



Brexit

**ERFMI.**

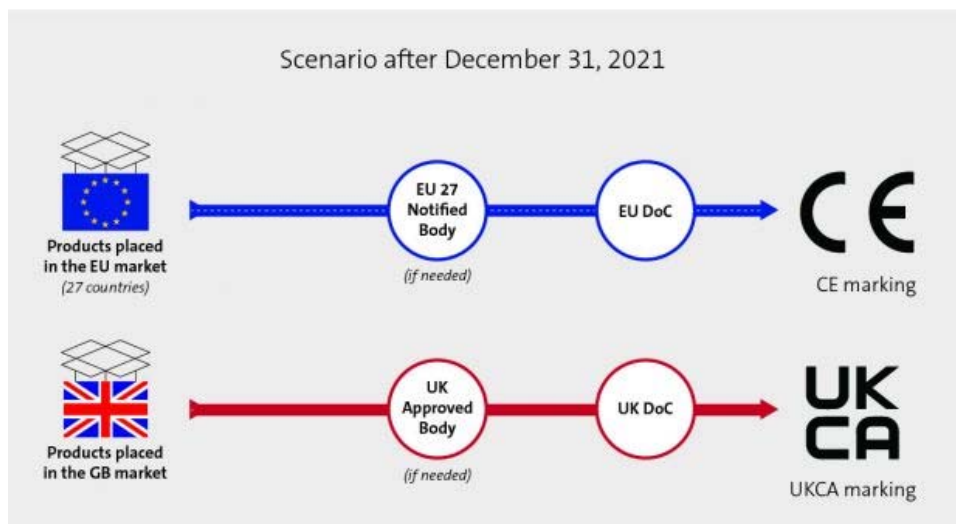
EUROPEAN RESILIENT FLOORING MANUFACTURERS' INSTITUTE

## Key issues to date

- UKCA marking
- UK REACH

**UK  
CA**

# UKCA



## New UK Conformity Assessment Marking – 1<sup>st</sup> January 2021



Duncan King  
Snr. Technical Manager  
Construction Products Association

## Aspect to be covered

- Look at the new UK conformity assessment markings effective from 1st January 2021
- These will be:
  - UKCA
  - CE
  - Combined CE & UKNI
- How these will affect EU-27 manufacturers

## Harmonised Products

- New UKCA marking commenced on 1st Jan 2021
- Products meeting EU requirements can continue with CE marking for GB market until 1st January 2022
- Although customers are already requesting UKCA marking
- If EU or UK rules diverge in 2021, then CE marked products no longer allowed on UK market even if assessed by an EU Notified Body
- To continue placing these products on UK market an EU manufacturer has two choices:
  - If used a UK Notified Body they need to transfer over to an EU NB to continue CE marking
  - Alternatively, to remain with the UK NB, need to change to affixing the UKCA marking
- The UK Notified Body you previously used will become a UK Approved Body on 1st January 2021 but it will keep the same 4-digit identification number

# Non-harmonised Products

- Products must meet UK rules
- This applies even if the product was previously placed on the EU-27 market

## “Placed on the Market” - meaning

- Different meaning from that given in the CPR
- Meaning – Centres around agreement to transfer ownership (not a physical transfer)
- Definition same as applied by the EU to GB products
- Products “placed on the market” before 1/1/21 manufacturers need take no action
- These products remain legal on GB market

## Existing Stocks

- Fully manufactured CE marked products ready to be “placed on the market” before 1 Jan 2021 can continue to be sold in GB until 31st Dec 2021

## Northern Ireland

- Border between GB & island of Ireland for conformity assessment lies in the Irish Sea
- Thus, Northern Ireland follows EU rules for conformity assessment
- UKCA not recognised in NI from 1st Jan 2021
- EU-27 continue with CE marking for NI market
- Dispensation under the Northern Ireland Protocol

## Using both CE & UKCA Markings on Same Product

- UK government will accept both marks on same product provided neither impedes visibility of the other if requirements of both GB & EU legislation are met

## Changes – 1st January 2022

- UKCA becomes mandatory
- Only conformity assessment marking legally recognised in GB
- CE marking no longer recognised
- EU-27 manufacturers have to affix the UKCA marking for the GB market
- Will require services of a UK Approved Body
- If do not change, products not allowed on GB market
- Exception is Northern Ireland companies – can still use CE marking for GB market

