

The Brexit transition period ends soon – let's be ready for it!

The final form of Brexit is yet to be settled (at early December 2020), but whatever the outcome, it will undoubtedly have a significant impact on door manufacturers, installers and related businesses. In this brief whitepaper, we look at the current position and how the aspect of product marking is set to change.



CE marking once outside the EU

The familiar CE marking will be phased out for products made for use in the UK. New UKCA (United Kingdom Conformity Assessed) marking will start to come in at the end of the transition period, i.e. from 1 January 2021. However, companies will usually be able to use the CE mark up to the end of 2021, subject to maintaining the current requirements for showing it. From 1 January 2022, UKCA marking will be the only form recognised in Great Britain. Note, though, that in Northern Ireland, CE marking will continue through either a European Union Notified Body (CE) or United Kingdom Approved Body (CE UKNI) mark.

Products for use in the EU will still need to show the CE mark and to conform to the standards it requires.



An expert's view

If UK and EU rules governing the use of the mark diverge during 2021, it will no longer be possible to use the CE mark. Rutland approached Kevin Frewin, CE and UKCA marking industry expert and Global Head of Construction at BSI, to obtain his thoughts on where problems might arise. Although Notified Bodies are not in a position to offer specific advice or guidance on how to resolve issues, Kevin was happy to explain the requirements of CE marking and UKCA, and where there was potential to diverge.

'As all UK Notified Body certificates and test reports become invalid for CE marking on the 1st January 2021, an issue that might be causing doorset manufacturers concern relates to Initial Type Test evidence provided by a UK Notified Body in support of CE marking under AVCP System 3.'

The new rules

Products with CE marks are approved for use anywhere within the EU. To qualify for the mark, products must satisfy the requirements set down in the AVCP System applicable, AVCP standing for Assessment and Verification of Constancy of Performance.

Testing of products whose CE marks are dependent upon AVCP System 3 needs to be independently conducted by a recognised Notified Body. The products must then be produced by the manufacturer to the same performance data as recorded by the Notified Body.



System 3 and System 1 testing

System 3 testing has simpler requirements to obtain CE-marked status, and it is understood that products that fall under System 3 may need re-testing by an EU recognised laboratory, post-Brexit, to secure continued approval for use in the EU. However, fire door sets are safety products coming under System 1, and we believe that the more rigorous testing that has been required under System 1 will mean they continue to be recognised by the EU. This is because under System 1, the Notified Body can take into account historic data and, in many cases, this includes testing, so an EU27 Notified Body could take account of test data and issue a CE certificate without the need for retesting.

However, as Ian Laithwaite, Schemes Manager of IFC Certification Ltd, reminded us,

‘there is still the chance of a deal, but what any compromise deal would entail no-one outside of No.10 knows’.

Outcome and key learning points:

We have to accept that the final position won't be known until the end of the year when the Brexit transition period ends. However, although some products may need revised marking, it looks unlikely that Rutland and our customers will be affected because fire doors and door closers are tested under System 1.

We can assure our EU customers that, deal or no deal, we have invested in all the necessary certification and due diligence to be ready for all possible outcomes so that we are ready to support both European and UK customers. EU27 NB CE certification is on target for 1st January 2021, and the UKCA mark will automatically be applied to our products for the UK market.

Please note:

This whitepaper is not intended to cover the full scope of product marking post-Brexit, but merely provide a brief summary of the main issues. It is based on the best available information and offered in good faith, but we cannot be held responsible for any inaccuracies in our interpretation. If you require information as to how any of the issues covered might affect your business, professional independent advice should be sought.

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