

## ABC-EU Directives

### General Terms for Conformity Assessment of Products, Processes and Services

6<sup>th</sup> edition – January 2019

(Supersedes ABC-EU Directives, 5<sup>th</sup>. edition June 2018)

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#### 1. Introduction and Basis for Product Certificates

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

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

On our homepage [www.forcecertification.com](http://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 to 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 EU, importer, owner and the installation contractor;
- **certificate** is used as collective term for e.g. EC-type examination certificate, conformity assessment certificate, inspection reports;
- **certification** is used as collective term for the conformity assessment process of a certification, verification or inspection;

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

Table 1:

Acronym	Directive No.	Directives and Regulations
EMC	2014/30/EU	DIRECTIVE 2014/30/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 26 February 2014 on the harmonisation of the laws of the Member States relating to electromagnetic compatibility
MarED	2014/90/EU	DIRECTIVE 2014/90/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 23 July 2014 on marine equipment and repealing Council Directive 96/98/EC
MID	2014/32/EU	SIK 544 dated 28/05/18: Act regarding making available on the market of measuring instruments
NAWI	2014/31/EU	SIK 1381/16: DIRECTIVE 2014/31/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of non-automatic weighing instruments
PED	2014/68/EU	AT 190/2015: DIRECTIVE 2014/68/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 15 May 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of pressure equipment
PPE	89/686/EØF  (EU)2016/425	AT 683/13: DWEA Act No. 683 of 10 <sup>th</sup> June 2013 regarding arrangement etc. of personnel protective equipment  REGULATION (EU) 2016/425 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 9 March 2016 on personal protective equipment and repealing Council Directive 89/686/EEC <sup>1</sup>
RED	2014/53/EU	DIRECTIVE 2014/53/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 16 April 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment and repealing Directive 1999/5/EC
SPVD	2014/29/EU	Act 1304/15: DWEA* Act No. 1304/15 of 23 <sup>rd</sup> November 2015 regarding arrangement etc. of simple pressure vessels
TPED	2010/35/EU	Act 685/13: DIRECTIVE 2010/35/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 16 June 2010 on transportable pressure equipment and repealing Council Directives 76/767/EEC, 84/525/EEC,
EMC	2014/30/EU	DIRECTIVE 2014/30/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 26 February 2014 on the harmonisation of the laws of the Member States relating to electromagnetic compatibility

1. Accreditation and notification in progress

AT: Danish Working Environment Authority

SIK: Danish Safety Technology Authority

The Quality modules D, D1, E, E1, H, H1 are performed according to ABC-SYS, General terms for management systems.

## 2. General

Issued and valid certificates are the property of FORCE Certification A/S.

It is not permitted to apply for a EC-Type Examination from more than one Notified 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 other Notified Bodies
- give our examiners and inspectors from FORCE Certification A/S access to the products and the production, including (if relevant) access to equipment, facilities, personnel and subcontractors
- forwarding all technical documentation regarding the product as described in the directive
- 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** (This paragraph is not applicable for PED, TPED and SPVD Directives)

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 FORCE Certification A/S

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 FORCE Certification A/S of any modification to the design of the product that may affect compliance with a FORCE Certification A/S issued EC-type examination certificate.

Modifications 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
- the product or the production method
- production places
- essential modification of the management system (quality)

Concerning modifications FORCE Certification A/S 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 is necessary.

#### **6. Rules for Communication concerning the Certification**

At any communication concerning the certification of the customer the customer must make sure that:

- FORCE Certification A/S'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 activities beyond the scope of the certification
- the certification will not be used in such a way that could bring discredit on FORCE Certification A/S 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 FORCE Certification A/S's permission in writing
- all documentation or communication, which refers to the certification is to be stopped immediately if the certification is suspended, withdrawn or the scope is reduced

#### **7. Rules for use of the Certification Mark**

DANAK's accreditation mark must not be used on certified products or on any kind of material (incl. electronic/digital material) prepared by the manufacturer.

