



# Brexit Series Product Certification

## Accessing the UK market

The UK Government is providing information for businesses trading with the UK on what will take place if the UK leaves the EU without an agreement. In the case of a disorderly Brexit, the UK Government have stated that the essential requirements applying to goods placed on the market in the UK will not change and that CE marked goods that meet the relevant EU regulatory requirements can still be placed on the UK market. This will apply to both products that rely on self-declaration and those that require the involvement of a third-party conformity assessment body. This is intended to be for a time-limited period only and the UK Government will decide when this time period ends.

While the underlying rules and regulations setting out the requirements for each product will stay the same, a new UK framework for conformity assessment will come into effect after the UK leaves the EU which could bring in the following:

- UK notified bodies will become UK approved bodies.
- A new UK conformity mark- the 'UKCA' mark will be introduced which will specify that a product complies with UK regulations and can be placed on the UK market.
- Details of UK approved bodies will be placed on a planned UK Government database which will be published ahead of Brexit.

## What you need to know

- Your goods can be assessed by an EU or EEA notified body and placed on the EU internal market and the UK market for a time limited period.
- If you rely on self-certification for 'CE' marking purposes, you will be able to export to the UK post-Brexit as the UK Government have stated they will continue to recognise 'CE' marking for a time limited period.

## 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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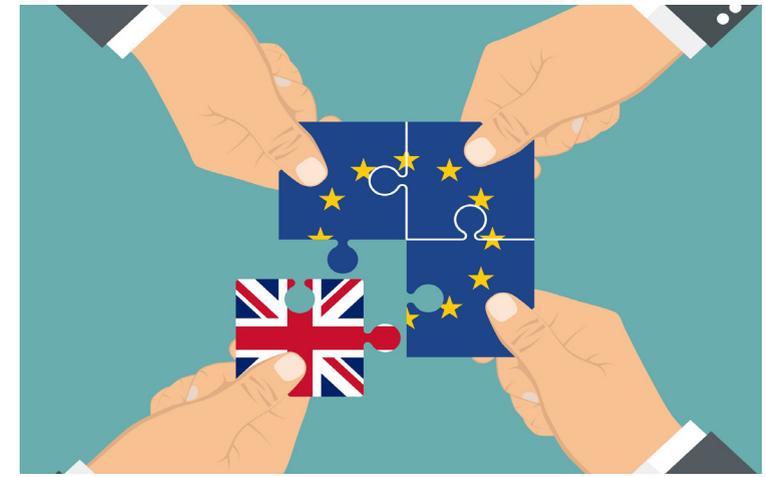
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## Further information

The Irish Government has put in place a number of supports to help businesses, of all shapes and sizes and across all sectors to prepare for Brexit. Further information is available on the following websites:

- Department of Business, Enterprise and Innovation
- Department of Foreign Affairs and Trade
- Enterprise Ireland





## Do you use a UK notified body for product certification?

Post-Brexit, you will still need to adhere to existing EU legislation to access the EU market such as products having to be certified ('CE' marked) by an EU notified body. When the UK leaves the EU, it will become a third country. 'CE' certificates supported by an UK notified body will lose their validity and the products they support will automatically lose EU market access. Then, you then will not be able to be transfer your certification to an EU notified body but will have to apply for a new conformity assessment to take place.

If you or one of your product suppliers currently rely on an UK notified body for certification of conformity purposes to support a product declaration for 'CE' marking purposes, you must act now.

All products certified by a UK notified body must be placed on the EU market before Brexit or they will need to be recertified. The cut off point for products will be based on whether the product is considered as having been 'placed on the market'.

### Further information

The details of all EU notified bodies are available on the EU NANDO website which provides a database of notified bodies that have been designated to carry out conformity assessment under EU product legislation.

An explanation on the concept of placing a product on the market is available in the "The Blue Guide" on the implementation of EU product rules 2016.

## Do you import products from the UK?

"Placing a product on the market" is the process where the good is first made available on the EU market for distribution, consumption or use after the manufacturing stage. 'Placing on the market' does not require physical delivery of the product. However, the product must have been physically manufactured and in the supply chain process.

The manufacturer and the importer are the only economic operators who place products on the market. If you currently import products from the UK you are classified as a distributor. After Brexit you will become an importer. An importer places a product from a third country on the EU market and will take on additional responsibilities.

An importer must put information on the product packaging or accompanying documentation including:

- Your name.
- Your registered trade name or trade mark.
- Your address where you can be contacted.

You must ensure the manufacturer has:

- Carried out the appropriate conformity assessment procedure and fulfilled their other legal obligations.
- Prepared all required documentation.
- Affixed the 'CE' mark.

Post-Brexit, content from UK sources will not be counted as "EU content". In the case of a 'No Deal' Brexit, UK imports will need to comply with Rules of Origin and prove the origin of the various components in their product. It is not yet decided what precise Rules of Origin classification will apply to UK products.

## What must I do now? If I rely on a UK Notified Body...

- Check the EU 'NANDO' website to find another EU notified body to certify your product.
- Engage with your prospective notified body to see what you need to do to transfer certification.
- Arrange to have all products which are 'CE' marked by a UK notified body placed on the EU market before Brexit.

## If I am becoming an importer...

- Assess your supply chain.
- Prepare for the additional responsibilities you will be taking on as an importer.
- Engage with the manufacturers of the products you import.
- Ensure that you will be able to get the information and assurances you need.

### Further information

The European Commission's Notice on the Withdrawal of the UK and EU rules in the field of industrial products provides further details on product certification and Brexit.

The European Commission also published Q&A's on the UK withdrawal from the EU with regard to industrial products.