Questions and answers from Brexit Webinar
Industrial Products session

1. **I am bringing Industrial Products into Ireland from the UK at present. What are the implications for my business after the end of the transition period?**

   At present you are considered a distributor. This applies whether the product was manufactured in the UK or imported into the UK from a third country. After Brexit you are considered an importer regardless of the origin of the product as the UK is now a third country.

2. **What are the implications if I want to sell the product exclusively under my name even if I am not the Original Manufacturer?**

   You assume the role of the manufacturer and therefore must meet all the duties and obligations arising.

3. **A user imports a "machine" from a non EU country and that machine is compliant to ANSI or another standard, non EU. Can we use Non EU standards for a basis to conformity albeit we must still implement a harmonized standard?**

   For a presumption of conformity it must comply with an EU harmonized standard. If there is an EU Harmonised standard, then it must be demonstrated that the other standard (if used) is an equivalent. For a product to be placed on the EU market, compliance with the relevant Directives including the ESHRs must be demonstrated.

4. **How can we verify that a CE Mark from a supplier is legitimate?**

   You should look for the Declaration of Conformity, which should state what standards the machine is manufactured to. You can then check that the product meets the requirements of the standards. If a Notified Body is required, you can check with the NB to verify the certificates.

5. **Notified Bodies - will the UK notified bodies still be removed if there is a deal after the 1st Jan 2021?**

   That will depend on the detail of such a deal, should one be agreed.

6. **Where a product is manufactured in the UK (Mainland) and certified, enters NI and is transferred to the Republic, what is the legal status of the CE Declaration of Conformity or Incorporation?**

   The Declaration of Conformity (DOC) is required from the manufacturer, so once the product is manufactured to the required standard, it can be placed on the market in the EU, however the duty is on the importer or Authorized Representative (located in the EU) to ensure the manufacturer has manufactured the product to the required standards, the importer or Authorized Representative must have access to the technical file to make that determination.

7. **Does a NI manufacturer need to have an Economic presence in EU country or in Rep of Ireland?**

   According to the NI Protocol, it appears not. The manufacturer in NI is considered to be located in the EU.

8. **Is there any understanding yet as to what the UK will replace the CE marking with?**

   It is understood that it will be the UKCA mark, however reference should be made to UK guidance on this matter see link https://www.gov.uk/guidance/using-the-ukca-mark-from-1-january-2021

9. **Is there a specific HSA contact for problems with CE certification?**

   Submit queries to the HSA Workplace Contact Unit:

   Workplace Contact Unit
   Health and Safety Authority
   Metropolitan Building
   James Joyce Street
   Dublin 1 D01 K0Y8

   Email: wcu@hsa.ie