

General rules for product certification

Confirmed by the certification committee 2013-06-27

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Changes from the second issue

- added the requirements from the Finnish legislation for the approval of certain construction products (Laki eräiden rakennustuotteiden tuotehyväksynnästä 954/2012)
- new certification marks

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1 Introduction

The aim of product certification is for an outside, independent party to give a statement verifying that a product fulfils the requirements of a certain standard or other normative documents such as orders and instructions of the authorities.

Product quality is verified in the product certification procedure. There are two basic types of product certification procedure, certifying

- a product or
- the quality assurance of such a product.

These general rules for product certification describe the product certification procedure of Inspecta Sertifiointi Oy (later Inspecta). The product certificate issued gives an organisation the right to use certification mark in certified products (with some exceptions as presented in the appendices of these rules).

These rules apply for national product certification, both voluntary and that based on authority regulations as well as product certification in connection with CE marking. The special characteristics and eventual exceptions from general descriptions of different procedures are described in the appendices of these rules. The co-Nordic product certification procedure is described in the general rules INSTA-CERT GRC.

All organisations have equal rights and possibilities to apply for certification from Inspecta. The terms for certification are the same for all applicants and certificate holders in each product group.

Inspecta acts in conformance with the international requirements and regulations for certification bodies in order to be able to guarantee the competence, impartiality, confidentiality and independence of its activities. The Centre for Metrology and Accreditation (FINAS) as the accreditation body and the Ministry of the Environment as well as the certification committee control the activity.

The certificate holder is always responsible for the conformity of its products and services with the requirements. Product certification does not lessen this responsibility.

Inspecta ensures its impartiality and, when needed, widens its expertise by using expert groups of different product groups

2 Terms and definitions

In addition to the definitions in requirement documents, also the following terms are used in these regulations:

A product is a product or service for which public, generally accepted requirements have been drawn up in the requirement documents.

An applicant is an organisation that has sent an application for a product certificate. The applicant may be the manufacturer, importer, supplier or any other organisation that, when necessary, based on agreements is in charge of the product quality.

Product group specific rules are a requirement document drawn up by Inspecta for a certain product group completing other requirement documents such as standards.

A product certificate is proof of compliance of a product and its quality assurance with certain requirements. The product certificate entitles the use of a certification mark unless otherwise stated in the appendices of these rules or product group rules.

A product certification mark is a mark of the certification body or the certification scheme used to show that a product is certified.

A requirement document is a public document applied in a similar way to all certificate applicants and holders, stating the requirements set for the product in question as well as for its production. The requirement document is generally a standard, other norm, authority regulation or a product group specific rule.

A producer is the manufacturer of the product or service.

3 Product groups and rules for product groups

Rules for product groups complete standards, authority instructions and regulations, these general rules and other applicable rules. All these requirement documents present the minimum requirements of product certification for the product group concerned.

The type of product certification is described in the product group rules or other requirement documents.

It is possible to add new product groups to product certification procedure. This may be done when there is a clear, recognized customer need for this and when general, public requirements exist or can be drawn up for the product group concerned.

The product groups included in Inspecta's product certification procedure can be found at Inspecta's web site: www.inspecta.fi.

4 Product certification procedure

4.1 Informing the applicant

Prior to sending the application or at the latest as soon as it's been sent, the prerequisites for certifying the product and its quality assurance are clarified with the applicant.

Informing the applicant can be carried out as a preliminary inspection visit.

4.2 Application

Product certification is applied for by sending an application form to Inspecta. The applicant commits himself to observing the rules of requirement documents and Inspecta by signing the application.

If the applicant is not the producer of the product, the applicant and the producer have to agree in writing on the producer's responsibilities brought on by product certification. This agreement shall also include the producer's approval for Inspecta to inspect the production and quality assurance/control at the production place. It is the responsibility of the certificate applicant/holder to make the producer aware of all requirements set for the producer by the certification procedure. The reports of the product's quality assurance must, as a rule, be available during the inspection visits to the certificate holder's premises.

4.3 Preliminary inspection and type testing

A preliminary inspection is carried out at the production and storage place stating the conformance of the producer's activity and products. A report stating the observed non-conformities to be corrected is drawn up of this inspection.

Inspecta is in charge for sampling and having the samples tested at an approved, qualified testing laboratory in the case of product certification applying to a product.

In preliminary inspection, also the type and preliminary testing that are responsibilities of the certificate holder are inspected.

