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<b>Application for certification</b>
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Att. to certification body **OFI CERT**

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Company / Applicant:			
Contact person, E-Mail:			
Street, No.:			
ZIP Code, Place, Country:			
Telephone No.:		VAT-no.	

We apply for **certification**,

- ☐ for an **Attestation of constancy of performance (CE, Product certification, AVCP 1 or AVCP 1+)**  
☐ for an **Attestation of conformity for the factory production control CE (AVCP 2+)**  
☐ or the use of the **OFI CERT mark of conformity (no CE-marking possible)** based on a technical specification (**ZG ...**)

of the products mentioned below:

•
(attach data sheet or product overview and excerpt from the companies' registry and an excerpt from the companies register)

Production Site(s):	
Contact person, E-Mail:	
Street, No.:	
ZIP Code, Place, Country:	
Telephone No.:	

For the scope stated in the technical specification(s):

- ☐ EN  
☐ EAD/ETB  
☐ ZG technical specification of OFI CERT (no CE-marking possible)

Commissioning for the **initial inspection** or inspection of factory production control or external monitoring:

- ☐ OFI CERT, or  
☐ other therefor suitable certification body:

Institute/Certification body:	
Contact person:	

Commissioning for **type testing / initial testing** (only for product certification, AVCP 1, AVCP 1+ oder OFI CERT)

- ☐ Type test (Initial test) is carried out by the (**notified**) inspection body OFI  
☐ Type test(s) has/have been applied for at a (**notified**) inspection body  
☐ Initial testing is carried out by the OFI testing laboratory (for OFI CERT, certification basis technical specification ZG ...).

It is confirmed that **no** application has been made to any other certification body for the above certificate.

The following "Conditions for the issue of Certificates of Conformity and for the use of marks of conformity are acknowledged as binding together with the General Terms and Conditions (GTC), the current version of which can be downloaded from <http://www.ofi.at..>

Place, Date

Legally binding signature

<b>erstellt:</b> Datum und Unterschrift	W. Wimmer 2022-01-20	<b>geprüft:</b> Datum und Unterschrift	G. Jechlinger 2022-01-20	<b>freigegeben:</b> Datum und Unterschrift	C. Spindler 2022-01-31
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**Evaluation of the application for certification**  
**(to be completed by OFI CERT)**

Criteria	fulfilled		Remarks OFI CERT
	yes	no	
Application completely filled out?			
Information on the applicant sufficient?			
Certification is a routine service (see also entry for BMD order creation)			

Telephone log/protocol or other remarks of OFI CERT (if necessary)

Topic:	
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**Application (Certification request)**

is

- ☐ accepted
- ☐ declined (The applicant shall be informed in writing of the reasons)

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Ing. Mag.(FH) Günter JECHLINGER  
Head of the Certification Body OFI CERT

# **Conditions for the issue of conformity attestations and the use of conformity marks**

## **1 Purpose**

The Österreichisches Forschungsinstitut für Chemie und Technik (OFI) is an accredited certification-, testing- and inspection body for products and procedures (procedures are subsequently subsumed under the term „products“).

OFI has the competence, responsibility and impartiality to carry out attestations of conformity (subsequently “certificate”) in line with given rules for procedures and execution based on harmonized European standards and draft standards, European technical approvals respectively assessment documents or other technical specifications, which can be used as conformity-attestation in the regulated (e.g. CE) and voluntary (conformity mark e.g. OFI CERT, GRIS, ENplus) sector.

## **2 Issue of a Conformity Mark**

The issue of a certificate has to be applied for at the notified body OFI CERT. The procedure ends with the signing of a certification contract between the certificate holder and the notified body OFI CERT and the subsequent issue of the certificate on the basis of a positive report of the auditor being involved with the inspection of the factory production control (FPC) and if relevant the testing of the product (see article 9). Any necessary improvement suggested, e.g. within the framework of the inspection of the FPC, has to be implemented prior to the issue of the certificate (see article 10).

The right for using the conformity mark on the product, its package, or on commercial accompanying documents etc. is issued to the manufacturer, importer, trader, or his in the EC domiciled authorised agent (physical or legal entity) in form of certificate by the notified body OFI CERT. These persons are subsequently subsumed under the term „certificate holder“. Certificates and conformity marks remain after they had been issued remain in the ownership of the notified body OFI CERT.

