



**BAHAMAS
BUREAU OF
STANDARDS
AND QUALITY**
QUALITY IS OUR STANDARD

**FINAL DRAFT BAHAMAS NATIONAL STANDARD
CONFORMITY ASSESSMENT -- GENERAL
REQUIREMENTS FOR THIRD-PARTY MARKS OF
CONFORMITY
FDBNS X:20XX
ISO/IEC 17030:2003**

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National Foreword

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Foreword

ISO (the International Organization for Standardization) and IEC (the International Electrotechnical Commission) form the specialized system for worldwide standardization. National bodies that are members of ISO or IEC participate in the development of International Standards through technical committees established by the respective organization to deal with particular fields of technical activity. ISO and IEC technical committees collaborate in fields of mutual interest. Other international organizations, governmental and non-governmental, in liaison with ISO and IEC, also take part in the work. In the field of conformity assessment, the ISO Committee on conformity assessment (CASCO) is responsible for the development of International Standards and Guides.

International Standards are drafted in accordance with the rules given in the ISO/IEC Directives, Part 2.

Draft International Standards are circulated to the national bodies for voting. Publication as an International Standard requires approval by at least 75 % of the national bodies casting a vote.

Attention is drawn to the possibility that some of the elements of this document may be the subject of patent rights. ISO shall not be held responsible for identifying any or all such patent rights.

ISO/IEC 17030 was prepared by the ISO Committee on conformity assessment (CASCO).

It was circulated for voting to the national bodies of both ISO and IEC, and was approved by both organizations.

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Introduction

Marks of conformity take many forms and different uses. They can convey useful information about a product, or indicate particular characteristics of a product such as its safety, quality, performance, reliability or impact on the environment. They are found on products, certificates and publications denoting the conformity to specified requirements of a product, management system, service, process, person or an organization. Most important for all marks of conformity is to gain the confidence of the market, including consumers, in products and other objects of conformity assessment to which these marks have been applied.

The prime purpose of this International Standard is to enable a uniform approach to the use of third-party marks of conformity, to fill relevant gaps in existing ISO, IEC, ISO/IEC Standards and Guides, to address potential problems arising from different uses of third-party marks of conformity, to provide a clear and rational basis for their use, and to set out general requirements. This International Standard concentrates on third-party marks of conformity but may also be used as guidance for other applications of marks of conformity.

This International Standard is based on market feedback and demands from various users and issuers of marks of conformity assessment. It takes account of the ISO report on *Marks of conformity assessment*, published in May 1999. The use of this International Standard should lead to improved market confidence, international recognition and consumer acceptance of third-party marks of conformity.

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Conformity assessment — General requirements for third-party marks of conformity

1 Scope

This International Standard provides general requirements for third-party marks of conformity, including their issue and use.

NOTE This International Standard can also be used as guidance in using marks of conformity in other than third-party conformity assessment activity.

2 Normative references

The following referenced documents are indispensable for the application of this document. For dated references, only the edition cited apply. For undated references, the latest edition of the referenced document (including any amendments) applies.

ISO/IEC 17000, *Conformity assessment — General vocabulary*¹⁾

3 Terms and definitions

For the purposes of this document, the terms and definitions given in ISO/IEC 17000 and the following apply.

3.1

third-party mark of conformity

protected mark issued by a body performing third-party conformity assessment, indicating that an object of conformity assessment (product, process, person, system or body) is in conformity with specified requirements

EXAMPLES Third-party marks of conformity can be: product certification marks, quality/environment management system certification marks, environmental conformity marks, etc.

NOTE 1 A protected mark is a mark legally protected against unauthorized use.

NOTE 2 The specified requirements are generally stated in "normative" documents such as International Standards, regional or national standards, regulations and specifications.

3.2

owner of a third-party mark of conformity

person or organization that has legal rights to a third-party mark of conformity

1) To be published.

3.3

issuer of a third-party mark of conformity

body that grants the right to use a third-party mark of conformity

NOTE The issuer may not be the owner of the third-party mark of conformity, and may be authorized to sub-licence other bodies.

4 General requirements

4.1 The owner of a third-party mark of conformity shall be responsible for protecting the mark legally against unauthorized use.

