CE MARKING CERTIFICATION RULES

APPLICATION OF CONSTRUCTION PRODUCTS REGULATION 305/2011

LEVEL 1+, 1 AND 2+ SYSTEMS

Accreditation n° 5-0540
Scope available on
www.cofrac.fr

CERTIFICATION BODY

- **EFECTIS France**
  Route de l'Orme des Merisiers
  Espace technologique
  F-91193 SAINT-AUBIN
  Tel: +33 (0)1 60 13 83 80
  Fax: +33 (0)1 60 13 70 80
  E-mail: certification@efectis.com

- Efectis France ID nr: 1812

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Follow-up of the modifications:

Date	*Revision*	*Main modifications*
08/04/2022	J	Addition of the surveillance inspections of the Distributors (frequency 3 years)

CONTENTS

1. ABBREVIATIONS AND INITIALS USED

CLIENT	Generic term used for the applicant, holder, etc. of an CE certificate, or for the manufacturer, dealer, agent, etc. of the product. When necessary for a good understanding of the text, these words are retained.
CoRe	Recourse Committee
CoSur	Surveillance Committee boards of Efectis France
CPR	Construction Products Regulation
EAD	European Assessment Document
CE Certificate	Certificate of Constancy of Performance according to CPR for system 1 and 1+ or Certificate of Conformity of the Factory Production Control for system 2+
EEA	European Economic Area
EEC	European Economic Community
EFTA	European Free Trade Association
ETAG	European Technical Approval Guideline
EU	European Union
FPC	Factory Production Control
GNB-CPR	European Group of Coordination of Notified Bodies for the Construction Product Regulation
ITT	Type Testing
NA	Notifying Authority (Ministerial authority in charge of notifying French bodies for the application of the CPR)
NANDO	New Approach Notified and Designated Organisations
NPD	No Performance Determined
Rules	These CE marking certification Rules (DAP 08)
Site	Site, unit or line (for production, manufacture, consignment, storage, etc.)
Subcontractor	Subcontractor whose supply may have an influence on the declared characteristics of the product

2. FIELD OF APPLICATION

The Rules describe **the organisation set up by Efectis France to perform and manage the issuing of CE certificates for construction products**, under the levels 1+, 1 and 2+ constancy of performance systems, in accordance with Construction Products Regulation (CPR) 305/2011 of the EU.

For each family of construction products for which Efectis France is notified as a certification body, the requirements for Type testing and factory production control specified in the Technical Specification are the applicable rules.

In case of any inconsistency between these Rules and any legal or statutory provisions, the latter shall prevail.

3. APPLICABLE DOCUMENTS AND REQUIREMENTS

The products forming the object of these Rules shall comply with:

- Construction Products Regulation 305/2011 published on April 4th, 2011, in the Official Journal of the European Communities
- The Technical Specifications (harmonized standard or European Assessment Document) for the product under consideration and published in the Official Journal of the European Union
- Decree 2012-1489 of December 27th, 2012, regarding the execution of regulation (EU) 305/2011 of the European Parliament and Council establishing harmonized marketing conditions for construction products and abrogating directive 89/106/CEE of the Council
- The guidance documents from GNB-CPR (Position paper, guidance base, Guidance document) applicable for each product family of concern.

The issuance of a CE Certificate for a construction product is subject to the prior completion of the following operations:

- if necessary, and depending on the type of product: ITT (initial type testing: 1+ and 1 system)
- initial inspection of site and FPC
- inspections of site surveillance and FPC
- audit testing and verification of constancy of performance (1+)

as well as to the compliance of the results with the requirements defined in the applicable documents.

ANNEX B gives precise information relating to the application of the requirements applicable to the CE certification, in accordance with the technical specifications and the decisions of the Group of notified bodies.

4. BODIES INVOLVED IN THE CE CERTIFICATE

The main activities of Efectis France are as follows:

- testing, engineering and consultancy in the field of fire safety, most of all within the frame of its approvals by the French Home Secretary
- inspection of product certifications
- certification of products and services, in particular the CE marking of construction products

Efectis France is notified by the French State as a certification body under n° 1812 to perform tasks relating to the CE marking certification of constancy of performance in connection with the procedures provided for by Chapter VII and Annex V of the CPR and the delegated regulation (EU) N°568/2014.

In order to carry out the technical management assignments belonging to its certification activity, Efectis France relies on its Certification Department which performs the technical paperwork for the applications for CE certificates.

All the stakeholders in the CE marking certification of constancy of performance process for construction products are bound by professional confidentiality, and have pledged to ensure that confidentiality.

4.1. EFECTIS FRANCE – CERTIFICATION DEPARTMENT

The main assignments of the Certification department of Efectis France are as follows:

- providing the client with all the required explanations relating to the CE marking certification of constancy of performance
- processing the applicants' files for CE certifications of constancy of performance
- make the appropriate decisions concerning the applicants' files
- making sure the decisions taken are implemented
- processing follow-up files for certification of constancy of performance
- ensuring a follow-up of the CPR and evolution of CPR-related technical specifications, and informing clients of modifications with a potential impact on the performances covered by the certification
- developing relationships with the European notified certification bodies
- ensure communication with the NA within the CPR, and other authorities concerned with the CE certificate
- inform competent authorities about violations of the CE certificates issued by Efectis France
- improving the CE marking certification Rules, published by Efectis France.

On completion of these tasks, Efectis France may issue a CE certificate or not.
It takes the whole responsibility for this certificate.

In the context of its exchanges with the competent authorities, the Efectis France Certification Department is required by law to provide them with potentially confidential information. Where applicable, the Efectis France Certification Department will first inform the customer of the information that will be provided.

4.2. INSPECTION BODIES

The bodies which carry out the inspections shall be validated by the NA, according to the applicable conditions of the agreement between Efectis France and the NA.
In order to ensure the inspection assignments, Efectis France may rely on:

- the inspectors of Efectis France
- or, in well-defined cases, other inspection bodies (the list of the bodies validated by the NA is available on request)
- or, depending on the wishes expressed by the clients, any other inspection body.

Before the inspection, Efectis France shall inform the clients of the name of the body in charge of their inspection.

4.3. TEST LABORATORIES

The laboratory performing the initial type testing and the audit testing (1+ system only) shall be validated by the NA, according to the applicable conditions of the agreement between Efectis France and the NA. Their lists are available on demand to the Certification Direction of Efectis France.