4.4 Certification decision and product certificate

Inspecta makes the certification decision having stated conformance of the product and its quality assurance with all requirements of requirement documents. The product certificate is drawn up based on the certification decision.

The certification decision is generally site-specific. For product groups with unclear definitions for a production site, more specific ones shall be presented in the product group specific requirement documents.

An initial inspection carried out no longer than a year before and test results not older than two years are generally accepted as basis for certification. The certificate has continuous validity as long as all requirements are met and the requirement documents are valid. The organisation may withdraw its certificate in writing with a three-month notice. Inspecta's withdrawal of a certificate is presented in clause 6.

The certificate entitles the use of certification mark. Certification also requires the use of the certification mark on products, product packages or in commercial documents accompanying the product in accordance with specific product group rules.

A product certificate is not transferable.

4.5. The maintenance of the certificate

The certificate is valid as long as the product and its quality assurance fulfill all requirements of certification and the requirement documents are valid. In order to verify this, Inspecta carries out regular inspection visits as well as inspects the test reports of the producer and test reports ordered by Inspecta.

Should the certificate holder use a subcontractor to produce certified products, Inspecta has the right to inspect also this production at the expense of the certificate holder. This right has to be registered on the contract between the certificate holder and the subcontractor.

If major non-conformities are found during inspection visits or in test results, an extra visit is carried out at the production place or the producer is asked to send additional reports showing that corrective actions or retests have been carried out.

A non-conformity is considered major if it clearly endangers product quality considering the use of the product. A non-conformity that has not been corrected during the given time limit is also generally considered major. Other non-conformities to requirements are considered minor.

Correction of a minor non-conformity is stated at the next following inspection visit or the producer is given a due date for correcting the non-conformity. If no corrective actions have been taken or they are inadequate, the inspector must consider registering a major non-conformity due to negligence.

The frequency of inspection visits is presented in each separate product group rules or requirement documents. The results of the inspection visits may have effect on inspection frequency.

Should the production of certified products cease for a longer period of time, the certificate holder shall inform Inspecta about it. It is possible to reduce the number of inspection visits because of the interruption in production. However, during a long interruption an inspection visit is carried out however at least every two years to ensure the validity of the prerequisites for production. The certificate holder shall inform Inspecta of the restart of the production so that Inspecta can carry out an inspection visit and take care of other duties of certification.

An inspection visit may be carried out without an advance notice.

Inspecta has the right to take extra samples at the factory or from the market for testing or carry out an additional inspection visit, if there is a reason to suspect that product quality has been endangered, for example on basis of complaints from customers or authorities.

5 Use of certification mark

Having been granted a product certificate, the certificate holder has the right to use the product certification mark showing that the product is certified.

The right to use the certification mark is always based on Inspecta's certification decision only concerning products included in the product certificate. Inspecta controls/supervises the right to use the mark in the product and in its marketing. In CE marking the EU Construction Products Regulation has its own regulations regarding the use and control over the CE-mark.

The certification mark may only be used on certified products fulfilling the requirements set in the requirement documents as well as the requirements of the certification decision. The mark is attached directly on the product, product package, a tag attached on the product or on commercial document accompanying the product – mainly in this order. The requirement documents present the information that is required to be shown with the mark. The identification sign of the certificate holder shall be on all marked products.

The mark shall be attached in an easily detectable position when starting to use the product considering storage, transportation and other corresponding handling of product.

The certification mark may be used in the marketing of the product. Use of the mark may not cause misunderstanding about the scope and meaning of the certificate. If the mark is used contrary to the rules, Inspecta may, in addition to withdrawing the certificate, take legal actions.

6 Withdrawal of a certification decision

Inspecta may withdraw a certificate either permanently or suspend it if:

- major non-conformities are found during inspection
- based on test results, the product does not fulfil requirements
- the certification mark has not been used in accordance with the certification decision or requirement documents
- the certificate holder gives in bad faith wrong information to Inspecta, its customers or authorities about matters relating to the certificate.
- the requirement documents for the certification expires (see paragraph 7)

Inspecta normally suspends the certificate should it deem that the certificate holder is able to carry out sufficiently effective corrective actions during the given time limit. If the product and production are proven to fulfil requirements within the given time limit, the certificate remains valid.

Inspecta can withdraw the certification decision permanently if

- a product defect is not corrected in due course.
- certified organisation uses the certification mark on an uncertified product.
- organisation seriously violates the conditions on which the product certificate is based
- organisation goes bankrupt or into liquidation
- organisation totally discontinues the manufacture/delivery of the products concerned
- organisation stops manufacturing or delivering the certified products
- organisation fails to fulfil other responsibilities listed in clause 9.