4.2 The owner and/or issuer of the third-party mark of conformity shall

- a) have rules governing the use of the third-party mark of conformity,
- b) take measures to minimize misunderstandings and lack of clarity regarding the third-party mark of conformity that could lead to a reduction in its effectiveness,
- c) have rules to ensure that the third-party mark of conformity and any accompanying information are not misleading and take action against their use in a misleading way
- d) have measures to protect and monitor the use of the third-party mark of conformity,
- e) take actions to resolve misuses of the third-party mark of conformity, including withdrawal of the mark or appropriate legal action, and
- f) take action on and keep a record of all complaints relating to the use of the third-party mark of conformity.

4.3 When the owner or issuer of the third-party mark of conformity grants a licence for the use of that mark by others, a binding agreement shall be made according to the rules referred to in 4.2 a).

5 Design and application of third-party marks of conformity

5.1 The design of the third-party mark of conformity, or accompanying or publicly available information, shall identify the issuer and the aspects covered by the mark (e.g. safety, environmental, performance, ethics) in a way that avoids any potential misunderstanding.

A third-party mark of conformity should be so designed as to minimize the risk of counterfeiting or other forms of misuse.

5.2 A third-party mark of conformity may be accompanied by additional information to make the meaning of the mark more clearly understood. Such information shall not be misleading and should be in a language understood by the intended recipients.

NOTE It is preferable to use symbols that are universally understandable rather than descriptive words.

5.3 A third-party mark of conformity shall be traceable back to the specified requirements to which the object of conformity assessment conforms.

5.4 Only a third-party mark of conformity issued in accordance with product conformity assessment may be displayed on the product or product packaging. All other third-party marks of conformity, such as those relating to quality or environmental management systems and services, shall not be displayed on a product, product packaging, or in a way that may be interpreted as denoting product conformity.

5.5 When a third-party mark of conformity relates to a tangible product, the mark shall be directly applied to each product, except where the physical size of the product does not permit this or when the application is not appropriate for the type of product, in which case it may be applied on the package or other accompanying information. If a third-party mark of conformity only relates to certain parts of a product, the rules governing its use shall include requirements to minimize any misunderstanding that the mark applies to the entire product.

5.6 A reference to third-party marks of conformity may also be used on documents, promotional material, etc.

6 Issuing third-party marks of conformity

6.1 Issuing of the third-party mark of conformity shall be based on a conformity assessment system or scheme that contains at least the following elements:

- a) determination of characteristics of the object of conformity assessment, consisting of, as appropriate, testing, examination of persons, assessment of bodies, auditing of management systems, etc.;
- b) review, i.e. examination of the extent to which an object of conformity assessment fulfils specified requirements;
- c) a decision following review that an object of conformity assessment fulfils specified requirements;
- d) licensing, or other methods, giving authorization to others to use the third-party mark of conformity unless covered by 6.2;
- e) surveillance, evaluating the continued conformity of the object of conformity assessment to specified requirements sufficient to assure continued confidence in the third-party mark of conformity unless covered by 6.2.

6.2 In conformity assessment systems or schemes for which the issuer evaluates each object of conformity assessment produced prior to the application of the third-party mark of conformity, licensing and surveillance are not required.

6.3 The third-party mark of conformity shall only be applied under the rules laid down in a publicly available conformity assessment system or scheme.

6.4 An appropriate maximum period of time for applying a third-party mark of conformity after the specified standard or other normative document is revised or becomes obsolete shall be established by the rules of the conformity assessment system or scheme.

7 Ownership and control

7.1 Information

7.1.1 The owner or issuer shall provide, on request, information that explains the meaning of the third-party mark of conformity. Specific responses to questions or concerns from interested parties regarding the third-party mark of conformity shall be provided.

7.1.2 The owner or issuer shall maintain and update a list of objects of conformity assessment which have been granted the third-party mark of conformity and that list shall be available on request.²⁾

²⁾ This requirement is similar in meaning to those in ISO/IEC Guide 61:1996, 2.1.7.1 g); ISO/IEC Guide 62:1996, 2.1.7.1 g) and ISO/IEC Guide 65:1996, 4.8.1 g).

