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# INTERNAL REGULATIONS

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PART 4  
CERTIFICATION

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**THE KEYMARK SYSTEM**

(Aussi disponible en français)  
(Auch in deutscher Fassung erhältlich)

**2006-8**

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## Foreword

Economic partners seeking to demonstrate the conformity of products to European standards adopted by CEN or CENELEC may, depending on the requirements from the market, use one of the following options: supplier's declaration of conformity, national certification or marking schemes, regional or international conformity assessment, if available.

They may also make use of the CEN/CENELEC European mark of conformity to European standards, hereafter referred to as the Keymark System. This voluntary European product certification system is operated by bodies empowered by CEN or CENELEC.

This mark was established in the context of the Council Resolution of 18 June 1992. The introduction of new European certification marks, which are different from the Keymark is to be discouraged by CEN and CENELEC.

The Keymark System is jointly governed by the CEN Certification Board (CCB) and the CENELEC Conformity Assessment Forum (CCAF). The CEN/CENELEC Certification Liaison Committee assures the overall co-ordination between CCB and CCAF.

For CEN and CENELEC, the rules for the Keymark System are composed of this CEN/CENELEC Internal Regulations Part 4 plus any additional relevant documents approved by CCB or by CCAF respectively.

## Internal Regulations — Part 4: Certification

### 1 Scope

- 1.1 The Keymark System is made available for certification bodies who wish to offer the Keymark to their clients as a means through which their clients can demonstrate compliance of their products with the relevant European standard(s), and who are prepared to implement the Keymark System.

This can be achieved

- either on the basis of a Keymark scheme developed by a European working group,
- or on the basis of one (or more) existing certification scheme(s) established for a specific product or specified products.

Both types of these certification schemes are called hereafter a Keymark scheme, in accordance with the definition mentioned hereafter.

- 1.2 The Keymark is granted after the satisfactory completion of a technical procedure, described in the rules for the relevant Keymark scheme, and comprising product conformity tests, manufacturer's quality system assessment for the related production line, production site inspection and surveillance.

- 1.3 The commonly agreed marks of conformity already in existence at the time of the introduction of this Keymark, may continue to exist if the organizations taking part in the related certification scheme so wish.

### 2 Terms and definitions

For the purposes of this Part 4 of the CEN/CENELEC Internal Regulations, the terms and definitions given in EN ISO/IEC 17000 *Conformity assessment – Vocabulary and general principles* apply.

Particular attention is drawn to the following terms, which should be applied as follows in the context of this Part 4:

#### 2.1 Certification system

rules, procedures and management for carrying out certification

#### 2.2 Certification scheme

certification system related to specified objects of certification, to which the same specified requirements, specific rules and procedures apply

#### 2.3 Keymark System

rules, procedures and management for carrying out certification related to products on the basis of European standards adopted by CEN or CENELEC

#### 2.4 Keymark scheme

the Keymark System related to specified objects of certification, to which the same specified requirements, specific rules and procedures apply

## 2.5 Supplier

organization or person that provides a product and that is responsible for ensuring that this product meets and continues to meet the requirements on which the certification is based

Note: In the CENELEC area the term supplier is restricted to the following definition of manufacturer: the person, company or body that is responsible for designing and manufacturing of a product in compliance with the requirements of the applicable European standard(s) with a view to placing it onto the market.

## 3 The Keymark

### 3.1 Meaning of the Keymark

The Keymark is a voluntary European third-party certification mark, demonstrating compliance of products with the requirements of the relevant European standard(s) as defined in clause 2.5 of the CEN/CENELEC Internal Regulations Part 2, applicable at the time of placing the products onto the market and listed by the Keymark scheme for the particular products.

### 3.2 Ownership of the Keymark

The certification trade mark is the equally shared property of:

- the European Committee for Standardization (CEN), registered office: 36 rue de Stassart, 1050 Brussels, Belgium and
- the European Committee for Electrotechnical Standardization (CENELEC), registered office: 35 rue de Stassart, 1050 Brussels, Belgium.