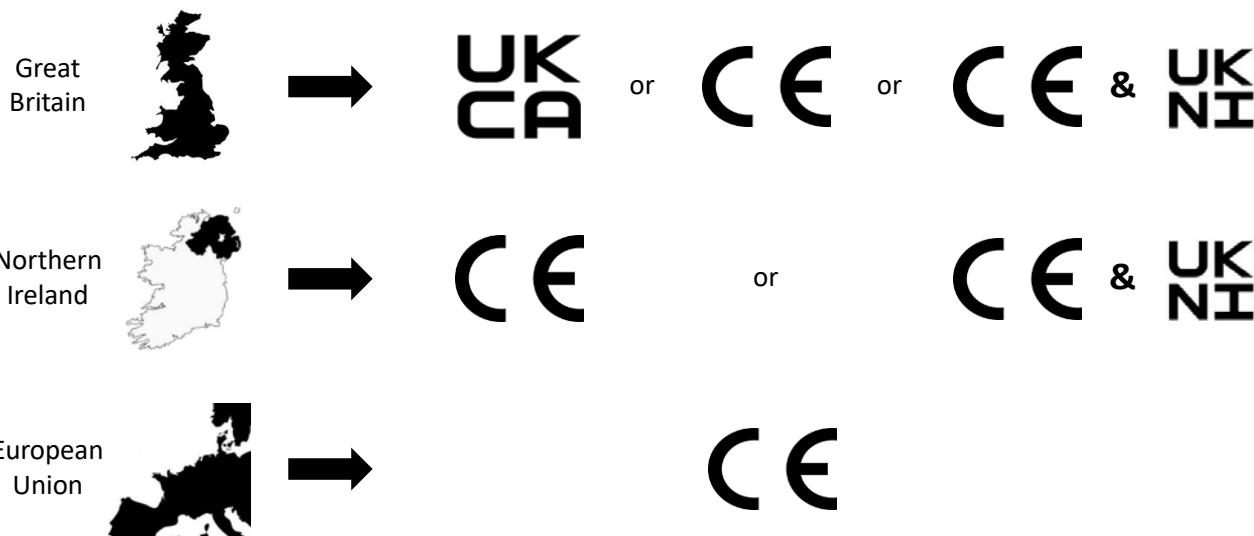
# Authorised Representative

- Must be physically based in the UK

# Distributor / Importer

- UK distributor who first make product available on the GB market now an importer
- EU manufacturers must ensure importer aware of their new designation & new legal obligations

# Conformity Assessment Marking – 1st January 2021 - Summary



## Notified bodies

- UK Notified Bodies will become UK Approved
- Bodies on 1st January 2021. Manufacturers can use the UKCA mark from then if they have a UK notified body certification, they do not need to have new reports or certificates.
- From 1st January 2022, products placed on the mainland UK market must therefore have certification and FPC audits from a UK Approved Body (for Systems 2+, I and I+), or a test report from a UK Approved Body or an older report from a UK notified laboratory (for System 3).



# What does this mean

You may require two test reports/certificates:

- **CE Mark**

Must be carried out by an EU recognised laboratory/notified body

- **UKCA Mark**

Must be carried out by a UK recognised laboratory/notified body.

## UK Bodies and Standards

### **UK Notified Bodies will become UK Approved Bodies**

- Same scope
- Same number: probably AB0338 or UK0338
- Same accreditation (UKAS)
- Approved to carry out same procedures / approvals under UK Legislation

### **EU Harmonised Standards will become 'Designated' Standards**

- Initially, same list as EU
- Divergence will depend on sector / consultation

# UK REACH

- EU REACH Regulation was copied across into UK law
- REACH and its associated legislation have been amended to make it suitable for operation within the UK market.
- Key principles of EU REACH are present within UK REACH
- UK Government has implemented transitional provisions for GB-based EU REACH registration holders.
- Relevant EU REACH registrations have been recognised under UK REACH, this is known as '**grandfathering**'.
- Grandfathering allows you to have continued access to the GB market; however, there are steps you must take using **Comply with UK REACH**.

## Discussion points

Webinar on REACH

What information is required?

- UKCA
- UKREACH
- Customs

Timeframe?