Depending on the wishes expressed by its clients, Efectis France may rely on:

- the test laboratory of Efectis France
- or any laboratory approved in conformity with standard EN 17025 for the tests concerned
- or any laboratory notified within the CPR (horizontal notification published on the NANDO database) to carry out conformity tests according to the harmonized technical specifications for the product under consideration.

4.4. RESEARCH DEPARTMENTS

The research departments which carry out the calculations shall be validated by the NA, according to the applicable conditions of the agreement between Efectis France and the NA. Their lists are available on demand to the Certification Direction of Efectis France

- Depending on the wishes expressed by its clients, Efectis France may rely on:
- the research departments of Efectis France
- or any research department notified within the CPR, to carry out conformity calculations according to the technical specifications for the product under consideration.

4.5. RECOURSE COMMITTEE

The Recourse Committee (CoRe) is an authority in charge of deciding in the case of a Client's final Recourse about a decision relating to a CE marking certification of constancy of performance processed by Efectis France.
It consists of at least 1 member of each of the Surveillance Committee (CoSur) boards of Efectis France:

- board of experts
- board of users
- board of suppliers of CE marked products

so that none of the interests prevails.
Its members are selected for their competence in the field under consideration, and none of them may have taken a part in the assessment or in the certification decision forming the object of the Recourse. They shall keep the confidentiality bound to their function within the CoRe.

A representative of the executive staff of the Certification department of Efectis France is the Reporting Secretary of the CoRe.

5. APPLICATION FOR A CE CERTIFICATE BY THE CLIENT

Before filing in an application for a CE certificate, the client shall make sure that the product forming the object of the application, as well as his site(s) (including the subcontractors'), meet the conditions defined in these Rules as well as in the Technical Specification for the product under consideration.
He agrees to comply with these conditions during the whole use of the CE certificate.

The documents which should be included in his application for a CE certificate are listed in ANNEX A.

By filing in his application with Efectis France, the client implicitly agrees to comply with the following terms:

1. not filing in - for the product forming the object of the application - another simultaneous application for a CE certificate with another notified body
2. informing Efectis France certification management of any advice concerning the certified product, the quality management or internal audit system he has received from another Efectis France entity, an Efectis Group entity or an assessment subcontractor
3. constantly meeting the conditions specified in the Rules, and in the relevant technical specifications
4. conforming, without any restriction nor reservation, to the decisions made in application of the Rules, and of the relevant technical specifications in force at the date of the evaluation
5. making every effort to ensure the permanent constancy of performance of the product(s) in accordance with the relevant technical specifications, with the Rules in force at the date of the evaluation
6. asking for the explicit agreement of Efectis France before applying any modification relating to the certified product declaring to Efectis France any modification relating to the sites (including the subcontractors'), as well as to the Factory Production Control (FPC), likely to affect the constancy of performance of the product as concerns the requirements of the CE marking
7. declaring to Efectis France any modification relating to the name or the commercial reference of the product covered by a CE certificate issued by Efectis France
8. declaring to Efectis France any modification relating to the denomination or the commercial reference of the product concerned by a CE certificate delivered by Efectis France
9. carrying out the production controls incumbent upon him under the relevant technical specifications, and under the Rules of the product covered by a CE certificate
10. recording the results of the controls, submitting them on request (whether in French or in English),
11. make his manufacturing equipment, his documentation and his records (including claims concerning constancy of performance of products with the certification requirements) available and make easier the inspectors' task as part of their assignment, particularly by providing an interpreter when needed
12. make all arrangements necessary for the participation of any observers during initial or surveillance assessments
13. imperatively affixing the CE marking, unequivocally, on the products covered by a CE certificate, and on these products only, in the conditions specified in section 9 of these Rules
14. reproduce in their entirety the certification documents issued by Efectis France if these are provided to a third party
15. not mentioning his certification in a way likely to be detrimental to the reputation of Efectis France, and not making any statement about this certification that Efectis France would consider as non-authorized or likely to be misleading
16. in case of suspension of CE certificates, ceasing to affix the CE marking on the products under consideration and on the promotional documents
17. in case of withdrawal of CE certificates, ceasing to affix the CE marking on the products under consideration and on the promotional documents,
18. make all payments due under the Rules.

6. TAKING IN CERTIFICATION - TRANSFER REQUEST

When a manufacturer is willing to work with a new Notified Body, Efectis France can take its request under consideration as a transfer of certification.

The minimum requisites for Efectis France to consider accepting the request as a transfer of certification are:

- An on-going file with another Notified Body;
- The products under consideration have not been subject to a withdrawal or a suspension of certificate at the last surveillance evaluation;
- All the available documentation: Type test reports, inspection reports and proof that the action plan proposed in a case of non-conformity have been approved;
- A confirmation that the products have not been modified in a way that their declared performance may have been affected, since le last inspection.

Under the above conditions, the request for taking in the certification will be considered as a surveillance service. In those conditions, the type testing will be considered and may be subject of request for complementary testing. The first inspection performed by Efectis will be considered as a surveillance inspection but may be subject of a complementary inspection in regards of the deviation that could be observed.

The request for complementary testing and/or inspection will be subject to a detailed justification from Efectis France.

The reasons to refuse to take into account certain documents are, in order of consideration, the ones defined, when existing, in the following documents:

1. The CPR
2. The harmonized Technical specifications
3. The documents approved (position paper, guidance base) by the GNB CPR.

If none of the above conditions exist, the refusal rules to take in a request that apply are as follows:

- The Type-testing documents do not justify declared performance;
- The inspection documents provided contain critical deviations for which no action plan has been validated;
- The conditions of the current certification are not in accordance with the requirements of the CPR or the harmonized technical specification.

7. CONTROL PERFORMED BY PAR EFECTIS FRANCE ON THE PRODUCTS

7.1. TYPE TESTING

Definition of a range of products
A range is defined in accordance with the applicable Technical Specifications.

If the client manufactures **only one reference of the product (one size or one model)**, only one sample is tested. The CE certificate is delivered by Efectis France for this unique product.

