Declaration of Conformity: The basis for legally compliant procurement and product safety

The Declaration of Conformity is a formally binding declaration by the manufacturer that a product complies with the applicable statutory and technical requirements. In many product areas it is a prerequisite for placing products on the EU market and is therefore a key inspection point in technical procurement. For buyers and supply chain managers it is an essential element of compliance assurance and supply security, as missing evidence can cause delivery stoppages and liability risks.

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Key facts at a glance

01 The Declaration of Conformity is a manufacturer's declaration confirming a product's compliance with applicable directives and standards.

02 As a rule it must be issued before the product is placed on the market and be available in the buyer's national language.

03 The manufacturer is liable for its accuracy; procurement must verify authenticity and completeness, not merely hold the document.

04 In practice, products such as machinery, electrical appliances, pressure vessels and personal protective equipment typically sit behind a Declaration of Conformity.

05 Missing or incorrect Declarations of Conformity can lead to market surveillance measures, recalls and supply interruptions.

06 The declaration should be filed in a version-controlled and audit-proof manner in the supplier master data, for example as part of supplier onboarding.

Definition: Declaration of Conformity

The Declaration of Conformity is a legally binding declaration of intent by the manufacturer or its authorised representative that a product, when placed on the market, complies with the applicable

Union legislation, i.e. EU directives and regulations. It is not a quality certificate in the strict sense, but a legally relevant document with clearly prescribed minimum contents. In B2B procurement it serves as evidence towards customers, surveillance authorities and internal quality management systems.

Distinction from other evidence

The Declaration of Conformity must be distinguished from the works conformity certificate, the inspection certificate accompanying material documents and general manufacturer certificates. While inspection certificates document specific measurement and test results for a batch, the Declaration of Conformity confirms the product's overall conformity with statutory requirements. The two types of evidence complement each other: procurement should clearly specify in the mandatory and desirable criteria of an enquiry which documents are required.

Legal basis

In the EU, the Declaration of Conformity is based on product-related legislation such as the Machinery Directive (or Machinery Regulation), the EMC Directive, the Low Voltage Directive, the RoHS Directive or the Pressure Equipment Directive. The respective legislation determines the form, content and, where applicable, the conformity assessment procedure. Whether a Declaration of Conformity or a differently named declaration is required must be examined on a case-by-case basis; general statements do not constitute legal advice.

Components and requirements: what a Declaration of Conformity must contain

A complete Declaration of Conformity follows a structure defined in the relevant legislation. If even one mandatory element is missing, the declaration is formally invalid, which can have serious consequences in a dispute or during market surveillance inspections.

Mandatory details at a glance

Declarations of Conformity typically contain the following information:

- Designation of the product plus type, batch or serial number
- Name and address of the manufacturer and, where applicable, of the authorised representative
- Declaration of sole responsibility for conformity
- Description of the product, as far as necessary for identification
- Reference to the applied legislation and harmonised standards
- Name, address and signature of the person authorised to sign

Language and format

The Declaration of Conformity must be available translated into the language required in the member state where the product is placed on the market; in practice, many buyers additionally accept an English version. The technical documentation itself must be kept by the manufacturer for at least ten

years after the product is placed on the market. For critical products, buyers should additionally request the referenced test reports or technical documentation files to be handed over on demand.

Unambiguous product identification

Every Declaration of Conformity must be clearly assigned to the specific product, for example via type codes, serial numbers or batch details. Generic declarations covering entire product groups blanket-style are frequently a warning sign in practice. Supplier onboarding should therefore examine how the supplier versions documents and links them to order data.

Inspection in the procurement process: methods and approach

Technical procurement is best advised to integrate the Declaration of Conformity early and systematically into the procurement process, from the request for quotation through contract design to goods receipt inspection. A structured approach significantly reduces the risk of delivery stoppages and complaints.

Requesting as early as the enquiry stage

Procurement should already document in tenders and enquiries which conformity evidence is required for which products. This allows quotations to be checked directly for completeness and deviations to be clarified before contract award. A brief feasibility review of the supplier before placing the order shows whether the supplier can actually produce the required evidence reproducibly or merely keeps sample templates on file.

Inspection at order placement and goods receipt

At first sample approval and subsequently on a sample basis at goods receipt, it should be checked whether the declaration matches the delivered product, is current in date and contains all mandatory details. Common practical errors are missing standard references, incorrect address details or unauthorised signatories. Irregularities result in a complaint notification to the supplier and, in the event of repetition, in consequences for the supplier rating.

Documentation in the supplier master data

Declarations of Conformity must be filed in an audit-proof manner, ideally digitally, linked to the article or supplier and version-controlled. A stock analysis of the document situation makes gaps visible before they cause problems. In an integrated source-to-pay environment, filing can be interlinked with ordering and quality processes.

Key KPIs for managing conformity processes

Conformity can be measurably managed if procurement continuously records the document situation and supplier quality. The following key figures have proven their worth in practice, with benchmark values varying according to sector and product criticality.

Key figures at a glance

Typical KPIs are documentation completeness, the time to provision of evidence and the error rate for inspected Declarations of Conformity. These can be readily mapped into supplier ratings and the supplier segmentation matrix in order to manage critical suppliers in a targeted manner.

Link with supplier key figures

Conformity key figures should not be viewed in isolation but assessed together with delivery performance and on-time delivery (OTD). A supplier who delivers on time but repeatedly provides incomplete evidence poses its own risk to supply security. The combination of quality and deadline key figures yields a realistic picture of supplier performance.

