

Rialtas na hÉireann  
Government of Ireland

## Brexit Series

# Product Certification

Are you ready? 1.1.21

## Accessing the UK Market

The UK Government has published a number of notices concerning the new regulatory system that will be put in place in the UK to replace the EU system currently operating there. This new regulatory system will come into operation on the 1 January 2021.

### UK regulations

Products placed on the UK market will be subject to UK legislation. The regulations require: products requiring declaration of conformity to have this carried out by a UK approved body be marked with the UKCA mark & be accompanied by a UK Declaration of Performance.

Until 31 December 2021 CE marked products will still be allowed to be placed on the UK market.

### Border controls

The UK Government has confirmed plans to introduce import controls on EU goods at the border after the transition period ends on 31 December 2020. This will mean traders will have to submit customs declarations and be liable to goods checks.

Prepare for border controls by making sure you have an Economic Operator Registration and Identification (EORI) number and also look into how you will make declarations, including using a customs agent. Further information on customs procedures can be found on the Revenue Commissioners website.

### Information

Finally remind your UK customers that they will become 'importers' under UK law and they will be required to be able to access a copy of your product's technical file. You should prepare this information now so that it will be available to your UK customers after 1 January 2021.

Further information is available from the UK Government website (gov.uk).

## About NSAI

NSAI is an EU Notified Body for certification of medical devices, motor vehicles, construction products and measuring instruments. It also carries out market surveillance on packaged goods and measuring devices. NSAI aims to inspire consumer confidence and create the infrastructure for products and services to be recognised and relied on.

## Contact Us



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## Further Information

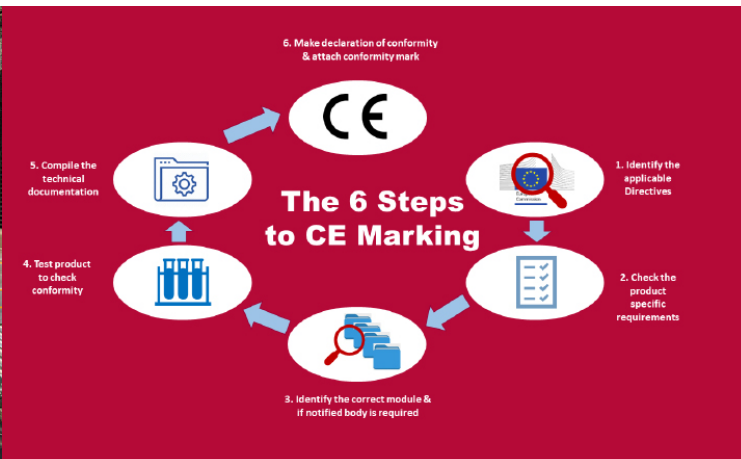
The Irish Government has put in place a number of supports to help businesses across all sectors to prepare for Brexit.

Further information is available on the following websites:

- Government of Ireland: [gov.ie](https://gov.ie)
- NSAI: [nsai.ie](https://nsai.ie)
- Department of Business, Enterprise & Innovation: [DBEI.gov.ie](https://DBEI.gov.ie)
- Presentations on CE Marking: [nsai.ie/Brexit/Presentations](https://nsai.ie/Brexit/Presentations)



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## Do you Import Products from the UK?

If you currently source products from UK suppliers, at the end of the transition period you will become an importer. You will take on additional responsibilities and you should become familiar with these as soon as possible.

Look at your supply chain:

- Ensure that the products are marked with the CE mark
- Ensure that, where necessary, the products have been certified by an EU Notified Body (NB)
- Ensure that the EU Declaration of Performance is up to date
- Find out the additional responsibilities you will take on
- Engage with the manufacturers of the products you import
- Ensure that you will be able to get the information you need
- Put your details on packaging and information leaflets.
- Arrange to move any testing carried out in the UK to an EU-27 accredited test facility.

## Product Certification during the Transition Period

From 1 January 2021 EU law will no longer apply in the UK. UK notified bodies will no longer be recognised for EU conformity assessment tasks.

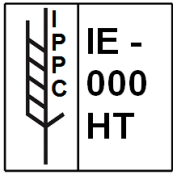
This means that any manufacturer using a UK notified body will not be able to CE mark their products or place them on the EU market. If you use a UK notified body you must move your conformity assessment to a notified body in an EU-27 Member State.

To eliminate any uncertainty concerning UK accredited test certificates you should move any testing to a test facility accredited in an EU-27 Member State.

A list of notified bodies can be found on the EU NANDO website. ([ec.europa.eu/growth/tools-databases/nando/](https://ec.europa.eu/growth/tools-databases/nando/))

## What You Need to Know about Pallets

If you ship products between Ireland and UK after the transition period, you will need to ensure that any Wood Packaging Material (WPM) used including pallets, crates etc. complies with ISPM 15, the International Phytosanitary Standard for WPM. More information on ISPM 15 together with a list of approved suppliers can be found at: [agriculture.gov.ie/forests-service/ispm15woodpackagingmaterial](https://agriculture.gov.ie/forests-service/ispm15woodpackagingmaterial)



## Trading with Northern Ireland

The Protocol on Ireland-Northern Ireland will apply on 1 January 2021. The Protocol provides that Northern Ireland is legally part of the UK customs territory but subject to certain provisions of EU law. These provisions are necessary to avoid a hard border on the island of Ireland. They include the Union Customs Code and EU legislation across a range of areas necessary to protect the integrity and operation of the Single Market in goods.

### Selling to NI

- You will be able to place products on the market in NI using your existing CE marking and Declaration of Performance.
- You will not be required to provide any additional information to your customers.
- You will not require an EORI number or have to complete customs declarations.

### Buying from NI

- To place goods onto the Single Market, including in Ireland, it must have been certified by an EU Notifying Body. Certificates issued by notifying bodies in Northern Ireland are only valid in Northern Ireland.
- You will remain a distributor under EU law.
- You will not need to hold additional information from the manufacturer.
- You will not need to put your name and contact details on the imported products.
- You will not require an EORI number or have to complete customs declarations.

### 'CE UK(NI)' mark

The Protocol allows goods to be certified by NI notified bodies for the NI market. They must follow EU standards and rules and be marked with the 'CE UK(NI)' mark.

Products bearing the 'CE UK (NI) mark' can only be placed on the market in NI.

### If I rely on a UK Notified Body...

- Ask your UK NB if it moving to an EU-27 Member State
- If they are transfer your certification to the new EU-27 NB
- If not moving, check the EU 'NANDO' website for a new EU-27 NB
- Engage with your new NB about what you need to do
- Have products CE marked by UK NB placed on EU market by 31/12/2020.