If the client manufactures a **range of products**, the tested products are defined according to the Technical specification requirements or when applicable the documents issued by the GNB CPR

In the event that the evolution of the product is likely to modify its declared performance with respect to the harmonized technical specification, the holder of the CE Certificate places a request for a modification of the range and awaits the explicit agreement of Efectis France before placing any modified product on the market.

Definition of the Product type
Since the 1st of July 2013 the concept of **product type** has been introduced by the CPR and is defined as follow:
"product-type' means the set of representative performance levels or classes of a construction product, in relation to its essential characteristics, produced using a given combination of raw materials or other elements in a specific production process"
Definition of Product type is under manufacturer's responsibility.

Note: For the 2+ system, the Type Testing is under manufacturer's responsibility.

7.1.1. ITT

The type testing is performed by a laboratory in accordance with the requirements of the applicable Technical Specification for the product under consideration.

7.1.2. Principle, definition of range, choice of sample for test

The Type testing concerns each product or range of product.
The whole batch of test covers all the performances of the product or products from the range
The client informs Efectis France of the general principles for the constitution of a product range to be certified and provides a summary description of the products in a range according to the classification criteria.

According to the description of the ranges for which the client has applied for the CE Certificate, Efectis France sends him a list of the products to be tested.

According to the CPR requirements, Efectis is responsible for the sampling (under 1 and 1+ system) for the Type Testing.
The sampling can be performed by any third party independent from the manufacturer under the responsibility of the Certification Direction of Efectis France
If - prior to the application for certification - tests have already been carried out according to the applicable harmonized Technical specification, they can be taken into account by Efectis France provided that they satisfy all the requirements of the standard and any documents approved by the GNB-CPR.

7.1.3. Performing the type testing

The Type Testing is performed on the product or products of the range previously defined. It takes into account or evaluates the characteristics defined in the Technical Specification applicable to the product under consideration.

The Type Testing results are satisfactory if the requirements for the product or product range - for the declared intended - are met.

In the event of a non-conformity identified during the type testing, and after analysing the explanations provided by the client, Efectis France informs the client:
- how the non-conformities will be removed
- the additional controls that this removal implies for Efectis France
- the cost of this work.

7.1.4. Sharing or cascading Type testing (article 36 b and c of the CPR)

The type testing can be shared between several clients when they put on the market the same product.
It can also be tests performed by an "initial client" on behalf of a "final client".

This approach implies:

- That specific agreements for the use of Type testing results are in place between the "initial client" and the "final client" on their own initiative;
- that the conclusions of these agreements, duly signed by both parties, be attached to the application request for CE marking with Efectis France.

It gives rise to the issuance of a classification report by analogy from the testing laboratory.

The possible suspension or withdrawal of CE certificates from the "initial client" entails the suspension or withdrawal of the corresponding CE certificates for the other "Final client" associated with it.

The withdrawal of agreement for the use of Type Testing between the “initial client” and the “finale client” implies the withdrawal of the CE certificates for the “final client”

7.1.5. Performing the audit testing

The audit testing is performed on one or several products of the range according to the requirements defined in the harmonised technical specification applicable to the product.

The audit testing is satisfactory if the performance declared in the certificate of constancy of Performances is confirmed.

In the event of a non-conformity identified during the sample testing, and after analysing the explanations provided by the client, Efectis France informs the client:
- how the non-conformities will be removed
- the additional controls that this removal implies for Efectis France
- the cost of this work.

Failure to confirm performance following the audit testing may lead to suspension or withdrawal of the certificate(s) of constancy of performance.

7.2. INSPECTIONS

7.2.1. Initial inspection - Manufacturer

An initial inspection of the production site and of the FPC is performed during the processing of the first certification request.

When several production sites are concerned, the initial inspection covers each of the sites.
When relevant, it also covers any external or internal sub-contractors
The inspection of the means of design is always necessary.

Note:
The customer must provide evidence that provisions for controlling the means of production and maintaining the conformity of its products have been taken. The FPC system shall be in place for at least 2 months before the date of inspection and shall meet the requirements of the applicable Technical Specification for the product under consideration.
After issuance of the first CE certificate, surveillance inspections are performed with the periodicity defined by the applicable Technical Specification.

The minimum required content of the FPC is given in annex of the present certification rules and, depending on the products concerned, in the applicable technical specification.

7.2.2. Initial inspection - Distributor

An initial inspection of the production site and of the FPC is performed during the processing of the first certification request.

The distributor shall provide evidence that provisions for maintaining the conformity of its products have been taken. The FPC system shall be in place for at least 2 months before the date of inspection and shall meet the requirements of the applicable Technical Specification for the product under consideration.

Tasks concerning:
- the definition of the product,
- the validation and monitoring of suppliers,
- the detection and tracking of non-compliant products,

are under the responsibility of the distributor.

These tasks can be extended to:

- the analysis and validation of production follow-up tests,
- the execution of surveillance test,

according to the agreements between the manufacturer and the distributor.

After issuance of the first CE certificate, surveillance inspections are performed with the periodicity defined below.

The minimum required content of the FPC is given in annex of the present certification rules and, depending on the products concerned, in the applicable technical specification.

7.2.3. Surveillance inspections - Manufacturer

The surveillance of the CE marked product is performed by Efectis France upon the issuance of the CE Certificate according to the frequency defined by the harmonized technical specification or applicable documents issued by the GNB-CPR or, in the absence of a frequency definition in these two types of documents, at least on an annual basis. In any cases, the frequency of surveillance inspections is specified to the client in the certification quotations

7.2.4. Surveillance inspections - Distributor

The surveillance of the CE marked product is performed by Efectis France upon the issuance of the CE Certificate according to the conditions defined in the present rules. The frequency of surveillance inspections is 3 years, but may be reduced if a critical deviation is identified.

Surveillance inspections will be conducted remotely over ½ or 1 day depending on the number of concerned product families.

The points assessed are the distributor's tasks:

- the definition of the product,
- the validation and monitoring of suppliers,
- the detection and tracking of non-compliant products,

and also:

- the analysis and validation of production follow-up tests,
- the execution of follow-up test,

if these tasks are carried out by the distributor.

Between each surveillance inspection, annual surveillance is carried out on a documentary basis including:

- Confirmation of the manufacturer's data sharing agreements with the distributor,
- Confirmation that products have not been modified,
- FPC documents that have been modified, if any.

