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Guidance

Placing manufactured goods on the market in Great Britain from 1 January 2021

What you need to do to comply with regulations on manufactured goods you place on the GB market from 1 January 2021.

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From:

Department for Business, Energy & Industrial Strategy

(<https://www.gov.uk/government/organisations/department-for-business-energy-and-industrial-strategy>)

New rules for January 2021

The UK has left the EU, and the transition period after Brexit comes to an end this year.

This page tells you what you'll need to do from 1 January 2021. It will be updated if anything changes.

Check what else you need to do during the transition period (<https://www.gov.uk/transition>).

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This guidance is about placing manufactured goods on the market in Great Britain (GB). Great Britain is England, Wales and Scotland.

There's different guidance if you're:

- placing manufactured goods on the EU market (<https://www.gov.uk/guidance/placing-manufactured-goods-on-the-eu-market-from-1-january-2021>)

- placing manufactured goods on the market in Northern Ireland from Great Britain (<https://www.gov.uk/government/publications/moving-goods-under-the-northern-ireland-protocol/moving-goods-under-the-northern-ireland-protocol-section-two-moving-goods-from-great-britain-to-northern-ireland#great-britain-to-northern-ireland-manufactured-goods>)
- placing manufactured goods on the market in Northern Ireland from the EU (<https://www.gov.uk/government/publications/moving-goods-under-the-northern-ireland-protocol/moving-goods-under-the-northern-ireland-protocol-introduction#northern-ireland-tofrom-the-eu>)

If you have already placed your good on the UK market (or in an EU country) before 1 January 2021, you do not need to do anything.

Businesses are encouraged to be ready for full implementation of the new UK regime as soon as possible after 1 January 2021. However, to allow businesses time to adjust, CE marked goods in scope of this guidance that meet EU requirements (where these match UK requirements) can continue to be placed on the GB market until 1 January 2022 where EU and UK requirements remain the same. This includes goods which have been assessed by an EU recognised notified body. There are some exceptions to this guidance, highlighted below.

Check which rules apply

What you will need to do from 1 January 2021 depends on the type of goods you're placing on the market.

Most of this page covers goods often known as new approach goods (https://ec.europa.eu/growth/single-market/goods/new-legislative-framework_en).

There are different rules for:

- goods regulated under the old approach
- goods covered by national rules (non-harmonised)
- certain other goods, such as medical devices and civil explosives

Speak to your solicitor or trade association if you are unsure which regulatory framework applies to your goods.

Old approach goods

You must follow different rules if you're placing the following goods on the UK market:

- chemicals (<https://www.hse.gov.uk/brexit/chemicals-brexit-guidance.htm>)
- medicines (<https://www.gov.uk/government/collections/mhra-post-transition-period-information>)
- vehicles (<https://www.gov.uk/guidance/vehicle-type-approval-if-theres-no-brexit-deal>)
- aerospace (<https://info.caa.co.uk/brexit/>)

Goods covered by national rules (non-harmonised)

You must make sure that your goods meet UK rules. You'll need to do this even if they were previously sold in an EU country.

Check the UK product safety rules (<https://www.gov.uk/guidance/product-safety-for-businesses-a-to-z-of-industry-guidance>) to find out what you need to do.

Other goods

There are also special rules if you're placing the following goods on the UK market:

- medical devices (<https://www.gov.uk/guidance/regulating-medical-devices-from-1-january-2021>)
- rail interoperability (<https://www.gov.uk/guidance/rail-transport-from-1-january-2021#interoperability-constituents>)
- construction products (<https://www.gov.uk/guidance/construction-products-regulation-from-1-january-2021>)
- civil explosives (<https://www.hse.gov.uk/brexit/regulating-explosives.htm>)

Check if you need to change your conformity assessment or marking

You need to use a conformity mark if you're placing certain goods on the UK market. Before 1 January 2021 you can do this using the CE mark or other appropriate mark (such as the wheel marking or Pi mark).

From 1 January 2021, the UKCA mark will be the conformity assessment marking for Great Britain for most goods currently subject to CE marking.

The CE marking will be accepted in the UK until 1 January 2022 for certain products. You must be ready to use the UKCA marking from 1 January 2022 at the latest, although you should look to use the UKCA marking as soon as possible.

Using the UKCA marking

You will need to use the new UKCA marking immediately after 1 January 2021 if all of the following apply. Your product:

- is covered by legislation which requires the UKCA marking
- requires mandatory third-party conformity assessment
- conformity assessment has been carried out by a UK conformity assessment body (<https://www.gov.uk/guidance/conformity-assessment-bodies-change-of-status-from-1-january-2021>) and you haven't transferred your conformity assessment files from your UK body to an EU recognised body before 1 January 2021

This does not apply to existing stock, for example if your good was fully manufactured and ready to place on the market before 1 January 2021.

