The EU RoHS Recast and CE Marking Requirements: A NEMA Overview


One of the new Recast requirements relates to the European “CE” marking. CE stands for “Conformité Européenne,” which is French for “European Conformity” and is depicted by the placement of the CE logo on a manufactured product that has been vetted for conformity assessment and approved for distribution in the European market. From the European Commission web site: “The CE marking…states that the product is assessed before being placed on the market and meets EU safety, health and environmental protection requirements.” Generally speaking, if the product is manufactured in Europe then placement of the logo is the manufacturer’s responsibility. If the product is imported, then the burden falls on the importer to ensure that the logo is legitimately and properly displayed.

With certain exceptions, every manufactured product sold in the EU must bear the CE marking. And in order to bear the marking, the product must meet the requirements of various European environmental, health and safety laws. This requirement has not changed. However, As of January 2013, the RoHS Recast is one of those laws. But because RoHS is European law, the CE marking is only required on a product (e.g. a specific product unit) that is to be placed on the EU market. Manufactured product units sold in non-EU markets may still be technically compliant with RoHS, but are not required by the Directive, or EU member-state legislation implementing the Directive, to bear the CE marking.

A statement from a CE leaflet prepared for economic operators helps clarify this issue:

> CE marking is a key indicator of a product’s compliance with EU legislation and enables the free movement of products within the European market. By affixing the CE marking on a product, a manufacturer is declaring, on his sole responsibility, conformity with all of the legal requirements to achieve CE marking and therefore ensuring validity for that product to be sold throughout the European Economic Area.

NEMA is a strong advocate for product compliance and conformity to market regulations that serve to protect consumers, workers and the environment. In today’s global marketplace these regulations are growing in number and becoming increasingly complex so as to adequately cover such a broad array of products. Accordingly, it is important that manufacturers share a clear understanding of the environmental, health and safety requirements for each market with their suppliers and purchasers.

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