The Keymark is registered and legally protected by CEN/CENELEC. The Keymark is registered internationally and in individual countries where such registration is necessary to assure its protection.

### 3.3 Keymark scheme

The Keymark scheme specifies requirements for performing the process of granting to a supplier the licence to use the Keymark on its product.

The rules, established for each Keymark scheme in accordance with the provisions of this document, describe these requirements, defining the necessary details for the implementation of the rules of the Keymark System.

The empowerment to grant licences to use the Keymark is granted through separate documented decisions, respectively by CCB or CENELEC.

### 3.4 Keymark licence

After the satisfactory completion of the procedures described in the specific Keymark scheme rules to verify the compliance of the product with the requirements of the relevant European standard(s), a Keymark licence is issued to the supplier by the empowered certification body.

If a product comes within the scope of more than one European standard referred to by different Keymark schemes, the licence shall cover all the relevant requirements. Necessary co-ordination shall be undertaken to this effect.

### **3.5 Protection of the Keymark**

The use of the Keymark is authorized subject to compliance by the licensee with the Keymark System rules and the relevant specific Keymark scheme rules.

Only those suppliers holding a Keymark licence are authorized to affix the Keymark to their products and to use it in promotion.

Any infringement of the Keymark System rules and of any related Keymark scheme rules shall render the licensee liable to the actions referred to in clause 5.4.

### **3.6 Design of the Keymark**

A graphic representation of the Keymark logo is shown in the annex.

The Keymark shall in principle be affixed to the product itself by being engraved, pressed, moulded, printed or by any other method. If affixing to the product itself is not possible or practical, it shall be affixed to the product's package, the labelling, the instructions for use, or accompanying commercial documentation.

The Keymark shall be reproduced in the colours indicated in the annex. For practical reasons it may also be reproduced in outline form. The Keymark may be reproduced in any size, provided the proportions given in the annex have been respected and the Keymark remains clearly visible. Although the minimum size of the Keymark may vary depending on the way it is reproduced, dimension A of the Keymark as shown in the annex shall in no case be less than 3 mm.

The marking includes an identification code of the empowered certification body which has granted the Keymark. The allocation of this identification code is administered by CCB for CEN and by the members of the corresponding Keymark scheme(s) in the CENELEC area. The identification code must remain clearly legible.

Other marks used in conjunction with the Keymark shall not create confusion with it, nor shall they reduce its legibility and visibility.

### **3.7 Other marks**

The use of the Keymark does not prejudice the use of other certification marks on the product.

### **3.8 Validity of the right to use the Keymark**

The Keymark scheme shall contain provisions for the limitation of the validity period for the right to use the Keymark taking into account possible amendments or revisions of the European standard(s) or, in cases where the standards have not been modified during a defined period, to fix the rules for re-evaluation of the products. The period of validity shall be stated in the licence.

The authority to use the Keymark is conditional upon the supplier holding a Keymark licence.

The validity of the right to use the Keymark terminates automatically on the date of withdrawal of the European standard(s). The empowered certification bodies will inform the licensees involved about the termination of the Keymark licence.

## 4 Keymark scheme rules and requirements

### 4.1 General requirements for Keymark schemes

The Keymark scheme rules do not take precedence over the Keymark System rules. Their sole purpose is to complement the Keymark System rules by specifying the particular provisions in order to make individual schemes operational, and to ensure the technical harmony of all actions taken for the implementation.

A Keymark scheme shall cover conformity assessment issues corresponding to the third party certification system n° 5, as defined in ISO/IEC Guide 28 *General rules for a model third-party certification system for products*.

Keymark scheme rules shall include at least the following requirements:

- 4.1.1 The provision that the empowered certification bodies shall be located in CEN/CENELEC member countries or countries of CEN/CENELEC Affiliates.
- 4.1.2 The evidence of conformity of the product(s) with the requirements of the appropriate European standard(s) shall be based on type testing performed by a third-party testing laboratory.
- 4.1.3 The manufacturer shall operate a quality system covering the production line of the product for which the licence to use the Keymark is granted and which should be based on the quality standards which are at least of the level of the EN ISO 9000 series of standards.

