

Sayı: 17812098-TİM.AKİB.GSK.SAN.2024/44-612
Konu: Birleşik Krallık- CE İşareti Hk.

Mersin, 08/02/2024

Sayın Üyemiz,

Türkiye İhracatçılar Meclisinden (TİM) alınan bir yazıda, Birleşik Krallık (BK) tarafından 1 Ağustos 2023 tarihinde CE işaretinin 18 sektörde kullanımının süresiz olarak uzatıldığı bilgisi hatırlatılmaktadır.

Bu defa, Ticaret Bakanlığı İhracat Genel Müdürlüğünden alınan yazıya atıfla, CE işaretinin sınırsız kullanımının,

- Elektrikli ve Elektronik Eşyalarda Bazı Tehlikeli Maddelerin Kullanımının Sınırlandırılmasına Dair Yönetmelik,
- Enerji ile İlgili Ürünlerin Çevreye Duyarlı Tasarımına İlişkin Yönetmelik ile
- Patlayıcı Maddeler Yönetmeliği

kapsamındaki üç ürün grubu için genişletildiğine yönelik BK tarafından bir duyuru yapıldığı belirtilmektedir.

Devamla, söz konusu genişletme ile anılan sektörlerde firmalara UKCA veya CE işaretinin kullanım esnekliği ve seçeneğinin sağlandığı belirtilmekte olup bahse konu açıklamaya ilişkin detaylı bilgiye aşağıda yer alan linkten ve ekte yer alan belgeden erişim sağlanabilmektedir.

Bilgilerini rica ederim.

Dr. Osman ERŞAHAN
Genel Sekreter Yrd.

Açıklama Linki: <https://www.gov.uk/guidance/placing-manufactured-goods-on-the-market-in-great-britain>

Ek: UKCA ve CE İşareti Hk. (9 Sayfa)





Department for
Business & Trade

Policy Update: Placing products on the market in Great Britain using UK or EU product markings

Version 1.0

January 2024

Contents

Introduction	2
Continued recognition of EU requirements	2
What do I need to do to make use of continued recognition?.....	2
Fast-Track UKCA Process	2
What do I need to do to use Fast-Track UKCA?.....	3
What does this mean for my products?.....	3
Where only one product regulation applies to a product	3
Where multiple product regulations apply to a product	3
Where a product regulation not listed in Annex A applies to your product	3
Example scenarios.....	4
Annex A: Regulations in scope of continued recognition of EU product regulations	7
Product regulations out of scope.....	8

Introduction

The government intends to lay legislation in Spring 2024 to enable businesses to continue to place CE and reversed epsilon marked products on the market in Great Britain (GB) for a range of goods. The government also intends to introduce a range of other measures which are set out in this document.

Continued recognition of EU requirements

1. Government will indefinitely recognise current EU requirements, including the CE marking and reversed epsilon marking, for 21 product regulations. The regulations in scope are listed in Annex A.
2. Businesses can also continue to use the UKCA marking to place relevant products on the GB market. This means that businesses will have the flexibility to use either the CE marking or the UKCA marking to place relevant products on the GB market.

What do I need to do to make use of continued recognition?

3. If a business chooses to use the recognised EU requirements to place a product on the GB market, they will need to ensure they have undertaken all the necessary conformity processes. This includes using an EU notified body where required and applying the relevant EU conformity marking (CE or reversed epsilon) to the product.
4. Additionally, the business must provide a Declaration of Conformity that has been translated into English and lists all the relevant EU product regulations that have been met.
5. If you are placing a product on the GB market from outside of the UK, you will still need to take action to ensure you comply with [importer responsibilities](#).

Fast-Track UKCA Process

6. The Government is introducing a Fast-Track UKCA process. This is not a mandatory process, but it will create more flexibility on how manufacturers can use the UKCA marking to place products on the GB market. Fast-Track UKCA will mean that manufacturers can use the UKCA marking to demonstrate that they have met either UK, or recognised EU, essential requirements and conformity assessment procedures for each regulation applicable to a product.
7. This also means that where products fall within multiple regulations, a mixture of both UK and EU conformity assessment procedures can be used to demonstrate compliance with UK requirements, and the UKCA marking can be affixed.