Contact your solicitor or trade association for advice on whether your good will be affected.

Find out how to use the UKCA marking (<https://www.gov.uk/guidance/using-the-ukca-mark-from-1-january-2021>).

Using the CE marking

CE marking for the GB market

You will be able to use the CE marking until 31 December 2021 if any of the following apply:

- you currently apply the **CE marking** to your good on the basis of self-declaration
- any mandatory third-party conformity assessment was carried out by an **EU-recognised notified body** (including a body in a country with which the **EU** has a relevant mutual recognition agreement)
- the certificate of conformity previously held by a UK approved body has been transferred to an **EU-recognised notified body**

You can only place CE marked goods that meet **EU** requirements in Great Britain while UK and **EU** requirements are the same. This will be the case on 1 January 2021 and there are no UK plans to diverge at this time. Nonetheless you are encouraged to be ready as soon as possible, and by 1 January 2022 at the latest. If the **EU** changes their rules and you CE mark your goods based on new **EU** rules which are different from the requirements in the UK, you will no longer be able to use the **CE marking** in the UK. This will be the case even if the change happens before 1 January 2022.

Find out how to use the **CE marking** (<https://www.gov.uk/guidance/ce-marking>).

CE marking for both the GB and EU market

The **UKCA** marking will not be recognised on the **EU** or Northern Ireland markets. Products currently requiring a **CE marking** for sale in the **EU** will continue to need a CE mark.

You will not need to take any action from 1 January 2021 if either of the following apply:

- you self-declare the conformity of your good against the regulations
- you voluntarily use a testing or notified body to test against European or international standards

You may need to take additional action if your good needs third-party conformity assessment.

Check whether your UK notified body is taking steps that help you continue to export to the **EU** without needing to find a new **EU** notified body.

If not, you may need apply for a new certificate from an **EU** notified body. Your existing notified body should provide another body of your choice information relating to your conformity assessments in order to facilitate this.

Speak to your testing body or solicitor for advice on how conformity processes for your good will be affected.

Find out how to use the **CE marking** (<https://www.gov.uk/guidance/ce-marking>).

Using both the CE and UKCA marking

Goods can carry both the CE and **UKCA** markings so long as they are fully compliant with both UK and **EU** regulations.

From 1 January 2021 the essential requirements and standards that can be used to demonstrate conformity with them for **UKCA** marked goods will be the same as they are now. That means that if your goods is currently made to the technical requirements necessary for **CE marking** then it will be made to the same technical requirements that will exist for **UKCA** marking from 1 January 2021. However, the conformity assessment bodies that test them may need to be different.

Appoint an authorised or responsible person in the UK

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

If you need to (or choose to) use an authorised representative or responsible person, they will need to be based in the **UK** for products being placed on the **GB** market.

Check whether your legal responsibilities are changing

Manufacturers

Your legal obligations will remain largely unchanged from 1 January 2021.

UK distributors and suppliers

You'll need to confirm whether you or your supplier will become an 'importer' after 1 January 2021.

You'll become an importer if you're the one bringing goods into the UK from outside the UK and placing them on the market in Great Britain.

You'll need to make sure:

- 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 good itself)
- 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 the relevant essential requirements

More information

Existing stock

Existing stock that has been fully manufactured and conformity marked can still be placed on the **GB** market after 1 January 2021 with existing markings and notified body numbers. This is true even if this would otherwise not be the case.

For example, a product covered by a UK certificate of conformity, and which would normally need **UKCA** marking after 1 January 2021, can still be sold in the UK with a **CE** marking so long as it is from pre-existing stock fully manufactured before 31 December 2020.

Relevant UK and **EU** legislation

The table below lists the current **EU** legislation for specific goods, and the title of the corresponding UK legislation.

- Legislation in scope of this guidance
(https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/913686/uk-eu-legislation.ods) (**ODS**, 4.24KB)

Contact

Email goodsregulation@beis.gov.uk if you have goods regulation questions.

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Transition period

Find out what it means for you (<https://www.gov.uk/transition>)

Related content

Detailed guidance

- CE marking (<https://www.gov.uk/guidance/ce-marking>)
- Using the UKCA mark from 1 January 2021 (<https://www.gov.uk/guidance/using-the-ukca-mark-from-1-january-2021>)
- Conformity assessment bodies: change of status from 1 January 2021 (<https://www.gov.uk/guidance/conformity-assessment-bodies-change-of-status-from-1-january-2021>)

Explore the topic

- Product safety (<https://www.gov.uk/business-and-industry/product-safety>)
- Transition period (<https://www.gov.uk/transition>)