Risks and controls: typical pitfalls and safeguards

Missing or deficient Declarations of Conformity are not a paperwork problem but a real operational and liability risk. Procurement should be aware of the main risks and embed targeted controls.

Liability and market surveillance risks

Responsibility for conformity lies in principle with the manufacturer; however, anyone acting as importer or distributor may be subject to their own obligations. Breaches can result in recalls, sales bans and warnings from market surveillance. Procurement should therefore stipulate contractually that the supplier is liable for the accuracy of the evidence and must promptly submit new declarations in the event of product modifications.

Operational risks in the supply chain

Without a valid Declaration of Conformity, goods may in case of doubt not be further processed or shipped; this jeopardises commitments to own customers and supply security. A contingency plan defines how to proceed when evidence is not forthcoming, for example through expedited follow-up requests, alternative sources of supply or temporary process adjustments agreed with quality assurance. In the extreme case, renegotiation or a change of source of supply is required.

Preventive controls

Effective controls act at several points: during supplier selection, at first sample approval and in ongoing goods receipt. Automatic reminder functions for expiring documents, documented inspection checklists and clear escalation paths prevent gaps from going unnoticed. Freight cost management can also be affected if evidence only has to be obtained after procurement and consignments are held up.

Current developments and digitalisation

Conformity evidence is increasingly being managed digitally and requested automatically. This goes hand in hand with higher demands on data quality and system integration in procurement.

Digitalisation of evidence management

More and more companies manage Declarations of Conformity in digital supplier portals, as part of supplier enablement or in document systems with automated expiry logic. This reduces manual searching and makes audits considerably more efficient. On platforms for technical suppliers too, evidence obligations are increasingly becoming part of the quotation assessment.

Regulatory dynamics

Regulatory requirements are changing continuously, for example through new product rules, tightened substance restrictions or cyber resilience requirements for products with digital elements. Buyers should track changes proactively and adapt the procurement strategy for critical commodity groups accordingly. Valid statements as to which provision applies exactly in which case always require examination on a case-by-case basis, often with the support of the legal or quality assurance department.

Sustainability and substance requirements

Alongside classic product conformity, evidence of substance composition, recyclability and social standards in the supply chain is gaining importance. Declarations of Conformity and supplementary evidence are thus becoming part of a broader understanding of compliance. Buyers pursuing sustainability procurement objectives should integrate evidence obligations early into contracts and supplier ratings.

Typical metrics

Metric	Typical value
Documentation completeness	> 98 % *Proportion of article master records with a valid, assigned Declaration of Conformity*
Evidence lead time	< 3 working days *Time from requesting to receipt of a complete Declaration of Conformity*
Declaration of Conformity error rate	< 2 % *Proportion of documents criticised during inspection, per supplier*

Practical example

A medium-sized mechanical engineering company sourced drive technology from a European supplier. During a customer audit it emerged that several Declarations of Conformity were outdated and did not match the variety of variants delivered. An impending delivery stoppage for a complete system could only be averted by promptly requesting the documents again. The company subsequently reorganised

its process.

- Declarations of Conformity were included as a mandatory item in all enquiries and in the mandatory and desirable criteria of tenders.
- Supplier onboarding included an initial review of each new supplier's ability to provide evidence.
- An automated expiry logic in the supplier master data flags documents due to expire three months in advance.
- In the event of irregularities, a defined escalation process with a contingency plan applies, up to activating a second source of supply.

Conclusion

The Declaration of Conformity is far more than a formal document: it secures the ability to supply lawfully, protects against liability risks and is a prerequisite for uninterrupted delivery processes. Buyers are well advised to request evidence early, inspect it systematically and file it in an audit-proof manner. Linked with supplier key figures and clear escalation paths, conformity management becomes an effective steering instrument. Those who digitalise the process and integrate it into the procurement strategy reduce effort and risk alike. What remains crucial is examining the specific legal obligations on a case-by-case basis.

Frequently asked questions

? Who issues a Declaration of Conformity?

The issuer is in principle the manufacturer or an authorised representative established in the EU. The declaration is signed by a person authorised to legally represent the manufacturer. The buyer may not draw up the declaration themselves, but may insist on its presentation and inspect it.

? What is the difference between a Declaration of Conformity and the CE marking?

The CE marking is a visible indication on the product confirming that a conformity assessment has been carried out. The Declaration of Conformity is the accompanying document that formally declares this conformity. The two belong together but do not replace each other.

? Must the buyer request the Declaration of Conformity from the supplier?

Yes, in practice the buyer actively requests the declaration, as manufacturers are not obliged to send it unsolicited with every delivery. Many sectors and internal quality management requirements stipulate filing in the supplier master data. If the declaration is missing, this should be documented and followed up.

? How long must a Declaration of Conformity be retained?

The manufacturer must usually keep the technical documentation for at least ten years after placing the product on the market; exact periods depend on the relevant legal provision. Buyers should also archive declarations long term, often beyond the product's service life. Specific retention periods

must be examined on a case-by-case basis.

? What happens if a Declaration of Conformity is missing or incorrect?

Possible consequences range from complaint notifications and delivery stoppages to authority measures such as recalls or sales bans. Contractual claims against the supplier may also exist. A defined contingency plan and clear contractual obligations minimise the risk.

? Is a Declaration of Conformity valid indefinitely?

No, it applies to the conformity of the product in the described version. In the event of product modifications, standard updates or changes in the legal situation, a new declaration is required. Buyers should therefore systematically link supplier change notifications to the document filing system.

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