Prior to the withdrawal of a certification decision Inspecta may give a notice to, or warn the certificate holder.

During suspension or withdrawal the company has no right to use the certification mark on suspended/withdrawn products. The company shall immediately stop marketing these products. Should Inspecta so require, the manufacturer shall remove the certification marks from all products in the manufacturer or supplier's stock or from products already on the market or call back the products from the market.

Inspecta has the right to make decisions concerning withdrawals of product certificates public.

7 Changes in requirement documents

Inspecta may, when needed, make amendments to these rules and product group rules. Also the organisation publishing the requirement documents may change its documents. Amendments can be caused by e.g. the following matters: international guidelines for certification bodies, accreditation requirements, changes in standards and other product requirements for product groups.

The transition period for new requirements is usually six months during which the old requirements are valid.

The fulfillment of the changed requirements is usually confirmed with an initial inspection concerning the

certificate holder. If all the requirements are fulfilled, Inspecta can make a new certification decision and a new certificate. If the new requirements are not fulfilled Inspecta can withdraw the certificate when its original validity expires.

8 Certification committee and technical expert groups

The certification committee is a body nominated by Inspecta to act as the administrative body of certification. The certification committee contributes to the verification of the independence of the certification activity and the operational rules list the tasks of the Committee more in detail.

When necessary, it is possible to set up a separate technical committee for certain fields of business to take care of some part of the tasks of the Certification Committee according to the technical committee's operational rules.

9 Terms of agreement

9.1. Responsibility of the certificate holder

The certificate holder

- is responsible for the product and its quality assurance continuously fulfilling the requirements set in the requirement documents concerned
- uses the certificate mark according to clause 5
- may not use the certification mark nor refer to product certification in a misleading way and shall stop such use of or reference to the certification mark or certification that is not acceptable according to Inspecta's written notice
- shall stop referring to certification and using certification mark in case of certificate withdrawal
- ensures the free access of Inspecta's representatives to inspect a production plant, production, stock, quality assurance system of production as well as certified and marked products and use of certification mark in the extent of product certification
- keeps a register of reclamations concerning certified products and corrective actions rising thereof
- can, for justified reasons, deny access to trade secrets or other secret information if the compliance with the requirements can otherwise be proved
- informs Inspecta in writing of changes that may have an effect on the scope of a product certificate or its validity as well as about changes in personnel in charge. Inspecta considers the actions needed concerning the validity of a certificate case by case
- shall notify Inspecta immediately of any disruptions or other problems essentially endangering the product quality and immediately begin correcting the problem and trying to eliminate its effects (withdrawal of certificate, clause 6)
- shall, on Inspecta's request, inform customers and authorities about non-conformities found in products in addition to communication required by legislation
- pays Inspecta according to the approved basis of payment (see clause 12)
- ensures that Inspecta is indemnified for any financial or other claims for compensation concerning damage caused to a third party by the certified organisation, its management system and/or the production methods used by the organisation or products/services manufactured or sold by the organisation. The duties and responsibilities of Inspecta are defined in detail in clause 9.2 of these rules. Should Inspecta directly or indirectly become subject to a claim for compensation or other corresponding financial claim or should there be any possibility for this, the certified organisation is under obligation to inform Inspecta immediately and at its own expense handle the necessary reconciliation negotiations and other possible measures and to defend Inspecta against eventual law suits. The certificate holder is responsible for settling the claims ordered for Inspecta by the legal court.

9.2. Duties and responsibilities of Inspecta

Inspecta

- attends to the tasks presented in these regulations
- maintains the confidentiality of all information concerning an organisation except for the information presented in clause 14
- handles received complaints regarding a certified product
- is responsible for any direct damage to a certificate holder caused by intentional and wilful mistakes or

- negligences by Inspecta. Inspecta's compensation responsibility is, however, at highest the amount Inspecta charges from the applicant or certificate holder for the certification procedure
- is not responsible for any indirect damages
 - is not responsible for delays or losses brought on by climate, strikes, natural disasters or other force majeure causes
 - is not liable for a third party, e.g. the customer or authorities, not acknowledging, or only partly acknowledging, the certificate
 - cannot be held liable for mistakes made by the certificate holder, nor is it responsible for the faultlessness of the production methods, products or services manufactured or sold by the certificate holder.

