of a rapidly evolving market. This has been well established in the academic literature[5], also explaining why a fast-growing number of countries – including the US – have performance-based cement standards in place / or are in the process of adopting them[6].

2. Cement standards need to respect the CPR and create an open and competitive single market

The Construction Product Regulation (art.1) requires standards to act as "harmonised rules on how to express the [...] performance of products". developed in a performance-based logic. This means that harmonised standards need to predefine a set of goals or functions for the product to be met before affixing the CE mark for placement on the market. Manufacturers of construction products are then free on how to meet the requirements set in standards. The current draft is at odds with required performance-based approach as the scope of the standard for common cements is narrowed down – based on composition – to a predefined set of (traditional) cement types. This is done without any justification, nor backed up by scientific evidence as to why certain cement types should be banned from scope. ***This infringement of the CPR creates significant risks for litigation and yet another standstill in the development of proper harmonised standards for constructions products.***

An open market structure is a precondition for competitiveness. On top of the legal context, it is worth highlighting that composition-based cement standards fail to provide a level playing field. This is particularly relevant for the many SMEs operating in this space, confronted with substantial costs, time delays and other barriers for market entrance. Importantly, also the IPCC

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[1] Clinker is the main source of emissions, responsible for up to 90% of the footprint of traditional cements. It is well-established that reducing the need for clinker intensive cements is the cheapest and most effective lever for cement decarbonisation.

[2] See e.g. Directions of innovation for the decarbonization of cement and steel production and Future and emerging supplementary cementitious materials

[3] https://www.cleantech.com/q124-trend-watch-steel-cement-energy-china-europe/

[4] DETOCS research partners and stakeholders include – but are not limited to - FLSmidth, Argos, Imperial College London, MIT, ETH Zürich, Mannok, CNRS, TUDelft, C2CA, Rotterdam University, ECOS, EPFL, VDZ and GCCA.

[5] Progress towards sustainability through performance-based standards; Rethinking cement standards

[6] Moving to performance-based cement standards in Europe - an international perspective

and the EU High-Level Form on Standardisation have drawn attention to the issue, as well as civil society, think tanks and frontrunner initiatives[7]. ***At a time when deepening and strengthening the single market is a key priority, especially for clean tech innovations, compositional restrictions to EU cement standards should be a thing of the past.***

3. Cement standards need to work for a competitive European circular economy

Non-hazardous mineral waste and by-products from other industrial processes can drastically reduce the need for raw materials in cement manufacturing. From the production of steel and glass to recycling of waste streams coming from mining or construction and demolition, there is enormous potential for circularity if cement standards open for performing constituents from other economic activities, most notably recycling[8]. ***The current draft fails to promote such a shift, continuing to push for the extraction of avoidable natural resources.***

European cement standards need to support a clean industrial revolution. European cement standards have historically only allowed a handful of byproducts coming from traditional polluting industrial processes, most notably fossil-fuel based steel making (BF/BOF) and energy generation. This is reinforced once more in the current draft. However, with European industries in full transition (e.g. EAF and DRI based steel making and coal-fired power production in free fall) this is no longer in line with the new/emerging industrial landscape. Furthermore, the current draft also fails to acknowledge the potential of other new technologies such as the curing of cement with captured CO2 for permanent storage. ***This will undermine the EU business case of clean production technologies in other industries. European companies will be confronted with a clear competitive disadvantage towards other regions where cement standards allow for the valorisation of their (by)products and non-hazardous mineral waste streams.***

We urge the new European Commission to not give in to political pressure and short-term business interests and prioritise the development of technology-neutral cement standards, in line with the legal mandate provided by the CPR. Cement – with concrete – is the most consumed product on the European internal market. Technology-neutral and performance-based standards are the only way forward to secure the long-term future and competitiveness of our cement industry and to lead the way in global decarbonisation.

Yours sincerely,

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[7] Recent examples include reports by the ALCCC, Aldersgate Group, FCA and ECOS.

[8] See e.g. ALCCC - factsheet SCMs; cement substitution with secondary materials; Future and emerging supplementary cementitious materials


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