Technical Office update

April 2024

Introduction

Recent Guidance on the use of the UKCA mark and the CE mark

New laws to introduce digital labelling for business and reduce costs

UK Carbon Border Adjustment Mechanism (UK-CBAM)

Consumer Connectable Product Security

Updates from Europe

Recent Guidance on the use of the UKCA Mark

- Government still has the intention to extend indefinitely the use of the CE mark to demonstrate conformity assessment- still have no timeline for this but 'spring' has been referred to

- Guidance issued on the 24th January but significantly we do not have the legislation.

- A more detailed document- "Placing products on the market in Great Britain using UK or EU product".

- Have no reason to believe that this will not occur, but it is disappointing that legislation on pint bottles of champagne has been published since Christmas

Recent Guidance on the use of the UKCA Mark

- It appears that there is an intention to have two parallel systems.
- The UKCA system will be what is being called a **"fast track provision".**
- The manufacturer will need to draw up UK Declaration of Conformity and affix a UKCA marking (in the permissible manner).
- The significant point is the UKCA mark can be applied after an instrument has been conformity assessed by an EU recognised conformity assessment body.

Recent Guidance on the use of the UKCA Mark
What does this mean ?

- If you use a UK approved body must be UKCA marked for initial conformity assessment

- You can continue to use the EU type examinations and the EU module D certificate for initially placing instruments on the market in GB (Not the UK)

- The instrument can be 'stickered ' with the UKCA mark

- Can go on packaging or accompany documentation.

- Must be visible, legible and indelible.

- Each individual product will not need an accompanying document if moving through the supply chain as a batch

- As soon as they batch is broken up - each new batch will need a UKCA mark

Recent Guidance on the use of the UKCA Mark What does this mean ?

- Alternatively, you can continue to use the CE mark: This will involve EU notified bodies and EU module D

- This will be the status quo that existed before the departure from the EU

- No need to use the "fast track" system for the UKCA mark

- If you are importing the instrument, you must have the name and address of the importer.

- **Cannot initially conformity assess CE marked products with a UK approved body – must have a UKCA**

- **Must have a UK approved body for the purpose of re-qualification**

- This is obligatory if you wish to apply the crown mark after alteration, adjustment , addition repair or replacement

- This does apply to RoHS

- This does not apply to medical devices

New Laws introducing Digital Labelling for Business and Reducing Regulation Costs

- Digital labelling will allow businesses to put important regulatory or manufacturing information online rather than requiring them to physically print it on their products - focuses on the role of a QR code

- Information can be available digitally via a screen rather than accompanying the instrument- will be limited to devices with integrated screen so not on-line

- Not permitting high risk products with a screen to be able to rely on e-labelling

- Planning to have a statutory instrument for June

- Will be voluntary

- Ties in with the EU notion of Digital Product Passports

New Laws introducing Digital Labelling for Business and Reducing Regulation Costs
## What could this mean?

- Likely to have very little consequence.

- If you are to use a UKCA mark it would be cheaper and quicker to apply a UKCA sticker that alter the indicator.

- This would inevitably mean altering the software of the instrument and possibly a new type-examination.

- Presumption that manufacturers and importers will continue to use the CE mark so these potential changes will have no influence.

UK Carbon Border Adjustment Mechanism (UK-CBAM)

- This is part of the UK's strategy to minimise carbon leakage.

- It follows the implementation of such a mechanism in the EU in October 2026, which is threatening UK firms with an uneven playing field if there is no similar scheme in the UK.

- From 1 January 2026 as well as data reporting, the *EU* CBAM will impose an actual compliance cost on carbon-intensive imports into the EU from 1 January 2026.