Inspecta is in no circumstances responsible for damages caused by such flaws to the certificate holder or a third party.

Inspecta shall grant a product certificate to an applicant organisation whose products fulfil all requirements presented in these rules, product group rules as well as standards. The applicant shall not have outstanding invoices to Inspecta concerning previously granted certificates.

Inspecta has the right to use competent suppliers who are under the same obligations to withhold confidential information and other requirements as Inspecta's own personnel. The supplier shall have the customer's acceptance.

Inspecta has the right, when necessary, to ask for expert comments prior to making a certification decision.

10 Appeal procedure

Should an organisation wish to appeal against a decision on certification, it must dispatch its written appeal to Inspecta within 14 days of receiving the decision.

The certification committee nominates an impartial, qualified Appeals Board comprising a chairman and two other members for each individual complaint.

The appeals board will hold a meeting without delay after receiving an appeal and inform the appellant of the date and place of the meeting with the composition of the appeals board at least seven (7) days in advance.

Inspecta's decision remains in force until the appeals board meeting convenes. At this meeting, both the organisation registering the appeal as well as a representative of Inspecta are heard in confidence. A majority decision made by the appeals board is final. If it is contrary to Inspecta's original decision, the re-inspection and re-assessment will be conducted at Inspecta's cost.

11 Disputes

Should disputes not otherwise be settled, they are settled at the local court of Helsinki.

12 Fees

Inspecta charges certification and inspection fees according to annually approved basis of payment, which are sent to customers. In addition to these fees, the certificate applicant/holder shall pay for any actions relating to certification, such as different testing, contracted to Inspecta's suppliers.

13 Publicity

After the issue of a certificate the organisation's contact information as well as information on certificates is public. Inspecta holds a register of certificate holders and certified products, the registers are maintained on Inspecta's web site (www.inspecta.fi) and are also available from Inspecta.

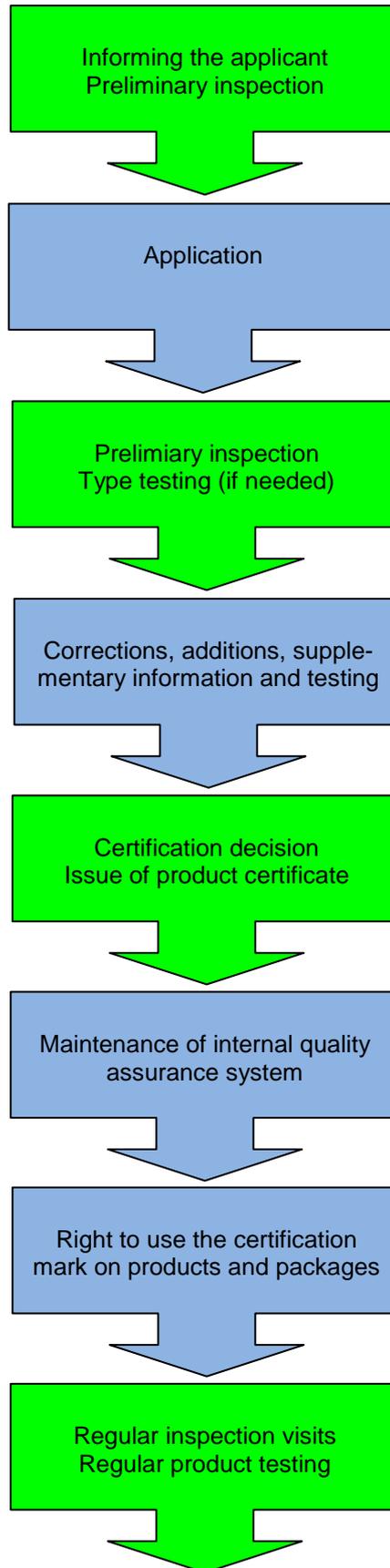
Product groups included in product certification are also presented at Inspecta's web site: www.inspecta.fi. Information about product groups governed by authorities is also found on these web sites.

Inspecta is entitled to give information to authorities for official use as well as to such bodies and other authorities that control the activities of Inspecta.

Based on these rules or product group rules, Inspecta may become obliged to inform the customers of a certificate holder and authorities in cases when the product quality is endangered.

