



Information concerning stocks at manufacturers (importers) in the case of no-deal Brexit

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The ESF secretariat received questions from several members concerning the status of the stocks at manufacturers (importers) in the case of a no-deal Brexit. At first sight, the interpretation expressed by the EU Commission in the guidance document on stocks ('placing on the market') in the transition from the Directive to the Regulation, is also valid in other situations where existing type examination certificates become invalid (for other than safety reasons). However, the question was raised (per e-mail) with the policy officer for PPE at the EU Commission DG GROW, who confirmed that this guidance document is indeed also applicable in the no-deal Brexit situation :

Question asked by ESF (08/08/2019):

In response to questions from manufacturers about the interpretation of 'placing on the market' in that particular case we assume that the interpretation in the guidance document concerning 'placing on the market' in relation to the transition from Directive to Regulation is also applicable for the 'no-deal' Brexit scenario ?

The Commission replied (09/08/2019):

I suppose you refer to the guidance document "[Placing on the market and products in the stocks of the manufacturer before 21 April 2019](#)". As you know, it is very much based on the provisions of the "[Blue Guide](#)", therefore in principle is applicable also to the "no-deal" Brexit scenario, of course in connection with the specific contents of the documents issued by the TF-50 https://ec.europa.eu/growth/content/brexit---guidance-stakeholders-impact-field-industrial-products_en

This confirms that the principles of product validity applicable under the migration from the Directive 89/686 to the Regulation (EU) 2016 / 425 will also apply in the circumstances of a no deal Brexit.

Remarks :

- ESF Q&A 0074 gives further clarification to the guidance document
- the above was also integrated in ESF Q&A 0067 (What consequences will the Brexit have on the PPE sector ?)