- This will be very significant for businesses exporting iron and steel products to the EU

- Product Codes (72&73)

- Government Consultation on the UK version
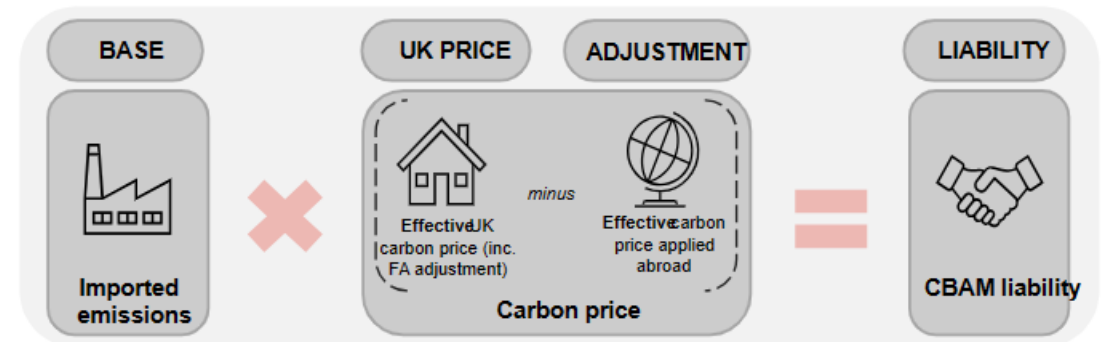
Consumer Connectable Product Security

- The Product Security and Telecommunications Infrastructure Act 2022 (PSTI) and the Product Security and Telecommunications Infrastructure(Security Requirements for Relevant Connectable Products) Regulations 2023 have been recently introduced to cover cyber security for "relevant connectable products"

- Attempt to manage cyber security for smart and connectable products and mirrors the CRA (Cyber Resilience Act) that is awaiting adoption in the EU

- It has been confirmed that the legislation only relates to Consumer Goods

- Only those instruments that are likely to be used "outside of any trade or business" are likely to be affected

- Likely that any instruments that have type examinations would meet the requirements of both bits of legislations

Other UKWF Matters

Code of Practice

- There have been some minor changes to the Code of Practice for NAWI which is now Version 8
- It is now clearer that for the purposes of the Code that test loads used for the eccentric and the repeatability can reflect the working range of the instrument not the maximum capacity

CTSI Training

- We are asking for members to engage with the CTSI/ UKWF Training that we have delivered for the past year
- Colleagues in the Trading Standards Community welcomed it and have found it very helpful
- The companies involved have managed to create positive links with local Trading Standards Officers
- It has been very significant in raising the profiles of UKWF Members and demonstrating the competence in weighing that sits with the UKWF Members

CECIP

- There is a European Market Surveillance Project for on-line sales of weighing instruments which is being supported by CECIP

- This is an excellent collaboration and is formally supported by the EU Commission

- Work on reviewing the Guide 7.2 and 7.3 for the future and will have a greater focus upon risk assessments- likely to be completed by next year

- Have produced a position paper on AI and Machine Learning- this is significant as this represents a major change in the philosophy of how we do verifications

- Will be presented at the WG5 Working group

- CECIP GA is in Prague this year and all members are welcome

EU AI Act

- The AI Act is the first-ever legal framework on AI, which addresses the risks of AI and positions Europe to play a leading role globally.

- The AI Act aims to provide AI developers and deployers with clear requirements and obligations regarding specific uses of AI.

- At the same time, the regulation seeks to reduce administrative and financial burdens for business, The act will:

  - Address risks specifically created by AI applications;

  - Prohibit AI practices that pose unacceptable risks;

  - Determine a list of high-risk applications;

  - Set clear requirements for AI systems for high-risk applications;

  - Define specific obligations deployers and providers of high-risk AI applications;

  - Require a conformity assessment before a given AI system is put into service or placed on the market;

  - Put enforcement in place after a given AI system is placed into the market;

  - Establish a governance structure at European and national level.

Other Legislative Reviews

- The review of the NAWI Directive (2014/31) and Measuring Instruments Directive (2014/32) are still taking place

- Some businesses have undertaken interviews –CECIP is still waiting

- The OIML R76 has stalled again

- The OIML R51 is progressing and is important in dealing with some of the issues relating to AI

- There are on-going reviews of the General Product Safety Directive and the EMC Directive

- There are on-going reviews of the Energy Efficiency Directive and Eco-Design

- Will continue to follow these