In granting the licence, the empowered certification body shall take into account the existence of any quality system certificate issued by a certification body that is accredited by a member of the European co-operation for Accreditation (EA).

- 4.1.4 Periodic surveillance by the empowered certification body including testing of samples from the production line or from the market and surveillance of the manufacturer's quality system.
- 4.1.5 Bodies engaged in certification, testing and inspection shall fulfil the requirements of the relevant standards for their operation, e.g. EN 45000 series and EN ISO/IEC 17000 series of standards, as well as the additional requirements defined in the Keymark scheme rules (see 4.2).
- 4.1.6 The empowered certification bodies shall follow the requirements for the administration of the Keymark scheme as given in clause 4.4.

### 4.2 Specific requirements for Keymark schemes

The rules of a Keymark scheme shall include at least the following subjects:

- 4.2.1 Title
- 4.2.2 Definition of scope, including
  - products covered by the scheme
  - the list of European standards concerned.
- 4.2.3 Requirements and assessment procedures for bodies engaged in certification, testing and inspection taking part in the scheme.

**4.2.4** Specifications for the content of the supplier's application file (e.g. related to the product(s), its/their design, materials and the production process, the manufacturer's internal quality assessment and control system, including testing facilities, calibration, etc).

**4.2.5** Requirements for:

- selection and submission of type test samples for the purpose of granting the licence to use the Keymark;
- initial assessment of the manufacturing site, especially the quality system;
- surveillance (e.g. normal frequency of inspection and routine tests and nature of tests performed for surveillance). This section includes the normal period of validity of the licence;
- the quality system of the relevant production line under the responsibility of the manufacturer.

**4.2.6** Requirements for product marking with the Keymark

**4.2.7** The indication whether procedures such as "supervised manufacturers' testing" and/or "testing at manufacturers' premises" can be used and the specification of the rules for such procedures.

**4.2.8** The list of bodies as defined in clause 4.1.5 for the implementation of the scheme.

**4.2.9** The fees for the right to use the Keymark and the administrative application fees, taking into account the decision of CCB or CCAF.

### **4.3 Provisions covering special national conditions or A-deviations**

The rules of a Keymark scheme shall also include provisions on how the related scheme will deal with special national conditions and A-deviations, included in the relevant European standard(s).

If necessary, these provisions shall require the empowered certification bodies when granting the Keymark, to:

- include in the licence a clear indication of the European countries in which the product carrying the Keymark does not comply with the relevant special national conditions and A-deviations;
- ensure that the licensee will put on the product or its package, where this is not obvious to the consumers and users, the indication *Not for use in .... (list of countries)* for products which do not comply with the relevant special national conditions and A-deviations.

### **4.4 Administration of Keymark schemes**

CCB shall undertake the following actions with regard to the administration of the Keymark in relation with the empowered certification bodies. In the CENELEC area these actions shall be undertaken by the members of the corresponding Keymark scheme(s):

- 4.4.1 To ensure that all empowered certification bodies taking part in a Keymark scheme
- operate in accordance with the Keymark System rules and the rules of the related Keymark scheme;
  - operate in accordance with the relevant provisions of the standards referred to in clause 4.1.5;
  - maintain confidentiality in accordance with the relevant provisions of the standards referred to in clause 4.1.5 unless otherwise required to do so by law;
  - recognize and accept the validity of Keymark licences issued by other empowered certification bodies. This does not imply legal responsibility.
- 4.4.2 To maintain the rules dealing with all matters of principle for granting licences to use the Keymark and to monitor the maintenance of integrity and technical competence of the participating bodies.
- 4.4.3 To keep updated and available the list of European standards applied in the Keymark schemes.

## 5 The supplier

### 5.1 Application

A supplier who wishes to obtain the licence to use the Keymark, submits an application to the empowered certification body of its choice in respect of a Keymark scheme.

Upon request, the empowered certification body chosen by the supplier will provide appropriate information on the mode of operation of the given Keymark scheme, including details relating to testing, inspection and assessment procedures, and the related costs.