7.2.5. Dealing with non-conformities

Following the inspection (initial or surveillance), the client has one month to communicate to the inspector **AND** to Certification Direction of Efectis France, the proposed action plan(s) (see details in ANNEX B – Inspection)

In the event of non-conformity identified during the inspection, initial or surveillance, and after the evaluation of the explanation provided by the client, Efectis France informed the client of the following:

- Procedure to close the non-conformities
- Eventual additional control considered necessary to close the non-conformity
- And the cost for this work.

8. CERTIFICATION DECISION OF EFECTIS FRANCE FOLLOWING THE CLIENT'S APPLICATION

On the basis of:

- the analysis of the documents supplied by the client
- the results of the ITT (only for Level 1+ and 1 systems)
- the results of the inspection of the sites, of the subcontractors' sites, and of the FPC
- the client's answers to the possible deviations observed during inspection, if any (see ANNEX B),
- the results of the audit testing with regard to declared performance (only for level 1+ and 1 systems)

Efectis France shall make one of the following decisions:

- issuing of the CE certificate with or without observation(s)
- justified refusal of the CE certificate.

Issuing a CE certificate shall in no case substitute Efectis France for the client as concerns the guarantee which lies with the latter.

9. CE MARKING CONDITIONS

The CE marking conditions[1] including establishing a Declaration of Performance (DoP) are specified in chapter II, chapter III, annex III of the CPR and in the Delegated Regulation (EU) N°574/2014 and where appropriate in the relevant harmonized technical specifications.

The list of current certificates is published on the Efectis website (www.efectis.com). The information is published as shown in the table below:

CLIENT	Addresses	Certificate number	Product category	Ranges
Example	*Street Postcode-City*	*1812-CPR-xxxx*	*As specified in the title of the Technical Specification*	

Note: The Certificates of Constancy of Performance issued by Efectis France are in no circumstances made available on our website.

10. SURVEILLANCE EXERCISED BY EFECTIS FRANCE

The surveillance process of the product with a CE marking is exercised by Efectis France from the moment that a CE certificate has been issued in the conditions specified in the relevant technical.

11. DECISION OF EFECTIS FRANCE WITHIN THE SCOPE OF SURVEILLANCE

On the basis of:

- the results of the periodic inspections of the sites and of those of the subcontractors, if any, and of the FPC
- the client's answers to the possible deviations observed during the inspection, if any (see ANNEX B),

Efectis France shall make one of the following decisions:

- renewal of the CE certificate
- renewal of the CE certificate with observation(s)

[1] *The European Commission has published guide « CE Marking of Construction Products Step by Step» available in all European languages downloadable from: http://ec.europa.eu/DocsRoom/documents?tags=ce-guide*

- renewal of the CE certificate with observation(s) with warning
- suspension of the CE certificate
- withdrawal of the CE certificate.

The absence of proposals for action plans and / or transmission of evidence of implementation of the actions within the deadlines defined in these rules or indicated during the transmission of decision may result in the suspension or withdrawal of certificates.

The decisions are notified to the client by Efectis France, and come into effect as from their notification.

In the case of withdrawal of the CE certificate issued by Efectis France:

- if the withdrawal follows a sanction (see section 17), Efectis France shall inform the NA and justify its decision,
- in all cases, and if the client wishes to do so, the latter shall file in a new application for a CE certificate for the products under consideration.

12. MODIFICATION OF THE OBTAINING CONDITIONS OF THE CE CERTIFICATE

Any modification of the initial conditions having led to the issuance of the CE certificate (legal modification, modification of the company's name, change or redevelopment of the site, modification of products...) shall be declared in writing by the client to the Certification department of Efectis France.

The Certification department takes all necessary steps to ensure that the information intended for the public, the NA, etc. corresponds to the reality of the certificates issued.

The most usual modifications are processed as follows:

12.1. MODIFICATION OF THE PRODUCT

Any modification of a characteristic of a CE marked product or supplier of a component or raw material that affects declared performance is examined by Efectis France, in collaboration with experts if needed, in order to assess its influence on the declared performances of the product.

When the manufacture of a CE marked product is definitely stopped, the client shall specify the time needed to exhaust the stock of products under consideration. After that time, the decision of withdrawal of the CE certificate of this product shall be issued by Efectis France.

12.2. MODIFICATION OF THE HOLDER OF THE CE CERTIFICATE

Any legal modification of the holder or any modification in the company's name are examined, and, if required by the modifications, Efectis France reserves the right to pronounce the withdrawal of the CE certificate.

Otherwise, Efectis France shall issue to the client, at the customer's expense, a new CE certificate taking the declared modifications into account.

12.3. MODIFICATION OF THE SITE

The partial or total relocation of a site shall lead to the withdrawal of the CE certificate.

The redevelopment of a site shall be examined by Efectis France, and may lead to the suspension or the withdrawal of the CE certificate.

In all cases, the site shall be submitted, at the client's expense, to a new initial inspection which may result:

- in the case of a withdrawal, in the issuance of a new CE certificate,
- in the case of a suspension, in the ending of the suspension.

12.4. MODIFICATION OF THE FPC SYSTEM

Any modification – even temporary - relating to the FPC system and likely to affect the constancy of performance as concerns the requirements of the reference documents, shall be examined by Efectis France, and may lead to the suspension or the withdrawal of the CE certificate.

12.5. MODIFICATION OF APPLICABLE TECHNICAL SPECIFICATIONS

The client shall take account and analyse the modification introduced into the applicable technical specifications: Efectis France's certification rules, technical specifications, standard referred to in the ones referred to in those specifications. When the modifications can have an influence on the declared performances for the product, the client shall set up the necessary actions in order to maintain the declared performances and shall inform Efectis France of the actions set up.

13. CLIENT'S REQUEST FOR STOPPING THE CERTIFICATION PROCESS

When the holder does not wish to pursue the certification of his products with Efectis France, he shall inform the Certification department of Efectis France by means of a registered letter, at least three months before the anniversary of the CE certificates.

14. CLAIM - DISPUTE - RECOURSE

14.1. CLAIM

Any claim in writing relating to the issuance, suspension or withdrawal of a CE certificate by Efectis France or to the use of products with a CE certificate issued by Efectis France, shall be answered by Efectis France.
Yearly information shall be reported to the NA.

The NA shall be informed by Efectis France about any claim relating to the use of the CE marking issued by another body, within 15 working days.