The certificate holder may use the conformity mark only for marking the products listed and specified in the request for certification (product name from manufacturer, listing of the manufacturing plant, declaration of reference specifications and connected information such as classes, thickness range, sizes, density etc.).

## **3 Maintenance of the Authorisation to use the Conformity Mark**

The authorisation to use the conformity mark is granted for a given period which depends on the product certification system of the technical specification concerned.

If the product certification system provides an inspection of the FPC and / or the testing of samples taken from the plant or the open market at a given period, then the authorisation for using the conformity mark is prolonged in each case for one additional period (usually one year), on condition that there is a positive result to the inspection of the FPC and / or the testing of the above mentioned samples and that, if applicable, the improvements suggested have been implemented. If the product certification system does not provide for an inspection of the FPC and / or testing, then the authorisation to carry the conformity mark is valid for an unlimited period.

In order to carry out the inspection of the FPC and / or the testing of the samples taken at the plant, a certification contract has to be signed with the notified body OFI CERT. This contract defines the

rights and duties of the partners to the agreement (manufacturer, his authorised agent, auditor, testing laboratory, notified body), as well as the products submitted to the inspection, and, if applicable, evaluation plans which list the chronological sequence of the products to be tested / inspected or over a period of several years.

The certificate is renewed by the notified body OFI CERT on the basis of a positive report on the examination of the product (see article 9) and / or the inspection of the FPC. Any necessary improvements which have been suggested e.g. within the framework of inspection of the FPC, have to be implemented for the renewal of the certificate (article 10).

#### **4 Extension of Certification**

The certificate holder is obliged to report any extensions or changes in the product range (e.g. an additional dimension range and the like) verifiably early enough to the notified body OFI CERT, so that the additional examinations deemed necessary (see article 9.3) can be performed prior to the start of serial production.

#### **5 Suspension of Certification, Interruption of Certification**

The certificate holder is entitled to suspend the certification without stating a reason, by registered letter to the 31st of December of each year subject to three months' notice. In such a case the certification contract is suspended in such on the 31st of December of that year. Any products produced after the suspension may not be furnished with the conformity mark.

The certificate holder can additionally interrupt the inspection of the FPC in case there was no production since the last inspection. Before the certificate holder starts the production of certified products again, he is obligated to inform the notified body OFI CERT with a registered letter. The notified body OFI CERT is arranging the inspection of the FPC immediately.

#### **6 Termination of Certification**

A certificate and the right to use the conformity mark is terminated if

- a declared period of validity has expired;
- the certificate holder cancels the certificate by registered letter to the 31<sup>st</sup> of December subject to three months' notice;
- the certificate holder closes his business;
- credit protection procedures have been started in regard to the property of the certificate holder;
- the legal stipulations, the requirements of the accrediting body or the technical standards on which the certificate is based, change, unless the certificate holder shows within a fixed deadline in form of a re-inspection and / or re-test at his expense that the system is still state-of-the-art.

#### **7 Cancellation of Certification**

A certificate and the right to use a conformity mark can be withdrawn immediately – after the certificate holder has had an opportunity for comment – if

- shortcomings in the system or products, e.g. detected during the inspection of the FPC or during a review examination and the time limit set for the repair of these shortcomings by

corrective action has not been adhered to or essential conditions of the certified FPC and / or products are not (no longer) applicable;

- the certificate holder has made changes (or has arranged for changes to be made) to the certified version(s) of the product without the agreement of the notified body OFI CERT;
- the certificate holder marks another (similar) product in the same manner without the explicit approval of the notified body OFI CERT;
- circumstances arise which no longer agree with the conditions of the certification;
- the state-of-the-art which was the basis for the certificate changes (e.g. revision or new issue of standards), unless the certificate holder shows within a fixed period in form of a re-inspection at his expense that the FPC and / or the products conforms also to the new state-of-the-art;
- the conformity mark is used improperly;
- charges of the notified body OFI CERT or any other body being respectively auditor involved in the certification process instructed to the certificate holder are not paid completely in spite of a reminder.

## **8 Testing conditions**

The applicable technical specifications are to be used for the testing. For products which deviate from the stipulations of the applicable technical specifications, a request for certification can be addressed to the notified body OFI CERT. In such a case a certification document in the voluntary sector might be drafted.