### 5.2 Fees

By applying for the licence to use the Keymark, the supplier also agrees to meet the following costs:

- fee for the right to use the Keymark (if granted)

The level of this fee, which is payable annually, is fixed by CEN or CENELEC, as owners of the mark.

- certification costs

These costs are related to the operations which are performed by the empowered certification body taking part in the Keymark scheme for the processing of the application, and later of the surveillance procedures.

- testing and inspection costs

These costs are related to the processing of the initial application and, where relevant, to further testing and inspections/assessments which may result from the implementation of the relevant Keymark scheme rules.

### 5.3 Rights and responsibilities

On receiving the Keymark licence, the supplier is granted the right to use the Keymark for the products specified on the licence. The Keymark licensee is responsible for the correct use of the Keymark.

The supplier has the right to use the Keymark and to give information on the Keymark in its sales and advertising documents. In all cases, the supplier shall take all necessary steps to ensure that no confusion can arise in these publications between certified and non-certified products.

A supplier wishing to extend a right to use the Keymark to additional types and models of the product, shall follow the corresponding Keymark scheme rules.

The supplier is obliged to inform the related empowered certification body of any modification made to the product or production process which may affect the compliance with the relevant European standard of the product for which the licence to use the Keymark has been granted. The empowered certification body will then decide whether these modifications affect the terms under which the licence was granted.

If the licence is affected, the empowered certification body may require special testing and/or inspections to be performed. In any case, the supplier shall not use the Keymark on the products concerned, until authority from the empowered certification body is obtained.

### 5.4 Complaints

The supplier of certified products shall:

- keep a record of all complaints relating to a product's compliance with requirements of the relevant European standard and make these records available to the empowered certification body when requested;
- take appropriate action in respect of such complaints and any deficiencies found in products or services that affect compliance with the requirements for certification;
- document the actions taken.

Any non-compliance on the part of the supplier in the application of the Keymark System rules or related Keymark scheme rules may result in one of the following actions:

- corrective action by the supplier within a specified period;
- suspension of the licence for the right to use the Keymark for a defined period until corrective action is taken;
- withdrawal of the licence for the right to use the Keymark.

### 5.5 Appeal procedures

#### 5.5.1 Appeal to an empowered certification body

The supplier may lodge an appeal with the empowered certification body to whom it addressed an application for the right to use the Keymark. The empowered certification body maintains its own appeal procedure, in accordance with the principles laid down in the relevant standard referred to in clause 4.1.5.

The appeal does not suspend the decision against which it is made.

Appeals can only be related to the certification process carried out by the empowered certification body or under its responsibility.

An appeal should be lodged, by registered letter, to the empowered certification body within one month of the formal notification of the contested decision. The empowered certification body shall formally give its answer within one month of receipt of the appeal.

If necessary, the empowered certification body may request that a meeting is arranged with the other organizations taking part in the Keymark scheme in order to examine an appeal case.

### **5.5.2 Appeal to CCB/CENELEC**

Suppliers may lodge an appeal directly with CCB or with CENELEC in the following cases:

- where an appeal is rejected or in case of lack of response by the empowered certification body;
- if the appeal is in respect of the interpretation of the principles of the Keymark System rules.

The appeal procedure does not suspend the decision against which it is made. It shall be notified to the Secretary General of CEN or the Chairman of the Keymark scheme in the CENELEC area by registered letter, within one month of the formal notification of the contested decision.

## **6 CEN and CENELEC**

### **6.1 Responsibilities**

Within CEN and CENELEC respectively, the CEN Certification Board (CCB) and the Keymark scheme(s) in the CENELEC area are responsible, each in their own field, for the overall administration of the Keymark System. Their functions shall be defined in separate documents agreed respectively by the CCB members for the CEN area, and by the CENELEC members and the members of the Keymark scheme(s) in the CENELEC area, containing inter alia the necessary provisions discharging CENELEC and its members of any legal responsibilities regarding the use of the Keymark.

