

EA Communication

Paris - 08 December 2021

Acceptance of Conformity Assessment results

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Relation between the CE Mark and UKCA Mark

Due to the Brexit, European Union legislation no longer applies to the United Kingdom (UK), so in this respect it is no longer bound by Regulation (EC) No 765/2008 setting out the requirements for accreditation nor by Regulation (EU) 2019/515 on the mutual recognition of goods.

As a result, UKAS certificates shall not be considered as a proof of “accreditation” within the meaning of Regulation (EC) No 765/2008 and certificates and reports issued by Conformity Assessment Bodies (CABs) accredited by UKAS shall not be recognised with respect to the EU Regulatory system as from 1st January 2021, e.g. regarding Notified Bodies (NBs) for the purposes of CE Marking.

Starting on 1st January 2021, the UK government has implemented its own Conformity Assessed (UKCA) Marking scheme for products to be placed on the market in Great Britain (England, Scotland & Wales). UKAS accredits CABs to enable them to be appointed as Approved Bodies in accordance with the relevant UK legislation.

Due to this situation, different organisations, including CABs, are asking whether results from the UKCA Marking scheme can be used for issuing certificates (as a NB) for the CE Marking system.

The EA working group on Accreditation for Notification (WG AfN) has discussed this matter and coordinated its position with the European Commission. The result can be summarized as follows:

1. There is no equivalence between the UKCA Marking scheme and the CE Marking system. Thus CABs (NBs) cannot base their decisions and certifications in any way on the results and certificates originating from the UKCA Marking scheme.
2. If single tests are carried out according to international (and harmonized) technical standards by accredited laboratories based in the UK, these can be used by CABs (NBs) only if they have the competence themselves and “endorse” these tests by assessing the results and validating the reports.