7.1.3 The owner or issuer of the third-party mark of conformity shall maintain, update and make available on request, a description of the rights and obligations of licensees, and other restrictions or limitations on the use of the mark.

7.2 Licence

7.2.1 The binding agreement specified in 4.3 shall contain provisions to assure that the licensee follows the rules of the system or scheme.

7.2.2 A licence shall require the licensee

- a) to control the use of the third-party mark of conformity,
- b) to take corrective actions in case of non-conformity, and
- c) to keep a record of all complaints relating to the use of the third-party mark of conformity and make these available to the owner/issuer.

7.3 Monitoring the use of third-party marks of conformity

7.3.1 The owner or issuer shall establish a procedure to deal with any alleged incorrect or misleading uses of the third-party mark of conformity and shall take suitable actions.

NOTE Suitable actions can include periodical surveillance of licensees, corrective action, withdrawal of licence, publication of the transgression and, if necessary, other legal action. This subclause also applies in situations of misuse by a party not under contract with the owner of the third-party mark of conformity.

7.3.2 A corrective action plan shall be established in respect of each misuse of the third-party mark of conformity. The corrective action plan should include steps to cooperate with other interests as far as possible, depending on the extent to which their involvement will minimize the negative consequence of the misuse.

NOTE Each corrective action plan can be different since the situation surrounding each misuse of the third-party mark of conformity will vary.

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Bibliography

- [1] ISO/IEC Guide 61:1996, *General requirements for assessment and accreditation of certification/registration bodies*
- [2] ISO/IEC Guide 62:1996, *General requirements for bodies operating assessment and certification/registration of quality systems*
- [3] ISO/IEC Guide 65:1996, *General requirements for bodies operating product certification systems*
- [4] ISO/IEC Guide 66:1999, *General requirements for bodies operating assessment and certification/registration of environmental management systems (EMS)*
- [5] ISO 14024:1999, *Environmental labels and declarations — Type I environmental labelling — Principles and procedures*
- [6] ISO/IEC 17020:1998, *General criteria for the operation of various types of bodies performing inspection*
- [7] ISO/IEC 17024:2003, *Conformity assessment — General requirements for bodies operating certification of persons*

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The Bahamas Bureau of Standards & Quality

The Bahamas Bureau of Standards and Quality (BBSQ), is a body corporate by virtue of the Standards Act and the Weights and Measures Act of 2006 with reporting relationship to the Ministry of Labour. The BBSQ is governed by a Standards Council that is responsible for the policy and general administration of the Bureau.

The main objective of the BBSQ is to improve industry competitiveness in the domestic and export markets, facilitate trade by reducing technical barrier to trade, and strengthen consumer and environmental protection against unsafe products or services being placed on the market. This is accomplished through the formulation, adoption and /or adaption of standards as national instruments of socio-economic development. Additionally through offering metrology, inspection, testing and certification services, the latter three being collectively termed conformity assessment.

Procedure for the Preparation of standards documents:

1. The preparation of standards documents is undertaken upon the Standards Council's authorization. This may arise out of representations from national organizations or existing Bureau of Standards' Committees or Bureau staff. If the project is approved it is referred to the appropriate sectional committee, or if none exists a new committee is formed, or the project is allotted to Bureau staff.
2. If necessary, when the final draft of a standard is ready, the Council authorizes an approach to the Minister in order to obtain the formal concurrence of any other Minister who may be responsible for any area which the standard affects.
3. With the approval of the Standards Council, the draft document is made available for general public comments. All interested parties, by means of notice in the Press, are invited to comment. In addition copies are forwarded to those known to be interested in the subject.
4. The Committee considers all the comments received and recommends the final document to the Standards Council.
5. The Standards Council recommends the document to the Minister for publication.
6. The Minister approves the recommendation of the Standards Council.
7. The declaration of the standard is gazzeted and copies placed for sale.
8. On the recommendation of the Standards Council the Minister may declare a standard to be compulsory.
9. If a standard is declared compulsory all relevant regulatory government agencies are notified to apply/enact enforcement of the standards.
10. Amendments to and revisions of standards normally require the same procedure as is applied to the preparation of the original standard.

Application to use the reference library and to purchase Bahamas National Standards and other standards documents should be addressed to:

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