### **6.2 CEN/CENELEC Certification Liaison Committee**

The overall co-ordination between CEN and CENELEC with regard to the Keymark is assured by the CEN/CENELEC Certification Liaison Committee composed of:

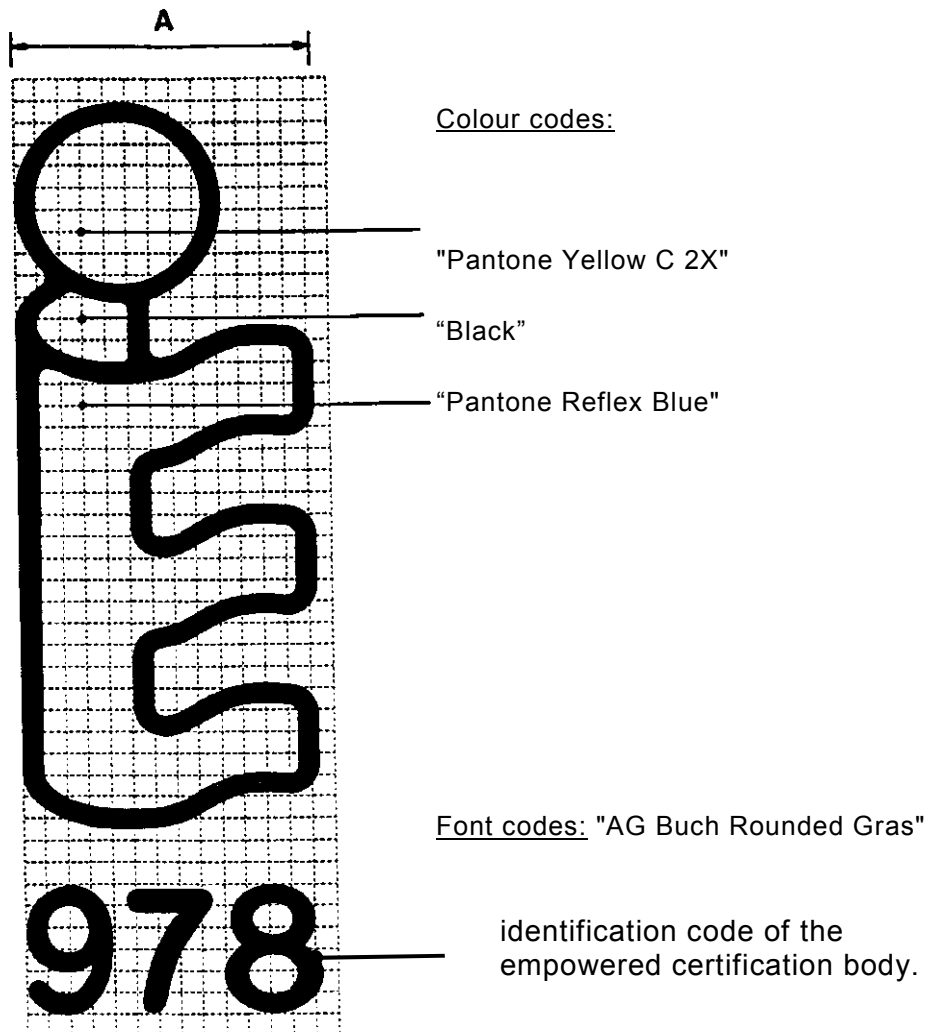
- the Chairmen and Secretaries of CCB and CCAF;
- the Secretary General of CEN and the Director General of CENELEC;
- the Chairman of the Keymark scheme(s) in the CENELEC area;
- at least one representative of CCB.

It shall resolve any differing interpretations concerning the administration of the Keymark System and shall submit the proposed solutions for approval to CCB and CCAF.

## Annex A

### Design of the Keymark

Graphic representation of the Keymark logo



**Note:** The drawing of this annex is indicative. For the purpose of the representation of the Keymark, the definitive artwork can be obtained from the CEN Management Centre or the CENELEC Central Secretariat or from the empowered certification bodies.

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