

CE MARKING

The **CE marking** (also known as **CE mark**) is a mandatory conformity mark on many products placed on the single market in the European Economic Area (EEA). The **CE marking** certifies that a product has met EU consumer safety, health or environmental requirements.

Significance

By affixing the CE marking, the manufacturer, or in certain cases another legal person responsible for the product, asserts that the item meets all the essential requirements of the relevant European Directive(s) that provide for the CE marking. Examples of European Directives requiring CE marking include toy safety, machinery, low-voltage equipment, medical devices and electromagnetic compatibility. There are about 25 directives requiring CE marking.

The CE marking is an acronym for the French "Conformité Européenne".

Countries requiring the CE marking

The marking is mandatory for products sold not only within the 27 countries of the European Union (Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom) but more generally within all countries of the European Economic Area (EEA) which also includes the 4 countries of the European Free Trade Area (EFTA: Iceland, Liechtenstein, Norway, including Switzerland despite it is not a member of the EEA), as well as within Turkey (despite it is still not a member of any free trade area in Europe).

It is still not required within the countries members of the Central European Free Trade Agreement (CEFTA), despite some of them (Croatia, Serbia, Montenegro) are official candidates for membership to the European Union, and are already adopting many of its standards within their legislation (like the most of the former Central European countries that were members of CEFTA before joining the EU).

In some other European countries, the marking is not mandatory but it is almost always present (and in fact requested by customers that look for it) due to the proximity of markets and the existence of bilateral trade agreements or to the fact that a large part of the products are sold there for export to customers living in a country in the EES, or are imported from these countries (Monaco, Andorra, San Marino, Vatican, Jersey, Guernsey, Isle of Man) : for some classes of products, these countries may also have adopted the same standards, which can also be recognized by the CE marking. In these European countries the CE marking and the associated standards is protected (the manufacturers are declaring their conformance to a minimum list of standards). As many of the European standards are converging with international standards, the CE marking will be often present on products manufactured and sold outside of Europe (notably in Asia that exports lots of manufactured products to Europe).

New Approach

If a European Directive provides for CE marking it is known as a New Approach Directive (NAD). The New Approach is used for the regulation of highly technical sectors where the NAD sets out the essential characteristics (that mainly ensure safety) that a product must meet, and then voluntary European standards detail how a manufacturer can meet the required essential characteristics. There are three European Standards Organisations (CEN, CENELEC and ETSI) who draw up and update the standards that underpin the NADs. Although these standards are voluntary this does not weaken the directives as compliance with the essential requirements remains mandatory. The vast majority of manufacturers comply with the standards as it is the simplest way to demonstrate that their product meets the essential characteristics. If a manufacturer does not use the standards then they must demonstrate through alternative means how the product complies with the essential characteristics, which is normally more difficult and costly to do.

This 'New' Approach is now over 20 years old and the recent New Legislative Framework (NLF), which comprises two Regulations and a Decision, updates the New Approach but also overhauls and improves the functioning of the internal market for all goods other than those regulated by NADs. The NLF doesn't fundamentally change the process outlined above; instead it increases the powers of market surveillance authorities, protects the CE mark from abuse, and seeks to clarify and harmonise terminology and common provisions in future legislation.

It is worth noting that if a product is within the scope of more than one NAD it must comply with all of them if it is to bear the CE mark.

The Construction Products Directive provides for CE marking, however, it functions very differently to other NADs as construction products are an intermediate product and so the CE marking does not have the same meaning. On a construction product the CE marking, in simple terms, means that performance values can be trusted and can be easily used to compare competing products.

Declaration of Conformity

The CE marking is a mandatory European marking for certain product groups to indicate conformity with the essential requirements set out in European Directives. In order to use the CE mark on a product the manufacturer must draw up a Declaration of Conformity (DoC) in which the manufacturer attests conformity with all relevant NADs and takes sole legal responsibility. In some instances a NAD may require a Notified Body to issue a Certificate of Conformity in order to verify performance of the product or constancy of the production process (Factory Production Control) for example.

The Doc must include: manufacturer's details (name and address etc); essential characteristics the product complies; any European standards and performance data; if relevant the identification number of the Notified Body; and a legally binding signature on behalf of the organization.

Mutual recognition of conformity assessment

There are numerous 'Agreements on Mutual Recognition of Conformity Assessment' between the European Union and other countries such as the USA, Japan, Canada, Australia, New Zealand and Israel. Consequently the CE mark is now found on many products from these countries.

Turkey (which is not a member of the EEA) also requires products to show CE marking as affirmations of conformity.