What do I need to do to use Fast-Track UKCA?

8. Fast-Track UKCA means that where a manufacturer ensures that:
 - The EU Essential Requirements are met; and
 - Relevant EU conformity assessment procedures have been carried out;Then the corresponding UKCA requirements (i.e. GB essential requirements and GB Conformity assessment procedures) are treated as being satisfied.
9. If using the Fast-Track UKCA process, manufacturers will need to affix the UKCA marking and draw up the UK Declaration of Conformity, listing compliance with the relevant UK or EU legislation that has been met for each regulation applicable to the product.
10. The list in Annex A sets out the regulations Fast-Track UKCA will apply to.

What does this mean for my products?

Where only one product regulation applies to a product

11. You can use Fast-Track UKCA if you want to use compliance with EU requirements for the applicable regulation as the basis of applying a UKCA mark. You will need to have undertaken the necessary conformity assessment procedures, including using an EU conformity assessment body where it is required. In this scenario you could also place the product onto the GB market using the CE marking or other applicable EU marking.

Where multiple product regulations apply to a product

12. If multiple product regulations apply to your product, then you can use Fast-Track UKCA to demonstrate compliance with either:
 - A combination of GB essential requirements and recognised EU essential requirements that apply to the same product. You will also need to have undertaken the necessary conformity assessment procedures, including using either a UK or EU conformity assessment body respectively for each regulation where it is required.
 - Or, recognised EU essential requirements for all of the regulations that apply to your product. You will need to have undertaken the necessary conformity assessment procedures, including using an EU conformity assessment body where it is required. In this scenario you could also place the product onto the GB market using the CE marking or other applicable EU marking.

Where a product regulation not listed in Annex A applies to your product

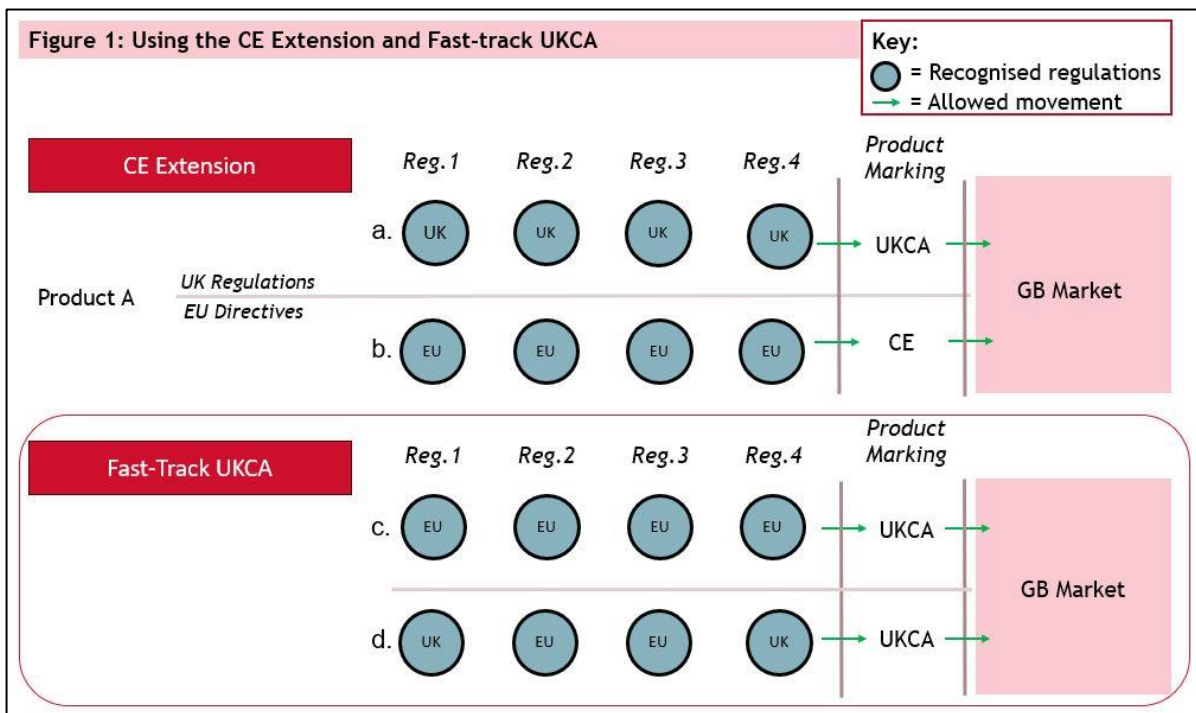
13. You can still use the Fast-Track UKCA process for the regulations listed in Annex A. However, you will need to check what requirements need to be met for the regulations not in scope of this process.

