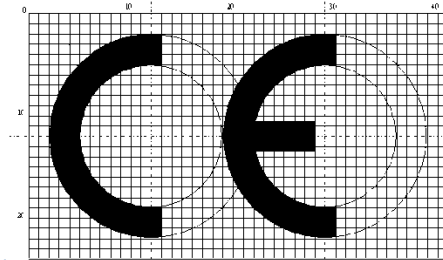


Enterprise and Industry



CE Marking

EU-Serbia screening – June 2014
Chapter 1 - Free Movement of Goods



Background

- *CE Marking is of paramount importance for the functioning of the internal market*
- *The marking has been introduced into European legislation in order to provide information for national authorities on the compliance of the product and to guarantee its free movement within the European Union (European Economic Area)*
- *It is not designed to provide information to consumers*
- *CE marking is a symbol which visibly figures on many products, purchased by consumers and/or by professionals*

What is the CE Marking?

➤ *"CE marking" affixed on a product means that the manufacturer declares that the product had undergone an examination and it is in conformity with the applicable requirements set out in EU harmonisation legislation applying to it*

- *Not always third party examination*



Affixing of CE Marking on the product (1)



- *The affixing of the CE marking takes place before the product is placed on the market*
 - ***It is the result of the successful achievement of an examination procedure laid down in EU harmonised legislation***
- *It is always the manufacturer who affixes CE marking and who is responsible for the compliance of a product*
- *However, economic operators (e.g. distributors, importers etc.) further down the supply chain must ensure that only safe and compliant products are placed on the market*
 - ***They have to verify, amongst other elements, the presence of CE marking and ensure that the relevant documentation is available***



Affixing of CE Marking on the product (2)

- *The CE marking shall be affixed **visibly and legibly** to the product or to its data plate - where that is not possible because of the nature of the product, it shall be affixed to the packaging and to the accompanying documents*
- *The affixing to a product of markings, signs or inscriptions which are likely to **mislead** third parties regarding the meaning or form of the CE marking are **prohibited***
- *Any other marking may be affixed to the product provided that the visibility, legibility and meaning of the CE marking are **not thereby impaired***



How is public interest protected? (1)

- *The CE marking provides the first indication of compliance of a product*
- *Nothing prevents authorities to proceed to additional controls in the sake of the protection of public interest; indeed CE-marked products are subject to strict controls by market surveillance authorities*
- *The CE marking can be of value only if its affixing respects the conditions laid down in EU law*
- *Member States should, therefore, ensure proper enforcement of those conditions and pursue violations and abuse of the CE marking*



How is public interest protected? (2)

- *CE marking stands for the whole regulatory system that is solid and reliable from a legal and technical point of view*
- *In the Reg 765/2008 and Dec 768/2008, the Commission strengthened the control on notified bodies and improved market surveillance, getting the CE marking system even more reliable*
- *Thus, authorities and courts have additional means to take legal action against any misuse and/or fraudulent practices, again contributing to the credibility of the mark*

Web site address

<http://ec.europa.eu/CEmarking>

Questions?

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