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Supplying Goods Post-Brexit

With 31 December 2020 marking the end of the transition period for the UK to leave the European Union, the government has announced the launch of a new marking system for goods placed on the market in Great Britain (England, Wales and Scotland).

The **UKCA (UK Conformity Assessed) marking** will be mandatory for the majority of goods supplied within the UK*, and will apply to those which are currently subject to CE marking (including aerosol products). *The UKCA marking cannot be used for goods placed on the Northern Ireland market – these will still require the CE or UK(NI) marking, as they will remain aligned with the single market in the European Economic Area (EEA). For further information on supplying goods within Northern Ireland, [click here](#).

What is a CE marking and why is it being replaced?

CE marking allows for the freedom of movement of goods within the European market, indicating the product's compliance with EU legislation, as well as demonstrating that the product meets EU safety, health or environmental requirements and is valid for distribution within the EEA. CE marking applies to a wide range of products, from electrical equipment and medical devices to civil explosives and toys – a full list of items where marking is and is not required can be found [here](#).

In light of the new trading agreements that will come into force from 1 January 2021, the new UKCA marking will indicate that the product fully complies with UK legislation as opposed to EU regulations. Despite this, many of the terms and conditions that applied to the CE marking will remain the same for the UKCA marking in terms of the scope of the products covered, technical requirements, conformity assessment procedures and standards that can be used to demonstrate conformity.

Are my goods eligible for the UKCA marking?

Suppliers will need to use the UKCA marking immediately after 1 January 2021 if their product:

- Is to be sold within the market in Great Britain (England, Wales and Scotland)

- Is covered by legislation which requires the UKCA marking
- Requires mandatory third party conformity assessment
- A conformity assessment has been carried out by a UK conformity assessment body and the conformity assessment files have not been transferred from the UK body to an EU recognised body before 1 January 2021.

Products must meet all of the above criteria in order to be eligible for the UKCA marking.

Please note that these criteria do not apply to existing stock – if the goods were fully manufactured and ready to place on the market prior to 1 January 2021, they can still be sold in Great Britain with a CE marking, even if they are covered by a certificate of conformity issued by a UK body. However, these could require further UKCA approval from January 2022.

If you would like further guidance on this matter, please review the UK government's guidance note on [placing manufactured goods on the market in Great Britain](#).

Will the CE marking be invalid from 1 January 2021?

While UKCA marking can be used from 1 January 2021, there will be a crossover period to allow businesses to adjust to the new requirements, permitting the use of CE marking until 1 January

2022. However, there are some cases where businesses will need to immediately apply for the new UKCA marking on 1 January 2021 in order to ensure that their goods can be sold within Great Britain. With this in mind, businesses are encouraged to prepare to begin using the UKCA marking as soon as possible prior to the end of the crossover period.

How can SOCOTEC advise?

Please be advised that SOCOTEC is closely monitoring the situation with regards to UKCA marking and will release further guidance as and when new information becomes available. The general consensus following preliminary discussions with industry providers is that, regardless of whether a deal is struck, existing UK standards will remain aligned with EU standards for an extended period. In addition, the current CE marking will continue to remain legal within the UK, even as the UKCA mark is progressively adopted. We therefore advise that you speak to your individual suppliers if you are looking to purchase PPE in 2021.

HOW CAN SOCOTEC HELP?

For further information on how Brexit will affect your organisation and its individual requirements, [click here](#).