14. If, for example, the UK had mandated the use of UKCA for another product regulation not listed in Annex A, the manufacturer would have to meet this requirement, but would still be able to utilise the Fast-Track process for the other product regulations in scope, to apply the UKCA marking.

Example scenarios

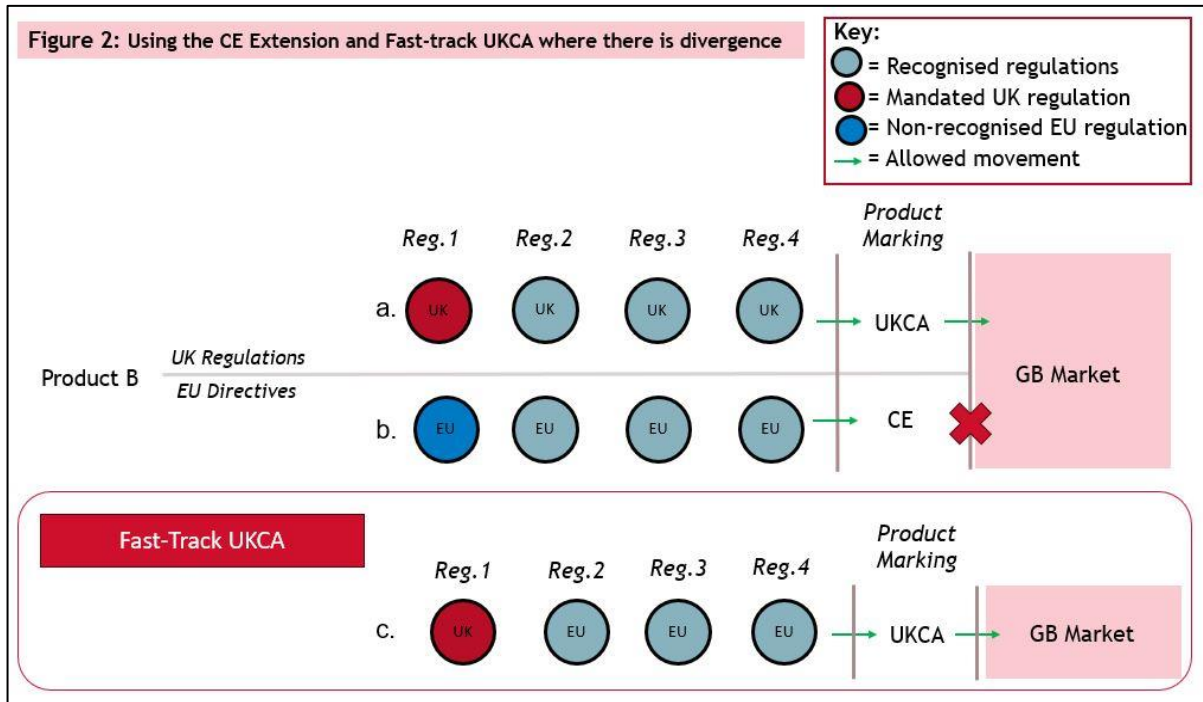
15. In Figure 1 (below), the UK recognises the EU requirements for all four regulations that apply to product A. This means that before placing this product on the GB market, manufacturers can choose whether they wish to:

- Follow UK requirements to apply the UKCA marking to the product.
- Follow EU requirements to apply the CE marking to the product.
- Follow recognised EU requirements to apply the UKCA marking to the product.
- Follow a mixture of recognised EU and UK requirements to apply the UKCA marking to the product.



