

December 2020

BDA STATEMENT ON CE MARKING FOLLOWING BREXIT



KEY POINTS

1. From 1st Jan 2021 UK brick will continue to be manufactured and certified to identical standards.
2. Bricks sold within the UK, will have to use the UKCA mark from the 1st Jan 2022.
3. From 1st Jan 2021 UK manufactured bricks exported to the EU will need to be System 4 self certified or use an EU Notified Body for System 2+ products.

Clay bricks manufactured in the UK are **covered by a harmonised European product standard**, which is enforced through the CPR (Construction Products Regulations) by the Assessment and Verification of Consistency of Performance (AVCP) systems. From the 1st Jan 2021 the **CPR and harmonised standards will be copied across into UK law**, so UK bricks will continue to be manufactured to the **same standards and test methods**.

From the 1st Jan 2021 it will be possible to certify products using the new UK Conformity Assessment mark. For the period of **2021 there will be equal recognition of the UKCA mark and the CE mark**, then from **2022 only the UKCA** mark will be recognised in UK law. For the start of 2021 it is the intention of UK brick manufacturers to **continue to use the CE mark** for bricks placed on the UK market, before **switching to the UKCA mark, ready for the 1st Jan 2022**.

The CPR allows for different systems of verification including **System 4 – Self declared** and **System 2+, which requires verification from an external Notified Body**. From 1st Jan 2021, in the event of a no deal withdrawal, the UK and the EU will no longer recognise each other's Notified Bodies. Therefore System 2+ products will need to be verified with a Notified Body who are based within the same jurisdiction. **From 1st Jan 2021 UK manufactured bricks that are intended for the European market will either be System 4 self-certified or System 2+ certified with a Notified Body who are registered within the EU**.

Bricks that move from mainland UK into Northern Ireland are a specific scenario, as they will cross the UK/EU customs border. Therefore, there is a **UKNI mark which means that System 2+ products can be verified with a UK Notified body**, while placing products within the EU customs market. A **CE mark will also be required for the products to pass into the Republic of Ireland**.

It should also be noted that customers within the EU who receive UK brick now have additional **responsibilities as importers** and should familiarise themselves with their legal CPR requirements, which can be found on this link;

<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:mi0078&from=EN>

More general business information can be found on this link; <https://www.gov.uk/transition>

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