## **9 Manner and Execution of Tests**

The inspection of the FPC or the testing of products is organized by the notified body OFI CERT by choosing an auditor respectively a notified and / or accredited testing body. The tests mentioned in articles 9.1. and 9.2 can consist of an inspection of the FPC, a spot sampling of test specimen and the subsequent testing of the products, depending on each product certification system.

The applicant has to provide the test objects. They are, if nothing else had been agreed in a written form, property of the notified body OFI CERT. In case of a series of products the notified body OFI CERT has to decide on the basis of the relevant standards on the components to be tested. If applicable, the evaluation plan or plan according to the European technical approval respectively assessment document enclosed in the inspection agreement has to be considered; this plan includes the chronology of the products to be tested / inspected annually over a period of a certain number of years (article 3).

Together with the products to be tested, the notified body OFI CERT is to receive a single copy of the testing documents or the European technical approval respectively assessment document prescribed in the testing directives either in German or English.

### **9.1 Initial Type-Test**

An initial type test is ordered by the future certificate holder is ordered with this request at the notified body OFI CERT mentioning the notified respectively accredited testing body executing the needed tests or performed by the manufacturer. It comprises all parts of the product range to be certified.

## **9.2 Audit Test**

In line with the requirements of the product certification system, an inspection is performed at the manufacturer's plant. The extent of the inspection to be performed is listed in the applicable harmonised European standard or the European technical approval respectively assessment document. The result of the inspection is documented and serves as the basis for the renewed issue of the certificate.

## **9.3 Supplementary Test**

Supplementary testing of a product certified by the notified body OFI CERT serves to determine the influence of changed or additional features on the effectiveness of the product respectively product range according to the harmonized technical specification. Those parts which are not influenced by these additional features need not be subjected to this test.

This supplementary test can comprise, according to the stipulations by the notified body OFI CERT, an inspection of the FPC, spot sampling of test samples and their subsequent testing.

## **9.4 Repeated Test**

In case of negative test results in the tests mentioned in articles 9.1, 9.2 and 9.3 a repeated test is permitted. If this repeated test has a positive conclusion, then the whole inspection is positive. If the repeated test does not achieve positive test results, then the incorrect production charge has to be excluded from use in the sense of the regulations concerned, and the certification procedures have to be stopped or the certificate will be cancelled by the notified body OFI CERT (article 7).

## **9.5 Construction & Design Test**

Construction and design testing is a special form of supplementary testing and has to take place, if there have been changes / extensions in a product with a conformity mark which have no impact at all or only very little effect on the function of this product. The decision whether a marking test is sufficient, is made by the notified body OFI CERT.

## **9.6 Review examination**

Information about the non-conformity of products evaluated by the notified body OFI CERT in regard to their conformity, will, if the information has reached the notified body OFI CERT, lead to a review examination. The costs for the review examination are covered by the holder of the certificate.

This examination can take place at the manufacturer, in the storehouse or also at a building site. The determination of non-conformity may lead to either suggestions for improvements (article 10) or to the cancellation of the certificate (article 7).

## **10 Management of Suggestions for Improvements**

The inspection of the FPC is performed based on an order by the notified body OFI CERT. After the inspection of the FPC, observations made during the inspection are documented.

Suggestions for improvements are assessed according to their influence on product quality, stability of production processes respectively, with a time limit set in regard to their implementation. The check on the implementation is performed by the notified body OFI CERT. In case of a failure to observe the time limits, the notified body OFI CERT is deciding on further actions.

In case of initial inspection for a future certificate, the failure to observe the time-limits, delayed implementation of the suggested improvements respectively, can lead to the non-issue of the certificate. In case suggested improvements are not implemented within the agreed time limit, the notified body OFI CERT sets an ultimate time limit of one month. After that ultimate time limit did pass procedure of certification ends and is rated as negative.

In case of surveillance– ongoing inspection of the FPC for the maintenance of the certificate - the failure to observe the time-limits, delayed implementation of the suggested improvements respectively, can lead to the termination (article 6) or cancellation (article 7) of the certificate and therefore to the termination of the right to use the conformity mark. In case suggested improvements are not implemented within the agreed time limit, the notified body OFI CERT sets an ultimate time limit depending on the classification of the observation. After that ultimate time limit did the certificate is withdrawn.

## **11 Procedure to Obtain the Right to Carry the Conformity Mark**

The notified body OFI CERT resolves on request the feasibility of a certification. The applicant for the certificate files subsequently an request in writing on a form "Request for Certification" provided by the notified body OFI CERT, thus also declaring consent to the existing terms and conditions (certification fees, etc.), recognises his rights and duties respectively.

