FORCE Certification UK Limited

ABC-Product

General Terms for Conformity Assessment of Products, Processes and Services

1St. edition – October 2022

Content

1. Introduction and Basis for Product Certificates

The terms in this ABC-Products, shall be complied with to obtain and maintain a conformity assessment of a product according to international and national standards, UK regulations, accreditation requirements and guidelines.

The requirements in this ABC cannot be dispensed with and overrules all other terms.

On our website www.forcecertification.com we have published an informative guide describing the conformity assessment procedures. This guide gives a broader understanding of the certification process and a guide to the information which shall be available. We recommend you read this guide.

The informative guide cannot replace the requirements described in this ABC.

Definitions:

- ***manufacturer*** is used as collective term for manufacturer, his authorized representative in UK, importer, owner, and the installation contractor.
- ***certificate*** is used as collective term for e.g., type examination certificate, conformity assessment certificate, inspection reports.
- ***certification*** is used as collective term for the conformity assessment process of a certification or inspection.

This ABC applies to conformity assessment according to the conditions in:

Table 1:

Acronym	Regulations
MIR	Measuring Instruments Regulations 2016
NAWIR	Non-automatic Weighing Instrument Regulation 2016
PESR	Pressure Equipment Regulation 2017
PPER	Personal Protective Equipment (Enforcement) Regulation 2018

The Quality modules D, E, are performed according to ABC-SYS, General terms for management systems.

2. General

Issued and valid certificates are the property of FORCE Certification UK Limited (FCUK).

It is not permitted to apply for a Type Examination from more than one Approved Body.

The manufacturer shall:

- forward an application stating the manufacturer's choice of module(s) or section(s) including a declaration that a similar application has not been forwarded to another Approved Body
- give our examiners and inspectors from FCUK access to the products and the production, including (if relevant) access to equipment, facilities, personnel, and subcontractors
- forwarding all technical documentation (technical file) regarding the product as described in the directive/regulation
- maintain and file all necessary documentation concerning the product

3. Changes in current Standards, Accreditation Requirements and Guidelines

If, within the period of validity of the contract the requirements to achieve and maintain a conformity assessment according to the international and national standards, accreditation requirements and guidelines change, the manufacturer shall implement these requirements before the date of commencement. The conformity assessment contract shall be changed accordingly.

4. Recording of Complaints

The manufacturer is obliged to set up a registration of complaints relevant to certified products in accordance with this ABC. This registration shall:

- record all complaints, which the manufacturer learns about the product's compliance with the requirements in the relevant standards
- be made available to FCUK

The manufacturer shall take appropriate action with respect to such complaints and recorded defects which might influence the fulfilment of the certification requirements.

The manufacturer shall document the actions taken.

5. Modification of the Product or the Production Conditions

It is the obligation of the manufacturer to immediately notify FCUK of any modification to the design of the product that may affect compliance with a FCUK issued Type Examination Certificate.

Modifications to design include modifications such as:

- legal, commercial, organisational status or ownership
- organisation and management, for instance changes of quality management, decision making or technical key personnel
- any modification to the product or the production method
- changing of production places/sites
- essential modification of the management system (quality)

Concerning modifications FCUK decides whether the product can continue to be marketed under the current certificate or whether it must be suspended while a revised/new certificate can be worked out. This again might mean that further examination/testing may be necessary.

6. Rules for Communication concerning the Certification

The customer must ensure that all communication referencing the certification of the product comply with the following requirements:

- FCUK's requirements shall be observed when the customer refers to his certification status in the media such as the Internet, brochures, or advertisements or in other documents
- there is made no misleading declaration about the certification
- the impression will not be given that the certification is valid for products or activities beyond the scope of the certification
- the certification will not be used in a way that could bring discredit to FCUK and/or the certification system and reduce the trust of the public
- certificates are published only in their entirety and extracts of certificates can only be published with FCUK's permission in writing
- all communication, which refers to the certification is to be stopped immediately if the certification is suspended, withdrawn cancelled or the scope is reduced

7. Rules for use of the Certification Mark

UKAS's accreditation mark must not be used by the customer, manufacturer or legal representatives. This includes any use of the mark on certified products, documents, or any kind of material (including electronic and digital use).

The manufacturer's use of FCUK's certification mark (our logo incl. certification scope) requires an agreement in writing with FCUK. The use of certification marks must comply with the following minimum rules:

- the mark must be reproduced in its entirety in a reasonable size and uniform colour and must be accompanied by the number of the standard, which the certificate covers
- the mark may only be used in a manner, which promotes the manufacturer's certified product
- the mark must not discredit the certification attained
- all use of the certification mark must stop immediately at the expiry of the period of validity of the certificate
- all use of the certification mark referring to the certificate is ceased immediately, if the certification is suspended, withdrawn, or cancelled

8. Use of FORCE Certification UK Limited's Identification Number "XXX"

The Approved Body identification number for FCUK is XXXX.

The identification number shall only be affixed on the product, if the product is under surveillance of FCUK, which means that FCUK has issued one of the modules C, D, E or G certificates covering the applicable type of product and production. In this case the identification number shall be affixed after the mark of conformity (e.g., "UKCA xXX") according to the requirements given in the relevant Regulation. The manufacturer signs an agreement with FCUK on continuous surveillance prior to affixing the identification number on the products.

If FCUK assesses that the product cannot fulfil the requirements of the Regulation, FCUK may suspend or terminate the agreement - please see chapter 9.