14.2. DISPUTE

If the client is not satisfied with the decision made by Efectis France following his claim, he may dispute it in writing within 15 calendar days and request for a re-examination of his claim.
The dispute shall be sent to Efectis France in writing and be argued.
It shall have no suspensive effect on the decision made by Efectis France.
Efectis France shall inform the client about its decision by means of a registered letter.

14.3. RECOURSE

If the disagreement persists about the decision made by Efectis France following the dispute, the client may introduce a recourse (see also section 4.5), within 15 calendar days.
This recourse shall be sent in writing to Efectis France and be argued.
The client may be invited to be heard about his application. He shall leave the room during the CoRe's deliberations.

The recourse shall have no suspensive effect on the decision made by Efectis France.
Efectis France shall inform the client in writing about the CoRe's decision by means of a registered letter.
This decision shall be final.

15. MISUSE OF THE CE CERTIFICATE

Efectis France considers as misuses the cases where a CE certificate is mentioned:

- for a product not having formed the object of an application for a CE certificate
- for a product for which the initial application is still pending
- for ranges of products or on documents, when all the products are not covered by a CE certificate
- for other products than the product covered by the CE certificate.
- when the CE 1812 marking is affixed on products or packagings, or on documents, without possession of a CE certificate issued by Efectis France.

Efectis France reserves the right to bring any legal action deemed appropriate against anyone who will improperly claim CE certificates issued by Efectis France.

Note: The market surveillance comes within the exclusive competence of the NA or market surveillance authorities. As a consequence, any claim relating to the product shall be sent to the NA.

16. TERMINATION OF THE MARKING OF CE MARKED PRODUCTS

Any suspension or withdrawal of a CE certificate following a decision made by Efectis France in case of failure to meet the requirements of the certification, shall entail the interdiction to use the CE marking on the products under consideration, their packaging, the documents, the promotional documents or any other material from the holder.

The withdrawal or a CE certificate following the client's request shall have the same consequences.

17. INCURRED SANCTIONS

By filing in an application for a CE marking, all clients agree to comply with the conditions specified in these Rules. Any failure to comply shall entail sanctions ranging from a simple observation up to the withdrawal of the CE certificate.
The sanctions are defined as follows:

- **Observation:**
  Simple observation with formal notice to put an end to the observed breach(es) within a time agreed between Efectis France and the client, and that the latter agrees to honour.
  If the breach(es) persist(s), an observation with a warning shall be issued.

- **Observation with a warning:**
  Observation (see previous paragraph) with additional controls.
  If serious breaches persist, the CE certificate shall be suspended.

- **Suspension of the CE certificate:**
  Suspension of the CE certificate for a given period of time with formal notice to put an end to the observed breach(es).
  At the close of the suspension time, the holder of the CE certificate shall be subjected to new controls that must prove satisfactory to recover the use of the CE certificate.
  If serious breaches persist, the CE certificate shall be withdrawn.

- **Withdrawal of the CE certificate:**
  This sanction shall be pronounced, in particular, in the case of a failure to comply with the yearly control, of a CE certificate holder's refusal to be controlled, or of failure to pay the due amounts.

The following table lists the incurred sanctions according to the observed failures:

Nature of the failure	***Incurred sanction***
Minor failure to comply with the conditions specified in the reference documents	Observation
Equivocal use of the CE marking on the products and any document	Observation
Failure to implement the means required to ensure permanent constancy of performance of the CE marked products	Observation with warning
Use of the CE marking for a product for which the application is pending	Observation with warning
Failure to declare any modification such as defined in chapter 12	Observation with warning
Implementation of modifications to a marked product without a prior agreement of Efectis France	Observation with warning
Untruthful use of the CE marking on products and documents	Observation with warning
Failure to transmit the action plan(s) within the period defined in these rules (c.f. § B.2)	Suspension of the certificate
Failure to transmit evidence of implementation of actions proposed in the action plan within the defined deadlines	Suspension of the certificate
Refusal of inspectors' controls as part of their duties	Suspension of the certificate
Issuance of forged certificates without commercialization of a product	Suspension of the certificate
Actions failing to comply with the decisions made in application of the requirements	Suspension of the certificate
Failure or refusal to perform the compulsory yearly surveillance controls	Withdrawal of the certificate
Issuance of forged certificates with commercialization of a product	Withdrawal of the certificate
Failure to pay the amounts due for the certification services provided by Efectis France	Withdrawal of the certificate

18. RATES

The information relating to the rates of services are itemized in the Rules.

The tariff grids applicable for the product under consideration are revised annually. They are gathered in a separate document and can be sent on request.

19. APPROVAL/REVISION OF THE RULES

The Rules were validated by the Surveillance Committee on ***25 March 2022*** and approved by the Technical Certification Director of Efectis France on ***April 06th 2022***.

They may be subjected to revisions, particularly in the case of modifications of the conditions of application (e.g. modification of the technical specifications about items likely to affect the assessment of the products).

The holders of a CE 1812 certificate shall receive the revisions of these Rules.

These Rules shall become enforceable

- At the date of approval by the Technical Certification Director for initial certification applications
- within fifteen (15) working days as from the date of their approval by the Technical Certification Director i.e. on ***April 27th 2022*** for certification files in process at the date of approval

See Annexes A, B and C attached

ANNEX A. CONTENTS OF THE APPLICANT'S FILE FOR A CE CERTIFICATE

The first application for a CE certificate shall include the following technical documents:

1. Address, location map and access map of the site(s)
2. Organisation of the company (organisation chart, etc.)
3. Description and characteristics of the products
4. For products coming under the Level 1 system, and if testing or calculations have already been performed: copy of the relevant report(s) applicable, and a non-subsequent modification commitment for the product(s) under consideration
5. Product marking procedures (with samples of labels, attached/enclosed documents, etc.)
6. **FPC manual** (see details hereafter)
7. **FPC system** (see details hereafter)
8. If applicable:
   - CE certificates of constancy of performance held by the client (all systems)
   - the ISO 9001 certificate (or any other type of quality certificate).

For Distributors[2], the application must also include:

9. authorization to use the CE marking data, by the manufacturer of the product which it distributes under its own name: tests and inspection (proof of maintenance of this authorization must be provided for each period of surveillance)
10. the classification report making reference to the distributor and clearly indicating the commercial reference given to the product by the distributor.