APPENDICES

Liite 1
Chart of product certification procedure
Task of Inspecta
Task of certificate applicatn/holder



Annex 2

Product certification according to the Finnish legislation for the approval of certain construction products (Laki eräiden rakennustuotteiden tuotehyväksynnästä 954/2012)

The certification procedures are based on the legislation "Laki eräiden rakennustuotteiden tuotehyväksynnästä 954/2012". The manufacturer can be granted a certificate for "Tyypin hyväksyntä" (=Type approval), "Varmennustodistus" (=Certificate of conformity) or "Valmistuksen laadunvalvonta" (=Production's quality assurance)-certificate. These are national product certification procedures, where Inspecta verifies the compliance of a product's quality assurance with requirements. The Ministry of the Environment has approved Inspecta as a notification body under this legislation.

Tyypin hyväksyntä (type approval)-certificates are granted based on the regulation for type approval.

The requirement criteria for each specific product group are same for all the notification bodies approved by the Ministry of Environment.

The Ministry of the Environment is entitled to control the inspection activity as stated in the ministry's approval decision concerning Inspecta.

Exceptions or additions to clauses of the general rules**9 The responsibilities of the certificate holder**

The scope of the inspection can be justified in the product group specific rules.

The "Tyypin hyväksyntä" (type approval)-mark is presented in the regulation of the Ministry of Environment: "Ympäristöministeriön asetus eräiden rakennustuotteiden tuotehyväksynnästä"

Other certification marks are presented below

**Paragraphs 10 Appeal procedure and 11 Disputes:**

The appeal for the decision based on the application of "Tyypin hyväksyntä" (=Type approval), "Varmennustodistus" (=Certificate of conformity) or "Valmistuksen laadunvalvonta" (=Production's quality assurance)-certificate can be done as said in the governmental legislation (Hallintolaki 434/2003).

Adjustment to the decision may be appealed to the administrative court (hallinto-oikeus) as said in the legislation (hallintolain käyttölaki 586/1996). The administrative court's decision may be appealed only if the Supreme Administrative Court grants the right to appeal.

Instructions regarding the appeals are given to the applicant with the decision.

Annex 3 CE-marking

The CE marking of construction products is a European product certification procedure, where Inspecta verifies the conformity of products and/or the quality assurance of products.

Inspecta is a certification and inspection body **notified** by a competent authority according to the construction product regulation (305/2011).

Inspecta acts as a verification body when a product has been assigned a **conformity** class (so called AVCP class) 1+, 1 or 2+. Inspecta's tasks in these classes are:

Inspectan tehtävät näissä luokissa ovat seuraavat:

- 2+ Preliminary inspection of the production plant and of the quality assurance of the product and continuous inspection, assessment and approval (certification) of the quality assurance of the product
- 1 In addition to the previous matters, type testing of the product
- 1+ In addition to the previous, testing of samples taken from the plant, market or place of construction

Exceptions or additions to clauses in General Rules:

2 Terms and definitions

In AVCP-classes 1 and 1+ the product certificate is called "Certificate of constancy of performance.

In AVCP-class 2+ the product certificate is called "Certificate of conformity of the factory production control".

5 The use of the CE-mark

The market surveillance authority controls and monitors the correct usage of CE-mark in products and in the marketing of products.

The manufacturer attaches the CE-mark and is responsible for the accuracy of the marking and the accompanying AVCP.

6 Withdrawal of product certificate, actions following major non-conformities

In addition to terms of withdrawal mentioned in clause 6, there may be separate terms for withdrawal in the product standards.

In CE marking the verification can be withdrawn also on the request of the authority responsible for the marketing inspection of construction products.

The withdrawals are announced to the marketing inspection authority.

Liite 4 Voluntary FI-marking

FI-mark is used in other than authority based certifications (CE-marking, certification of construction products under Finnish legislation. described in annex 2).

FI-mark:



Annex 5

PANK-approval

The PANK approval is an approval procedure of coat branch laboratories and testing organisations, where the management system of an organisation is verified and a right to carry out approved testing according to PANK methods or SFS-EN standards, is granted.

Inspecta acts as an assessment and approval body in the PANK approval. The activity is based on an agreement with PANK ry and Inspecta.

Exceptions or additions to clauses in the General Rules

4.4 Certification decision and product certificate

PANK ry is a laboratory committee, which acts as a technical committee for PANK approval and makes a decision on the approval of a laboratory (= makes a certification decision).

5 Use of certification mark

An approved organisation is entitled to use the sign "**PANK approved test organisation**".

6 Withdrawal of certification decision

The PANK approval can be withdrawn by a decision of PANK ry laboratory committee.