

UK Transition | UKCA mark

Using the UKCA mark (UK Conformity Assessed)

The following is a short summary on how manufacturers and importers of goods in Great Britain (GB) will be affected by the new UKCA mark and what steps they should take to make the transition. The UKCA (UK Conformity Assessed) marking is the new product safety marking that will be used for goods being placed on the market in Great Britain (England, Wales and Scotland).

What do I need to do?

If you're currently CE marking and exporting into the EU –

Essentially everything is the same, so you will need to do very little if anything. **The UKCA mark will not be recognised on the EU or Northern Ireland markets.** The CE mark is still to be used, the legal requirements, the labelling, language requirements, technical files and Declarations of Conformity remain the same, you do nothing different.

If applicable, you should enquire with your notified body/approved body for third party conformity assessment to make sure they are still recognised by the EU as able to conformity assess for the CE mark.

If your notified/approved body are not taking the necessary steps to continue to be recognised by the EU then you will need to move your conformity assessment to a notified/approved body that is.

UPDATE: You will not need to change your conformity assessment for exports to the EU if, other than ensuring your conformity assessment body is EU recognised:

- you self-declare the conformity of your good against the regulations
- the certificate of conformity previously held by a UK body has been transferred to an EU-recognised notified body – see below for more information on this
- you voluntarily use a testing body (including UK bodies) to test against European or international standards

UPDATE: If you transfer your existing certificate of conformity to an EU notified body then you will need to update the 4-digit notified body number on your products. You will not need to do this for products already on the market or which were manufactured before the transfer took place.

You will eventually need separate certificates for the UK and EU. If applicable, you should speak to both your existing and new notified bodies to make arrangements that mean you will be covered for both markets in the future. If you transfer your certificate to the EU notified body without setting up your UK certification you may not be able to continue selling your goods in the UK from 1st January 2022 without having your product reassessed. This process may take a long time so you should start now.

UPDATE: The UK has proposed a comprehensive Mutual Recognition Agreement (MRA) covering all relevant sectors to the EU which would allow conformity assessment bodies in either market to assess goods for the other market. However, this proposal is subject to negotiations. An MRA would not mean the CE marking is recognised in the UK and the UKCA is recognised in the EU, it is merely recognition of the conformity assessment process. The deadline for having a EU recognised conformity assessment body in place is 1st January 2021.

Where you supply into the EU, the first place of entry of your product into the EU (e.g. a distributor) will now become an importer, they will have extra responsibilities and will require more information from you as a result.

They will have to make sure that:

- Goods are labelled with their address and either your details or your EU, EEA or Northern Ireland-based authorised representative's details (including your company's name and a contact address or registered trademark)
- The correct conformity assessment procedures have been carried out and that goods have the correct conformity markings
- You, as the manufacturer, have drawn up the correct technical documentation and complied with the labelling requirements
- They maintain a copy of the declaration of conformity for a period of 10 years
- Goods conform with the relevant essential requirements

UPDATE: Authorised Representatives and Exporting to the EU

Authorised representatives and responsible persons based in Great Britain will no longer be recognised by the EU from 1 January 2021.

If you're required to, you will need to appoint an authorised representative or responsible person based in the EU, EEA or Northern Ireland.

From 16 July 2021 you will need to appoint an authorised representative based in the EU or EEA if you sell goods without using an importer or fulfilment service provider. For example if you sell online and ship directly to the end user.

If you're currently CE marking and/or importing from the EU for the UK market –

The UKCA mark can be used from 1st of January 2021, so it is advised that you make arrangements to build it into your manufacturing as soon as you can.

The UKCA mark applies to most goods currently subject to CE marking. Specifically, these are;

- Toy safety
- Recreational craft and personal watercraft
- Simple pressure vessels
- Electromagnetic compatibility
- Non-automatic weighing instruments
- Measuring instruments
- Lifts
- ATEX
- Radio equipment
- Pressure equipment
- Personal protective equipment
- Gas appliances
- Machinery
- Outdoor noise
- Ecodesign
- Aerosols
- Low voltage electrical equipment
- Restriction of hazardous substances

Legal requirements and technical files wise, your responsibilities will largely stay the same.

UPDATE: Specific guidance on the legal requirements from January 1st 2021 for each of the above product areas can be found in this link – [Product Safety and Metrology from the 1st January 2021](#)

Declarations of Conformity, where required, will also be virtually the same, albeit the GB legislation and standards will now need to be listed on them instead of the EU legislation. See this spreadsheet for a side by side list of the [EU law and GB equivalents](#)

CE Marking, **on its own**, can still be used **for the GB market** up until 1st of January 2022, or until the GB and EU rules are no longer the same, whichever comes first. It is not envisaged at this stage that there will be any differences between the GB and EU essential safety requirements in the near future.