16. Figure 2 (below) illustrates a scenario where the UK has chosen to mandate UKCA for a specific product regulation, which would be applicable for products being placed on the market in GB. Note this is a hypothetical example and not a statement of policy. Here, four regulations apply to Product B. Some of the regulations are recognised in GB domestic law. However, one of the product's regulations mandates UKCA, and EU regulations for that product are not recognised. In this scenario, the manufacturer may choose to:

- Follow the UK requirements to apply the UKCA marking to the product to place the product on the GB market.
- Follow the EU requirements to apply the CE marking. Since this does not meet the new UK requirements, they are not able to place the product on the GB market.
- Follow the UK requirements for regulation 1 and follow the EU requirements for regulations 2, 3 and 4 to apply the UKCA marking to the product to place it on the GB market.



17. In the above scenario, a manufacturer using Fast-Track UKCA has the choice to meet either UK or recognised EU requirements for regulations 2, 3 and 4.

18. When using Fast-Track UKCA, the manufacturer must state in the UK Declaration of Conformity which UK or recognised EU legislation has been met.

Labelling Requirements

19. The Government also intends to bring forward separate legislation later in Spring 2024 to provide permanent labelling flexibility. This will apply to the UKCA marking, manufacturer contact details labelling and importer contact details labelling.
20. This will mean that businesses can choose to apply the required marking or labelling:
 - a. Directly on the product
 - b. On a sticky label, accompanying document or packaging
 - c. Voluntarily via digital labelling. Once legislation is passed, businesses will also be able to provide the declaration of conformity digitally.
21. Additional details for these measures will be provided in due course.

Annex A: Regulations in scope of continued recognition of EU product regulations

Continued recognition of EU product regulations, and the other measures outlined in this document, will apply to the following regulations:

- Equipment for use in potentially explosive atmospheres Regulations 2016/1107
- Electromagnetic compatibility Regulations 2016/1091
- Lifts Regulations 2016/1093
- Electrical Equipment (Safety) Regulations 2016/1101
- Pressure Equipment (Safety) Regulations 2016/1105
- Pyrotechnic Articles (Safety) Regulations 2015/1553
- Recreational Craft Regulations 2017/737
- Radio Equipment Regulations 2017/1206
- Simple Pressure Vessels (Safety) Regulations 2016/1092
- Toys (Safety) Regulations 2011/1881
- Aerosol Dispensers Regulations 2009/ 2824
- Gas Appliances Regulation (EU)2016/426
- Supply of Machinery (Safety) Regulations 2008/1597
- Noise Emission in the Environment by Equipment for use Outdoors Regulations 2001/1701
- Personal Protective Equipment Regulation (EU) 2016/425
- Measuring Instruments Regulations 2016/1153
- Non-automatic weighing instruments Regulations 2016/1152
- Measuring Container Bottles (EEC Requirements) Regulations 1977/ 932
- The Ecodesign for Energy-Related Products 2010/2617
- The Explosives Regulations 2014/1638
- The Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment Regulations 2012/3032 ('The RoHS Regulations')

For the Restriction of Hazardous Substances in Electrical and Electronic Equipment regulation, we are taking a two-part approach. Where products meet the maximum concentration values set out in Annex II to the EU RoHS Directive (2011/65/EU), we will continue to recognise current EU regulations and CE marking. Where a product relies on an exemption, we will also continue to recognise current EU regulations and CE marking provided there is an equivalent exemption under the GB RoHS regulations.

Product regulations out of scope

This announcement does not apply to regulations for:

- The Medical Devices Regulations 2002,
- The Construction Products Regulations 2013,
- The Cableway Installations Regulations 2018,
- The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2009,
- The Railways (Interoperability) Regulations 2011,
- The Unmanned Aircraft Systems (UAS) Regulations 2019 and
- The Merchant Shipping (Marine Equipment) Regulations 2016.

There are specific arrangements in place for these product regulations, led by relevant government departments.