For Manufacturers making use of shared test procedures or cascade tests (article 36 of the CPR), the application must also include:

11. authorization to use the CE marking test data, by the manufacturer owning such data (proof of maintenance of this authorization provided for each period of surveillance).

1. FPC MANUAL

For each site under consideration, a manual shall describe the following.
For Distributors, this manual must detail at least the points shown below in violet.

a) Organisation:

- **Responsibility and authority:** the responsibilities, authorities and relationships of all the members of the staff who supervise, achieve and control the constancy of performance shall be defined.
  - Staff who, inside the company, have the liberty and authority to take measures likely to prevent failures of conformity of the product
  - Staff who, inside the company, have the liberty and authority to take measures likely to identify and record failures of conformity.
- **Representative of the management as concerns FPC:** The client shall appoint a representative of the management who - regardless of his/her other authorities - shall have the required authority and responsibility to guarantee that the requirements of the relevant technical specifications for the products are applied and maintained.
- **Management's reviews:** The FPC shall be reviewed by the management at regular intervals and in conformity with the established system, in order to guarantee its validity and efficiency. The records of the reviews shall be kept for at least 5 years.

[2] *This is the Manufacturer in the sense of the Construction Product Regulation (application of article 15): Distributor who markets the product under its own name and with its own commercial reference. The term Distributor is used for an easier understanding of the text.*

b) Control system - Staff - Documents

- **Control system**: The client shall establish and update a documented system to guarantee that the product satisfies the requirements of the technical specifications relating to the products under consideration.
- **Staff:** The client shall appoint staff having received an appropriate training for the operation and the inspections of all production equipment.
- **Documents:** The client's documents and procedures shall correspond to the FPC and to the processes for the product under consideration, and they shall be precisely described in a manual.

c) The manual shall also include:

- the organisation chart, the responsibilities and authorities of the management as concerns the constancy of performance of the product
- the specification and control procedures for incoming materials
- the manufacture, the production control and other systematic techniques, processes and measurements applied
- the inspections performed prior to production, the inspections and tests during and after production as well as their frequencies
- the required records of inspections, tests or calculations
- for Distributors only: the procedure for ordering from the manufacturer including product-related requirements
- for Distributors only: the product labelling procedure
- for Distributors only: the procedure for inspection and verification of products before marketing
- the records of the situations of failures of conformity requiring a corrective action and the measures taken for that purpose
- the records that have to be kept for at least one year following the manufacture of the product.

d) Test equipment: The calibration of the test equipment required for the FPC shall be documented.

e) Controls and testing: according to the requirements of the relevant technical specification.

- **Control:** The client shall establish and update a documented system to guarantee that the product satisfies the requirements of the technical specifications relating to the products under consideration.
- **Staff:** The client shall appoint staff having received an appropriate training for the operation and the inspections of all production and test equipment.
- **Documents:** The client's documents and procedures shall correspond to the FPC and to the processes for the product under consideration, and they shall be precisely described in a manual.

f) CE marking:

- The client shall establish, document and update the marking procedures for the products.
- The product shall be marked in conformity with the established documents.
- For traceability requirements, the client shall establish and update the records required by the relevant technical specification or the documents issued by the Group of notified bodies.

2. FPC SYSTEM: BRIEFING DOCUMENTS

'Briefing documents' means supplied procedures, instructions or forms which are up-to-date (paper or electronic), mastered and applied within the unit.
Examples of briefing documents:

- control processes performed on reception, on manufacture, and on assembling
- results of the controls
- acceptance criteria
- details about sampling and control periodicity
- control processes performed on the finished product.

ANNEX B. CONTROLS FOR THE CERTIFICATION OF A PRODUCT

1. ITT

The requirements regarding ITT are described in the Harmonised Technical Specification applicable to the product under consideration and where appropriate, complemented by the documents issued by the GNB-CPR.

2. INSPECTIONS

An initial inspection of the site and on the FCP is carried out during the processing of the first application.
When several sites are involved, the initial inspection will be performed at each site.
If need be, it will also be carried out at external or internal subcontractors, if any to the extent that the component / raw material they provide has an influence on the performance declared and whose monitoring cannot be verified elsewhere.
The inspection of the design facilities is always required.

Note: The client shall bring evidence that provisions for mastering the production means and maintaining the constancy of performance of his products have been taken. The FPC system shall be established at least 2 months prior to the date of the inspection, and it shall meet the requirements of the relevant reference documents mentioned in these rules. The details and the control processes may be given on request.

After the first CE certificate has been issued, FPC surveillance inspections are performed according to the periodicity required by the relevant technical specification.

Dissatisfaction degrees

During the inspection, two levels of dissatisfaction may be declared:

- **Non-critical deviation**: Deviation whose result does not or is not likely to directly and immediately affect the product conformity, constancy of performance, reliability of FPC results, or suitability of the FPC system. The deviation may have an actual or potential, but not critical, consequence of calling into question the conformity of the production or the FPC.
- **Critical deviation**: Deviation affecting product conformity, constancy of performance, reliability of FPC results, or suitability of the FPC system. The deviation may have a proven quantifiable consequence, or may produce a significant induced risk to the level of product compliance, or to the operation and efficiency of the FPC.
  A critical deviation may entail an additional partial or full inspection.

The deviations identified during an initial or annual surveillance inspection and identified again during the next inspection are automatically classified into the upper dissatisfaction degree. In the case of a critical deviation, the suspension or the withdrawal of the CE certificates may be pronounced.

Corrective actions

After any inspection (initial or surveillance), the inspector shall issue to the client an **end of inspection form** for the inspected production site, including a list of identified deviations, if any.

For each deviation, if any, a **FCP deviation sheet** shall be issued to the client. During the closing meeting following the inspection, the **'DEVIATION OBSERVED'** frame shall be filled in by the inspector, then signed by both parties (after the client has agreed or not with the described deviation and mentioned his own comments, if any):

DEVIATION OBSERVED		
☐ **NON-CRITICAL DEVIATION**	☐ **CRITICAL DEVIATION**	
Deviation from ☐ **the provisions of** ☐ **the application of**	Standard(s):	Paragraph(s):
	☐	
	☐	
	☐	
	☐	
	☐	
Deviation(s):		
Consequence(s)/Risk(s):		
INSPECTOR:	Visa:	
AGREEMENT OF THE MANUFACTURER/SUBCONTRACTOR	☐ **YES**	☐ **NO**
Comment(s):		
For the manufacturer/subcontractor *(Name, surname, position)***:**	Date:	Signature:

Efectis France shall then send to the client the full inspection report.

