

United Kingdom : Simplifications until 2027 for the application of the UKCA marking on imported products

Background

At the end of June 2022, the British government announced a series of measures aimed at simplifying the application of the *UK Conformity Assessed* (UKCA) marking on products of any origin imported and placed on the UK market.

The UKCA marking is compulsory for certain products to certify their conformity to British technical standards. It replaces the CE marking, and operators marketing products in the United Kingdom (UK) have until 1 January 2023 to affix it on their items. This marking obligation concerns many sectors, such as aerosols, gas appliances, electronic and electrical products, pressure equipment, explosive and pyrotechnic devices, construction products, railway products, toys, medical devices, etc.

Simplification measures

In order to simplify the implementation of this UKCA marking, the following simplification measures have been adopted.

1. Unilateral recognition of tests performed in the EU before 1 January 2023

Any conformity assessment undertaken by a notified EU body before 1 January 2023 will be recognised as valid until the end of 2027. Imported products will therefore be able to carry the UKCA marking on the basis of a test carried out in the EU, without the need to carry out conformity testing with a UK certified body. This simplification will remain in place until 31 December 2027, deadline by which any imported product bearing the UKCA marking will have had to undergo conformity testing with a body approved by the British authorities.

2. Unilateral recognition of CE marking for products imported before 1 January 2023

CE marked products that comply with European standards and are manufactured and imported into the UK before the end of 2022, will not have to meet UKCA requirements, and will therefore not need to undergo new tests.

3. Acceptance of spare parts that comply with the standards applicable to the original products

The UK will continue to accept the placing on its market of spare parts imported after 1 January 2023, which comply with the requirements applicable, at the time they are placed on the market, to the original products or systems that the said parts intend to repair, replace or maintain. It will be up to the importer or distributor to organise its commercial documentation so as to clearly identify the 'spare' destination of a product, in order to benefit from this facilitation.

4. Extension of labelling facilitation

Whilst UK regulations normally require the UKCA marking to be properly affixed on products, the British authorities will extend until the end of 2025, the possibility for many products, to bear UKCA marking via a sticky label or on an accompanying document.

The DS Avocats Customs and International Trade team is at your disposal to provide you with any additional information.

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