From the 1st of January 2022 the CE mark won't be recognised in the GB market. After that date you will need to apply the UKCA Mark to a CE marked product for it to still legally be sold in GB.

UPDATE: For those with goods on both the GB and EU markets, using both the CE and UKCA mark is allowed indefinitely so long as the product is fully compliant with both the relevant UK and EU regulations.

Until 1st January 2023, you have the option to affix the UKCA mark by means of a label, or similar, to the product, packaging, documents, etc as required. After January 2023, the UKCA mark should be directly affixed to the product, etc.

In some cases you will need to apply the UKCA mark immediately from 1st January 2021. Specifically this is needed where you would require to have mandatory third party conformity assessment, AND its carried out by a GB conformity assessment body, AND your conformity body is not authorised or recognised to conformity assess for the purposes of CE marking, AND you haven't transferred over your conformity assessment to an assessment body that is recognised by the EU for the purposes of CE marking.

There is an exemption to immediate application of the UKCA mark on the 1st of January 2021 for existing stock, i.e. if its fully manufactured and available for supply before 1st of January 2021 then you don't have to anything. The same applies to all products that are placed on the market in GB before the 1st of January 2021.

Authorised Representatives and Importing –

Authorised representatives or responsible persons, where required, and based in the EU, will no longer be recognised in GB from the 1st of January 2021. If you need to use an authorised person they will need to be based in GB to allow them to put products on the GB market.

If you're directly importing products into GB from the EU **and outside the UK**, you will become an “importer” for these goods, and the responsibility for their safety now resides with you. You will be responsible for ensuring;

- Goods are labelled with your company's details, including your company's name and a contact address (until 31 December 2022 you can provide these details on the accompanying documentation rather than on the goods themselves)
- The correct conformity assessment procedures have been carried out and that goods have the correct conformity markings
- The manufacturer has drawn up the correct technical documentation and complied with their labelling requirements
- You maintain a copy of the declaration of conformity for a period of 10 years
- Goods conform with relevant essential safety requirements

There are separate rules, deadlines and transitional periods for using the UKCA marks for the following products. Please see the links below for those details;

Medical Devices – [Medical Devices from 1 January 2021](#)

Construction Products – [Construction Products from 1 January 2021](#)

Civil Explosives – [Regulating Explosives](#)

Rail Interoperability – [Rail Transport from 1 January 2021 \(Interoperability Constituents\)](#)

How to apply the UKCA mark –

As soon as you can, you should apply the UKCA mark to the product, packaging, manuals and other literature as the specific regulations required you to apply the CE marking before.

As with CE marking there are general rules as to how the UKCA mark should be applied. Most importantly it should be in the correct proportions, the same as in the links below, and it should be easily visible and legible on the product, packaging and documentation. In most cases it should be no smaller than 5mm in height.

Download UKCA Mark Image Files (fill)

[UKCA Mark Fill .zip](#)

Download UKCA Mark Image Files (outline)

[UKCA Mark Outline .zip](#)

UKCA and CE marking when exporting to Northern Ireland -

The UKCA Mark will not be recognised in the EU or Northern Island markets after 1st of January 2021, due to the new Northern Ireland protocol. UKCA marked goods exported to Northern Ireland will require CE marking or UK(NI) marking. For more information on the Northern Ireland protocol please read the following guidance;

[Moving Goods Under the Northern Ireland Protocol](#)

The above are the general measures that you have to comply with to use the new UKCA marking. Should you require more information on your specific situation and the legal requirements that apply to you, then please contact Devon, Somerset and Torbay Trading Standards via the numbers below or email us at tsadvice@devon.gov.uk

For businesses and partners calling from Devon: 01392 381381.

For businesses and partners calling from Somerset: 0300 123 2224.

For businesses and partners calling from Torbay: 01803 208025.

Acronyms:

UKCA	United Kingdom Conformity Assessed
EC	European Conformity
EU	European Union
GB	Great Britain



Better Business for All

A local partnership between Businesses and Regulatory Services to promote growth



heart of the south west
Growth Hub

Links:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/913686/uk-eu-legislation.ods

<https://www.gov.uk/guidance/regulating-medical-devices-from-1-january-2021>

<https://www.gov.uk/guidance/construction-products-regulation-from-1-january-2021>

<https://www.hse.gov.uk/brexit/regulating-explosives.htm>

<https://www.gov.uk/guidance/rail-transport-from-1-january-2021#interoperability-constituents>

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/912349/ukca-mark-fill.zip

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/912350/ukca-mark-outline.zip

<https://www.gov.uk/government/publications/moving-goods-under-the-northern-ireland-protocol>