

Legislative requirements if there is no deal post Brexit

The government has drawn up plans to replace the CE safety symbol on products in the event of a no-deal Brexit. The reason is that the CE mark belongs to the European Union, so if Britain leaves the EU without a deal, goods will have to be marked with a new symbol – UKCA.

The new symbol stands for UK Conformity Assessed and LEEA is concerned that such a change will be costly.

Officials have stated that “A UK mark would provide confidence to consumers and to the authorities that these products meet UK regulatory requirements,” and that, “It provides flexibility for government should there be divergence of regulations to insist that manufacturers were committing to that UK regulatory practice in future,” he said.

The problem is that if the new logo is to be used, companies would have to change their packaging, advertising and an element of the products themselves. For manufacturers, that will mean a one-off cost.

Goods made in the UK which are exported to the European Union may have to be stamped with two marks - CE for EU markets and UKCA for Great Britain and Northern Ireland.

For some products that could also mean two sets of tests, as EU nations may not recognise ones done by UK organisations.

Products which were assessed by a UK-based notified body will need to be reassessed by an EU-recognised conformity assessment body before placing on the EU market.

If there is no deal, at the end of March or later, product makers will not have to adopt the new UKCA marking straight away. It is expected that companies will be given a period of grace. That means all the products on the shelves and in warehouses which have the CE mark on them can still be sold legally in the UK. A consultation on the length of time is likely to take place.

The government insists delivering a deal remains its priority, but it is accelerating no-deal preparations to ensure businesses are prepared for the end of March.

For further information: <https://www.gov.uk/government/publications/prepare-to-use-the-ukca-mark-after-brexit/using-the-ukca-marking-if-the-uk-leaves-the-eu-without-a-deal>

European and British standards post Brexit.

In order to ensure the stability of the European standardization system and to provide legal certainty and continuity at technical and policy level to all the experts contributing to the development of European standards, CEN and CENELEC agreed, at their General Assemblies of 23 November, to apply a transition period from the date of Brexit (expected to be 29 March 2019) until 31 December 2020.

During this transition period, BSI will continue to have its full member's rights and obligations, independent from the political agreement, or otherwise, between the EU and the UK.

This approach protects BSI and its UK stakeholders after the “Brexit” date, maintaining amongst other their membership of Technical Bodies, chairmanship and secretariats, and establishes a safety net to protect CEN and CENELEC against legal uncertainties. This will ensure the necessary stability at technical and policy level, independent from the political scenarios between the EU and the UK, so that the system can have sufficient time and information to adjust.

In the course of this transition period, CEN and CENELEC will gather, in coordination with BSI, more information on the political situation within the EU and the UK, and its impact on market access through standards. These elements will help determine the CEN and CENELEC developments with regard to

the membership criteria and membership status of BSI after 2020. At the same time, CEN and CENELEC will ensure the update of their respective by-laws so that they are consistent and capable of dealing with similar situations in the future.

BSI has welcomed the above decision by the CEN and CENELEC General Assemblies and has expressed its commitment to cooperate with the other CEN and CENELEC members in this process.

This is an important moment for the CEN and CENELEC system, within a challenging political environment. CEN and CENELEC will ensure that the sustainability of the system and the interests of the European industry and stakeholders are given primary consideration in the relevant decisions