Within a time period not exceeding 1 month after the date of inspection or according to the time frame indicated in the eventual reminder sent, the client shall return - to the inspector and to the Certification department of Efectis France - a copy of **each FCP deviation sheet** after having filled in the **'PLAN OF ACTIONS DECIDED'** frame:

PLAN OF ACTIONS DECIDED		
Actions decided to control the observed situations:	*Deadline*	*Attached documents*
XXX	XXX	
XXX	XXX	
XXX	XXX	
For the manufacturer/subcontractor *(Name, surname, position):* _____	Date: _____	Signature: _____

which shall include:

- the client's intentions as concerns the corrective actions that he agrees to implement in order to correct the observed deviation
- the time period after which the planned corrective actions will have been implemented
- the date, full name, position and signature of the client.

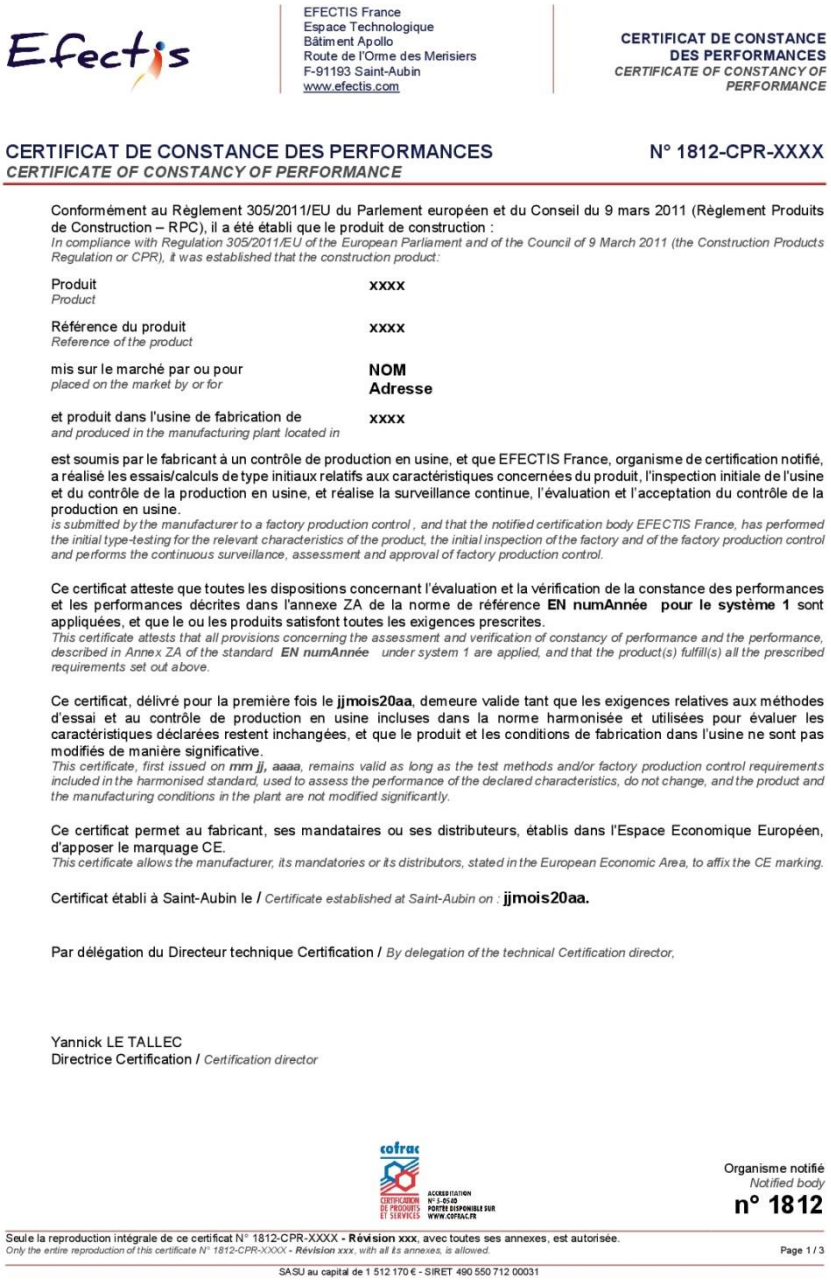
At the end of the time period put forward by the client, Efectis France shall check the implementation of the corrective actions.

ANNEX C. CERTIFICATES, STATEMENTS OF CONFORMITY, AND CE CONFORMITY MARKING

1. CE CERTIFICATE

The contents of the CE certificate issued by EFECTIS France is based on the document issued by the GNB-CPR (NB-CPR 14-612 rev7) and always mentions the holder's name and personal information.
The certificate always contains an annex specifying the filed covered by the certificate (for example: short description of the product, dimensions, validated accessories, etc.).

Example of CE certificate



EFECTIS France
Espace Technologique
Bâtiment Apollo
Route de l'Orme des Merisiers
F-91193 Saint-Aubin
www.efectis.com

CERTIFICAT DE CONSTANCE DES PERFORMANCES
CERTIFICATE OF CONSTANCY OF PERFORMANCE

CERTIFICAT DE CONSTANCE DES PERFORMANCES — **N° 1812-CPR-XXXX**
CERTIFICATE OF CONSTANCY OF PERFORMANCE

Conformément au Règlement 305/2011/EU du Parlement européen et du Conseil du 9 mars 2011 (Règlement Produits de Construction – RPC), il a été établi que le produit de construction :
In compliance with Regulation 305/2011/EU of the European Parliament and of the Council of 9 March 2011 (the Construction Products Regulation or CPR), it was established that the construction product:

Produit / *Product* — **xxxx**

Référence du produit / *Reference of the product* — **xxxx**

mis sur le marché par ou pour / *placed on the market by or for* — **NOM** **Adresse**

et produit dans l'usine de fabrication de / *and produced in the manufacturing plant located in* — **xxxx**

est soumis par le fabricant à un contrôle de production en usine, et que EFECTIS France, organisme de certification notifié, a réalisé les essais/calculs de type initiaux relatifs aux caractéristiques concernées du produit, l'inspection initiale de l'usine et du contrôle de la production en usine, et réalise la surveillance continue, l'évaluation et l'acceptation du contrôle de la production en usine.
is submitted by the manufacturer to a factory production control , and that the notified certification body EFECTIS France, has performed the initial type-testing for the relevant characteristics of the product, the initial inspection of the factory and of the factory production control and performs the continuous surveillance, assessment and approval of factory production control.

