



Department for  
Business, Energy  
& Industrial Strategy

## EU EXIT Business Readiness Forum: Summary of Questions & Answers

7 February 2019

Delivering the deal negotiated with the EU is the government's top priority. However, a responsible government must prepare for every eventuality, including a no deal scenario.

This document is a summary of the question and answer discussion on New Approach goods and the UK marking that took place during the EU Exit Business Readiness Forum on Thursday 7th February.

The purpose of the forum was to provide information to trade and representative bodies, and other business intermediaries in order that their members and businesses in their networks may prepare.

For further information please visit [euexit.campaign.gov.uk](http://euexit.campaign.gov.uk)

### New Approach goods and the UK marking

**Question: You mentioned a time-limited continuity period where almost all products meeting EU regulations can still circulate in the UK. Do you have a sensible ballpark for that period, for businesses with long product lead times to plan ahead?**

**Answer:** At the moment, do not have any pre-conceptions. The plan is to first get everything sorted for day 1. Then we will consult businesses on how long they think they need. If we hear they want a longer lead time – e.g. for long production cycles, we would reflect that in the decision

**Question: What about e-marking to prevent us from having to unbox products and mark them? In the event that we diverge from EU rules?**

**Answer:** At the moment there are no plans to diverge from EU regulation of products. It will be for the UK government to consider that option once the time limited period of continuity ends.

**Question: Are there circumstances that in a transition period, the use of UK notified bodies will not be allowed for selling into the EU e.g. medical devices? Will there be any differences to certification during the transition period?**

**Answer:** There will be no changes in a transition or implementation period. Everything will stay the same in terms of market access.

**Question: You mentioned that products already on the EU-27 market will be unaffected by regulatory changes in the event of No Deal. Is there a definition of when it is 'on the market'? Is it once it has been purchased or only when it is physically in the EU?**

**Answer:** If a good has been sold or is subject to an offer, then it is considered 'on the market'. It does not need to physically be in the EU.

**Question: Can we continue to recognise 3<sup>rd</sup> country bodies who currently confer the CE mark, to also be valid to confer the UK CA mark?**

**Answer:** Yes, we intend to roll over current mutual recognition agreements, which allow conformity assessment bodies to assess goods against EU rules (and against UK rules in the future). We would recognise their ability to confer the UKCA mark. Under our time-limited continuity measures we will also recognise their right to confer the CE marking, where the EU does. We do not expect any disruption.

**Question: Will the EU continue to recognise tests done by a UK lab if an EU lab verifies them?**

**Answer:** The EU body would have to take responsibility for ensuring the product is compliant. A UK laboratory can do the test, but the EU body would have to make sure it is comfortable with issuing a certificate of conformity under its own name on the basis of those test results. The EU would be looking for the EU body to take the liability.

**Question: What is going to happen about harmonised standards?**

**Answer:** The UK Government supports the BSI's (British Standards Institution) position and remains committed to the standard system as it operates as present. We want to minimise disruption.

**Question: What is going to happen to the UK Accreditation Service (UKAS) after March 2019?**

**Answer:** UKAS will remain the UK accreditation body. UKAS will not be recognised by the EU in terms of accreditation of notified bodies. But in other respects, anything accredited by UKAS will be largely unaffected.

**Question: For CE marking and placing goods in the EU market, do the products need to say 'made in the UK'?**

**Answer:** There is no requirement for UK products to say made in the UK. Preferential tariffs will not apply - we expect the EU to apply common external tariffs to UK goods, so there will be no rules of origin requirements.