The identification number cannot be affixed to products, where FCUK does not perform continuous surveillance under one of the mentioned modules.

The identification number is also placed on products when conformity assessment is performed under module G. In this case FCUK place the identification number on the product(s) or appoints a representative of the manufacturer to do so.

9. Withdrawal, suspension and cancelling of certificates or agreements

Should the manufacturer decide that they no longer can or will maintain the certificate, FCUK will cancel the certificate after having given written notification according to the conformity assessment agreement.

FCUK has the right and obligation at any time during its term of validity to:

- withdraw or suspend a certificate,
- cancel or suspend an agreement to use of our Approved Body identification number XXXX

under the following circumstances:

- if the manufacturer has given misinformation
- if the test results do not fulfil the specified requirements after retesting
- if the manufacturer does not take corrective action within the time limits agreed upon
- if the manufacturer refers incorrectly to the certification and its conditions
- if the manufacturer misuses the certificate, the agreement, or the mark
- if the manufacturer does not comply with the financial terms and conditions of the certification agreement
- if the manufacturer in any way brings discredit to FCUK or violates the certification agreement

A manufacturer shall be notified of withdrawals in writing, and the letter must include information about appeal procedures.

FCUK will make public any such certificate suspension, withdrawal, or cancellation in the manner, that FCUK finds most relevant in the specific case.

Immediately after the announcement of suspension, withdrawal or cancellation, the certificate is no longer valid.

Immediately after the announcement to cancelling or suspension of the agreement to use of our identification number, the manufacturer shall suspend all marketing (sale) of the product(s) with our Approved Body identification number affixed.

10. Confidentiality

FCUK treats all information gained by its representatives, including any sub-suppliers during the certification process or in any other manner as strictly confidential and will not pass on such information to unauthorised persons without the written consent of the manufacturer in question. FCUK has taken measures to ensure that confidential information is not accessible to unauthorised persons.

FCUK is under an obligation upon request to supply responsible authorities – including UK Market Surveillance Authorities – and the accreditation body UKAS with all necessary information for use with its surveillance of our notification or accreditation. FCUK is under an obligation to receive surveillance visits by Market Surveillance Authorities or UKAS, and the manufacturer must accept that such a surveillance visit can include the conformity assessments activities at the manufacturer's premises.

Provisions related to UK-GDPR

FCUK does not require general access to manufacturer's registrations including registered personal data, and access to sensitive personal data must be cut off. FCUK will not select or extract personal data from the manufacturer's registrations.

FCUK must have the opportunity to evaluate a representative number of employees to assess the competence of the staff within the applied certification scheme. This review will mainly take place when visiting the manufacturer's premises. If, in case of applications or documentation of corrective actions, the manufacturer sends evidence of employee competence to FCUK. This documentation shall not contain any personally sensitive information including personal identification numbers, special categories of personal data, union membership or health information. FCUK deletes documents containing personal data after the assessment.

11. Appeals and complaints

An appeal against a decision made by FCUK shall be addressed in writing to FCUK within 4 weeks after the manufacturer has received the decision.

A complaint against FCUK's activities related to the certification shall be addressed in writing and be received by FCUK within 4 weeks after the issue date of the certificate.

A complaint against FCUK as an Approved Body can always be submitted directly to BEIS[i].

Information on contact and procedure for appeals and complaints appears on www.forcecertification.com.

12. Publication

FCUK undertakes to publish an up-to-date list with the following information about the registered certificates:

- number of certificates, date of issue and date of expire
- full identification about manufacturers and suppliers (name, address(es))
- identification of the product type
- relevant standards and type testing reports
- special limitations with respect to the scope
- status concerning validation, suspension, or withdrawal

[i] Department for Business, Energy, and Industrial Strategy other than CPR-products

13. Cancellation

The conformity assessment agreement can be cancelled by both parties with 90 days written notice.

In the notice period the certificate remains valid if the product certification is maintained according to the conformity assessment requirements.

14. Special module requirements

14.1 Module C2 and unannounced surveillance

For conformity assessment in accordance with module C2 FCUK shall during onsite visits survey the final verification of the product or take sample of the product for inspection. A conformity assessment according to module C2 is based on an agreement on control between the manufacturer and FCUK.

14.2 Module B

Type Examination Certificates (module B) may have a limited validity according to the relevant Regulation and may be prolonged if no changes are made to the product specifications or design.

14.3 Module G

To verify conformity with requirements FCUK shall witness the test of each product[ii] or each production unit.

15. Safety and Access

The manufacturer must ensure that the necessary examinations performed during audits or inspections according to modules A2, B (incl. Bp and Bk), C2 or G can be carried out in a fully safe manner in accordance with the rules of the working environment legislation, - including the necessary protection against unintentional start-up and special safety measures during internal inspections of equipment.

If FCUK assesses that it is not possible to carry out the audit or inspection properly in accordance with the rules of the UK legislation, the audit or inspection will be postponed until the conditions are safe.

In case of inspection of equipment, the manufacturer must ensure that the equipment is prepared for the inspection prior to the visit including cleaning, so that the inspection can be carried out in a safe manner. If the manufacturer has special guidelines that must be followed - e.g., the use of special clothing, safety equipment or requires special training, this should be notice to FCUK and must be agreed prior to inspection.

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[ii] *Depending on actual Regulation this can be performed according to a statistical approach.*