Ce certificat atteste que toutes les dispositions concernant l'évaluation et la vérification de la constance des performances et les performances décrites dans l'annexe ZA de la norme de référence **EN numAnnée pour le système 1** sont appliquées, et que le ou les produits satisfont toutes les exigences prescrites.
*This certificate attests that all provisions concerning the assessment and verification of constancy of performance and the performance, described in Annex ZA of the standard **EN numAnnée** under system 1 are applied, and that the product(s) fulfill(s) all the prescribed requirements set out above.*

Ce certificat, délivré pour la première fois le **jjmois20aa**, demeure valide tant que les exigences relatives aux méthodes d'essai et au contrôle de production en usine incluses dans la norme harmonisée et utilisées pour évaluer les caractéristiques déclarées restent inchangées, et que le produit et les conditions de fabrication dans l'usine ne sont pas modifiés de manière significative.
*This certificate, first issued on **mm jj, aaaa**, remains valid as long as the test methods and/or factory production control requirements included in the harmonised standard, used to assess the performance of the declared characteristics, do not change, and the product and the manufacturing conditions in the plant are not modified significantly.*

Ce certificat permet au fabricant, ses mandataires ou ses distributeurs, établis dans l'Espace Economique Européen, d'apposer le marquage CE.
This certificate allows the manufacturer, its mandatories or its distributors, stated in the European Economic Area, to affix the CE marking.

Certificat établi à Saint-Aubin le / *Certificate established at Saint-Aubin on :* **jjmois20aa.**

Par délégation du Directeur technique Certification / *By delegation of the technical Certification director,*

Yannick LE TALLEC
Directrice Certification / *Certification director*

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Organisme notifié
Notified body
n° 1812

Seule la reproduction intégrale de ce certificat N° 1812-CPR-XXXX - **Révision xxx**, avec toutes ses annexes, est autorisée.
*Only the entire reproduction of this certificate N° 1812-CPR-XXXX - **Révision xxx**, with all its annexes, is allowed.*

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2. CE DECLARATION OF PERFORMANCE (DOP)

The holder shall establish and make available (Delegated regulation (EU) n°157/2014) a declaration of performance for each product type covered by a CE certificate.

It shall be written on the holder's headed writing paper and shall include, such as defined in annex III of CPR amended by the delegated regulation 574/2014, the following information:

No …
1. Single identification code of the product-type: …

2. Intended use(s) of the construction product, according to the applicable harmonized technical specification, as stated by the manufacturer:
…

3. Name, corporate name or registered trademark and contact address of the manufacturer, according to section 11, paragraph 5 of the CPR:
…

4. If applicable, name and contact address of the agent whose mandate covers the tasks concerned by section 12, paragraph 2 of the CPR:
…

5. The assessment and verification system(s) of the constancy of performance of construction products, in conformity with annex V:
…

6-a. When the declaration of performance relates to a construction product covered by a harmonized standard:
…
Dated reference to the standard
(name and identification number of the notified body, if applicable)
has carried out … according to the system …
(description of the tasks to be carried out by a third party in conformity with annex V of the CPR)
has issued …
(the certificate of constancy of performance, the certificate of conformity for the factory production control, the test reports/calculations – when applicable)

6-b. When the declaration of performances relates to a construction product for which a European technical assessment was issued:
…
Dated reference to the European Technical Assessment
(name and identification number of the technical assessment body, if applicable)
has issued …
(reference number of the European technical assessment)
on the basis of …,
(reference number of the European assessment document)
has carried out … according to the system …
(description of the tasks to be carried out by a third party in conformity with annex V of the CPR)
has issued …
(the certificate of constancy of performance, the certificate of conformity for the factory production control, the test reports/calculations – when applicable)

7. Declared performances

Essential characteristics	Performances	Harmonized technical specifications
List of the essential characteristics defined	*For each essential characteristic listed in*	*For each essential characteristic listed in column 1, list:*

in the harmonized technical specifications for the intended use(s) mentioned in item 2 above.	*column 1 and in conformity with the requirements of Section 6 of the CPR, list the declared performances, expressed by level or class or by means of a description, corresponding to the respective essential characteristics.* *The characters "NPD" (No Performance Determined) are used when the performances are not declared.*	*a) a dated reference to the corresponding harmonized standard and, where applicable, the reference number of the specific or relevant technical documents used;* *OR* *b) a dated reference to the corresponding European assessment document, if applicable, and the reference number of the European technical assessment used.* *When, in conformity with section 37 or 38 of the CPR, the specific technical documents were used, indicate the requirements met by the product:* *…*

8. Appropriate technical documentation and/or specific technical documentation

The performances of the product identified in item 1 are in conformity with the declared performances stated in item 7.
This declaration of performances is established under the sole responsibility of the manufacturer identified in item 3.
Signed by authority and on behalf of the manufacturer:
…
(name and qualification)
… …
(date and location of issuance) (signature)

3. CE CONFORMITY MARKING

The CE marking and the accompanying information shall be affixed in one of the following locations (with the exception of special rules specific to a family of products and otherwise defined):

- either on the product itself
- or on a label affixed on the product
- or on the packaging of the product
- or on the accompanying commercial documents

and shall include the following information:

- the CE logo (specified shape)
- the identification number of Efectis France (1812)
- the holder's name or identification mark
- the address of the holder's registered office
- the last two digits of the year in which the marking was affixed
- the Declaration of Performance reference / number
- the number of the CE certificate
- the reference of the relevant technical specification
- the description of the product and its intended use (name and code number of the product or of its components)
- the characteristics required by the relevant technical specification for the product (with the mention NPD where applicable). These characteristics specific to the product under consideration are detailed in the technical specifications.

The CE logo

The colour of the CE logo is not specified, but the logo shall be perfectly legible on the selected material.