After checking that all necessary information is given with the request, the notified body OFI CERT instructs an accepted, technically competent auditor for the inspection of the FPC and if applicable a recognised notified and / or accredited body for tests needed.

In case the applicant for the certificate holds a valid certificate issued by another notified body and wants OFI CERT to be the future notified body, OFI CERT issues the certificate only based on an inspection of the FPC executed by OFI CERT. In addition the validity of test reports issued by the manufacturer of - if needed - by a notified testing body are re-checked by OFI CERT.

After these activities the auditor and the testing body sends a report to the notified body OFI CERT, which includes observations during the inspection as well as their implementation.

The documents and reports submitted are checked both in regard to formal and technical requirements by the notified body OFI CERT 's vetoperson (technical) and the management of the notified body OFI CERT (formal). After a positive check-up the billing, the signing of the certification contract and the issue of the certificate follows. In case of a negative check-up a refusal with an explanatory statement in writing, and the billing follows. The right to carry the conformity mark applies only to those products mentioned on the notified body OFI CERT 's certificate.

## **12 Rights and Duties of the Certificate Holder**

The certificate holder has the right to

- use the certificate and the conformity mark on the product, its packaging and secondary packaging as well as on commercial accompanying documents etc. during the complete period of validity of the certificate;
- use the certificate and the conformity mark granted for promotional purposes;
- listing in an index regularly published by the notified body OFI CERT;
- information by the notified body OFI CERT on any changes of the regulations on which the certificate is based in order to arrange for a re-inspection and / or re-testing at his expense within a fixed period of time.

The manufacturer affirms that the serially manufactured products match the product tested. by attaching the conformity mark. The certificate holder may use the conformity mark only for marking those products listed and specified (product name from manufacturer, listing of the manufacturing plant, declaration of reference specifications and connected information such as classes, thickness range, sizes, density etc.) in the certificate of the notified body OFI CERT.

The certificate holder / manufacturer of the certified products is obliged to

- always meet the relevant requirements of the certification programme;
- make all necessary provisions for the realisation of future evaluations by the notified body OFI CERT, to provide the body concerned with all forms of records needed for the examination of the documentation;
- sign a contract with the notified body OFI CERT;
- implement any suggestions for improvements made within the framework of the inspection of the FPC in the agreed upon period of time;
- keep records on any complaints on certified products by third parties;
- disclose any changes in the execution or composition of a certified product intended for technical or commercial reasons to the notified body OFI CERT. The notified body OFI CERT decides on the manner of a perhaps necessary test (supplementary test, marking test);
- make sure that the certificate and the certification mark are only published in its entirety and are not used in an incorrect and / or deceptive manner;
- obtain the approval of OFI CERT before each publication of the attestation of conformity (e.g. brochures, homepage etc.);
- return, in case of a termination or cancellation of the certificate, the certificate and the certification mark, which are even after they had been issued to the certificate holder in possession of the notified body OFI CERT (article 2);



### **13 Publication and Information Obligations**

The granting of the certificate and the right to carry the conformity mark, its suspension and / or cancellation is published, stating also the certificate number, on the homepage of the notified body OFI CERT and – if needed– also in other publications. The notified body OFI CERT publishes also regularly a complete register of all valid certificates and certified products. The certificates issued by the notified body OFI CERT refer in regard to the validity to that listing on the homepage.

The notified body OFI CERT is obliged against the notifying authority to inform immediately and demonstrably on any refusal, restriction, suspension or withdrawal of certificates, which shall or had been issued under the Construction Product Regulation. This information is additionally distributed to other notified bodies, working in the same field.

Furthermore the notified body OFI CERT is required to submit information according to the assessment and verification of constancy of performance of the product to the market surveillance authorities of the member states and to other notified bodies.

### **14 Secrecy**

All persons and bodies occupied with the procedures of the certification process are sworn to secrecy.

### **15 Disputes**

Disputes in connection with the certification and / or the right to carry the conformity mark will be submitted for decision to the notified body OFI CERT arbitration board. A decision after having heard both parties is binding for both parties.

### **16 Transitory Provisions**

These conditions are valid starting with the 1<sup>st</sup> of November 2021 and are replacing those dated with 2<sup>nd</sup> of May 2019.