Any application of FORCE Certification A/S's certification mark (our logo incl. certification scope) requires an agreement in writing with FORCE Certification A/S. For application of use of marks the following minimum rules apply:

- 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 that the certificate covers
- the mark may only be used in a manner which promotes the company's certified product
- the mark must not discredit the certification attained
- all use of the logo must stop immediately at the expiry of the period of validity of the certificate
- all use of the mark referring to the certificate is ceased immediately if the certification is suspended, withdrawn or cancelled

## 8. Use of FORCE Certification A/S's Identification Number "0200"

Use/marketing of FORCE Certification A/S's identification number (0200) requires a written agreement for each product type.

The identification number shall be affixed after the mark of conformity, (e.g. "CE 0200"), according to the requirements in the relevant Directive.

If FORCE Certification A/S assesses that the product cannot fulfil the requirements of the Directive, FORCE Certification A/S may cancel or suspend the agreement- please see chapter 9.

## 9. Withdrawal, suspension and cancelling of certificates or agreements

Should the manufacturer decide, that he no longer can or will maintain the certificate, FORCE Certification A/S will cancel the certificate after having given written notification according to the conformity assessment agreement.

FORCE Certification A/S 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 our Notified Body identification number 0200

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 on FORCE Certification A/S or violates the certification agreement

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

FORCE Certification A/S will make public any such certificate suspension, withdrawal or cancellation in the manner that FORCE Certification A/S finds most relevant in the case in question.

Immediately after the announcement of withdrawal, the certificate is no longer valid and the manufacturer must return the certificate to FORCE Certification A/S.

Immediately after the announcement to cancel the agreement about using our identification number, the manufacturer shall suspend all marketing (sale) of the product(s) with our Notified Body identification number affixed.

## 10. Confidentiality

FORCE Certification A/S 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. FORCE Certification A/S has taken measures to ensure that confidential information is not accessible to unauthorised persons.

FORCE Certification A/S is under an obligation upon request to supply DANAK with all necessary information for use with its surveillance of our notification or accreditation. FORCE Certification A/S is under an obligation to receive surveillance visits by DANAK, and the manufacturer must accept that such a surveillance visit can include the conformity assessments activities at the manufacturer's premises.

### *Provisions related to GDPR*

FORCE Certification A/S does not require general access to company registrations including registered personal data, and access to sensitive personal data must be cut off. FORCE Certification A/S will not select or extract personal data from the company's registrations.

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

## 11. Appeals and complaints

An appeal against a decision made by FORCE Certification A/S shall be addressed in writing to FORCE Certification A/S within 4 weeks after the manufacturer has received the decision.

A complaint against FORCE Certification A/S's activities in connection with the certification shall be addressed in writing and be received by FORCE Certification A/S within 4 weeks after the issue date of the certificate.

A complaint against FORCE Certification A/S as a Notified Body can always be submitted directly to the appointing authority.

Information on contact and procedure for appeals and complaints appears from [www.forcecertification.com](http://www.forcecertification.com).

## 12. Publication

FORCE Certification A/S undertakes to publish an up-to-date list with the following information about the registered certificate holders:

- number of certificate, 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

## 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 is maintained according to the conformity assessment requirements.

## 14. Special module requirements

### 14.1 Module A & C and unannounced surveillance

For product certification after module A1 and C1 or surveillance according to SPVD or PED FORCE Certification A/S shall witness the final verification through unannounced visits and if necessary take samples of the product for further testing. On request from FORCE Certification A/S the manufacturer shall give at least a 2 weeks notice of production plans.

### 14.2 Module B

EC-type examination certificates (module B) may have a limited validity according to the relevant directive, and may be prolonged in the event that the product specifications or construction are not changed.

### 14.3 Module F & G

To verify conformity with requirements FORCE Certification A/S shall witness the test of each product\* or each production unit according to the following verifications:

- product verification /final inspection (module F), and
- unit verification (module G)

\*) Depending on actual directive this can be performed according to a statistical approach.

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*Changes from 5<sup>th</sup> ed.:*

- *Table 1 updated with new act No. 544 for MID*

*Changes from 4<sup>th</sup> ed.:*

- *Provisions implemented in par. 10 regarding GDPR*

*Changes from 3<sup>rd</sup> ed.:*

- *SIK 313/16 updated to SIK 1382/16*
- *SIK 312/16 updated to SIK 1381/16*

*Changes from 2<sup>nd</sup> ed.:*

- *Dates of implementation for new directives are deleted from table 1*
- *EMD and RED are added*