



THE IMPACT OF BREXIT – THINGS TO CONSIDER, PLAN AND ADDRESS

Supply of Consumer Goods in the UK and/or EU from 2021



Supply of Consumer Goods in the UK and/or EU from 2021: Things to consider and plan

Markets

Supply in both EU and Great Britain and/or Northern Ireland?

Label

Separate label for EU and the UK, or one label for both EU and the UK markets?

Product specific requirements

Is the product regulated by the EU harmonised rules? If so, do they operate under the 'New Approach'? Which part of the current rules will be affected and if so in what way from 2021? Any new UK rules that are introduced after 1 Jan. 2021 and deviate from the EU rules?

Certification and Marking

Is marking required under the applicable rules? Is compliance confirmed based on self-declaration? If third party certification is required, where is the conformity assessment body based? Was the product previously certified by a UK or EU conformity assessment body?

First importer

Who will be the first importer into the UK and EU respectively? If the first importer into the EU before 2021 was based in the UK, is the EU based entity who will become the first importer into the EU suitable to take on the new responsibility? If not, what steps should be taken for a different entity to act as such?

Exemptions

Do you rely on any exemption or transitional measure? If so, how long can you rely on it? Do you want to rely on it until expiry? What steps should be taken before expiry of the exemption?

Consumer Goods Labelling from 2021

DESTINATION		EU	Great Britain (GB)	Northern Ireland (NI)
DETAILS ON THE LABEL				
Goods produced from 01 January 2021				
Marking	CE marking	No change.	CE Marking can be used until 1 Jan. 2022 if: <ul style="list-style-type: none"> - before 2021, CE Marking was applied based on self-declaration of regulatory conformity; - if mandatory third party conformity assessment is required, a EU-based notified body is used; and - no change to the EU or UK requirements in the meantime. 	CE Marking can be used if: <ul style="list-style-type: none"> - CE Marking is applied based on self-declaration of regulatory conformity; and - if mandatory third party conformity assessment is required, a EU-based notified body is used.
	UK Marking	N/A. The UKAS and UKNI marks are not recognised (i.e. cannot be used in place of CE marking) but can co-exist with the CE mark if relevant requirements for use of both marks are met.	UKAS marking (UKAS mark) is required if: <ul style="list-style-type: none"> - marking is mandatory; - third party conformity assessment is mandatory; and - a UK approved body is used for certification - unless CE Marking can be used (see above). Northern Irish goods bearing the CE mark or the CE mark and the UKNI mark can also be placed on the GB market.	UK(NI) marking (UKNI mark) is required if: <ul style="list-style-type: none"> - marking is mandatory; - third party conformity assessment is mandatory; and - a UK approved body is used for certification. UKNI mark must be accompanied by the CE marking or UKAS marking. UKAS marking cannot be used.
	Certification	If the product was previously certified by a UK notified body for mandatory conformity assessment, a new EU notified body is required. A new certificate is to be issued by a EU notified body after: <ul style="list-style-type: none"> - the information held by the UK notified body that previously issued the certificate is transferred; or - reassessment of the product by the new EU notified body. 	Certificates issued by the UK approved body before 1 Jan. 2021 are not affected.	A UK approved body can be used if a UK(NI) mark would also be included (in addition to the CE mark).
Importer's contact details		The details of the first importer into the EU from outside the EU (including from the UK).	The details of the first importer into the UK i.e. a person who brings the products into the UK from outside the UK and places them on the GB market.	The details of the first importer into NI.
Existing stock/products already on the market before 2021				
N/A		No special rule.	No change is required (e.g. fully manufactured and conformity marked before 1 Jan. 2021).	No change is required if the product was placed on the EU, GB or NI market before 1 Jan. 2021.

Notes:

- The table above does not apply to goods which are not harmonised at the EU level under the New Approach, medical devices, medicines, chemicals and vehicles.
- Specific requirements may apply and need to be also addressed from 2021 depending on the product.

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