

	<b>BHUTAN AGRICULTURE &amp; FOOD REGULATORY AUTHORITY CERTIFICATION SERVICES</b>	<b>QUALITY PROCEDURE</b>
DOC. BAFRA-CS-PR-4.1-02	ISSUE 04	REVISION 00
		15 APRIL 2021

## **PROCEDURE FOR USE OF LICENSE, CERTIFICATES AND MARKS OF CONFORMITY**

### **1. PURPOSE**

To ensure proper and correct use of license, certificates and standard mark during the operation of certification activities.

### **2. SCOPE**

This procedure covers license, certificates and mark of conformity issued by BAFRA-CS in accordance with ISO/IEC 17065:2012

### **3. RESPONSIBILITY**

**3.1** Director General is responsible defining the responsibilities and obligation of BAFRA and the clients.

**3.2** Certification Manager is responsible to ensure implementation of this procedure.

**3.3** Certification Officer is responsible to ensure proper and correct use of license, certificates and standard mark by the clients.

### **4. PROCEDURE**

#### **4.1 General**

**4.1.1** BAFRA-CS shall exercise control over ownership, use and display of licenses, certificates, marks of conformity, and any other mechanisms for indicating that a product is certified.


**4.1.2** The license document and mark of conformity are distinctive and are:

- a) proprietary in nature, with legal protection as regards composition and control of use,
- b) so coded or otherwise designed as to aid in the detection of counterfeiting or other forms of misuse, and
- c) non-transferable from one product to another

**4.1.3** Incorrect references to the certification scheme or misleading use of licenses, certificates, marks, or any other mechanism for indicating a product is certified, found in documentation or other publicity shall be dealt with by suitable action (See 4.5).

**4.1.4** The licensee shall display the licence in his premises. The certification mark should only be applied to product where compliance with the certification requirements has been ensured.

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**4.1.5** The manner in which the licensee proposes to place or use the Certification Mark, must be approved by BAFRA-CS.

**4.2. Use of standard mark**

**4.2.1** Standard Mark stands for quality of the product in conformance to the provisions of the related Standard. The mark carries the product Standard number as a distinguishing feature for identifying the product certified.

**4.2.2** The Standard Mark consists of two components i.e. monogram and a reference to the relevant Bhutan Standard. The preferred sizes of the monogram, which should be used by the licensees, are given in **Annex A**. However, a photographic reduction or enlargement is permitted in specific cases.

**4.2.3** The second component of the Standard Mark is the reference to the relevant Bhutan Standard, given below the monogram. In case of dual number standards (ISO adoption) only corresponding Standard No. should appear. In cases where the Standard Mark is applicable to only certain components of the product, the part which is specifically covered under certification may be mentioned at the bottom, for example, 'Tin only', etc.

**4.2.4** Apart from the Standard Mark, all licensees may mark the license No. BAFRA-CML-A-..... at a suitable place on the Standard Marked Product and/or its packaging and/or carton.

**4.3 Method of Applying Standard Mark**

**4.3.1** The Certification Mark shall be applied in such manner as it may be easily visible as a distinct mark on the products or the packaging relating to articles which cannot be labeled or covered. The Certification Mark shall be applied to only such types, grades, classes, varieties, sizes of the products for which the licence has been granted.

**4.3.2** As far as possible Standard Mark shall be applied on the product itself or on the container or packing of the product (See BAFRA-CS-GL4.1-02). However, for products supplied in bulk, the Standard Mark may be affixed on the conformity certificate accompanying each consignment of certified products. The mark of conformity is directly applied to each individual product except where the physical size of the unit or the type of product does not permit this, in which case the mark may be applied to the smallest package in which the unit is marketed.

**4.3.2** In order to avoid possibilities of fraudulent use, the Standard Mark shall be applied on the package in such a manner that it gets automatically destroyed when the consumer takes out the article from the package, wherever feasible.

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**4.3.3** In certain cases, it may be necessary to affix the Standard Mark on the product before the test results are known. Also in certain cases the Standard Mark may have to be embossed or molded on to the product. In such cases, an undertaking should be obtained in advance from the applicant that if the product is found unsatisfactory after testing, the Standard Mark shall be defaced.

**4.3.4** The following are recognized methods of applying Standard Mark on the product:

- a) Printing on a label,
- b) Printing on an anodized name-plate,
- c) Printed stickers, adhesive tapes, transfix labels, etc.,
- d) Stenciling with paint,
- e) Embossing or punching,
- f) Casting where no other specified system exists,
- g) Use of Hologram,
- h) Woven cloth labels in case of textile products like cotton vests,
- i) Metal tags,
- j) As a part of the test certificate if individual items cannot be marked, like steel products, emitters etc. Printing on products, like PVC cables, etc. and
- k) Rubber stamping of the Standard Mark shall be avoided as far as possible.

**4.3.5** In every case, the client takes sufficient care of its publications and advertising that no confusion arises between certified and non-certified products.

**4.3.6** The client does not specify any function or make any claim or the like in user information that could lead purchasers to believe that performance of the product or its use is covered by the certification when in fact they are not.

**4.3.6** Instruction books manuals or other user information accompanying the product and related to the operation of certification scheme must be approved by BAFRA-CS.

**4.3.7.** The licensee shall state in documentation brochures or through advertising media that the organization or location to which the licence applies have been assessed and approved by BAFRA-CS. In such advertisement the standards pertaining to the products or process for which a licence has been granted is to be stated.

#### **4.4 Prohibition for improper use of certification mark**

**4.4.1** It is criminal offence to misuse the standards mark. No person shall use certification marks in relation to any goods or process without valid license.

**4.4.2** No person shall use any symbol likely to create confusion about the design of the certification mark.

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**4.4.3** Persons who have obtained licenses shall also not use a certification mark in relation to any article which does not conform to the prescribed standards or any symbol likely to create confusion.

#### **4.5 Prohibition to use names similar to those of the office**

**4.5.1** No person shall use any name which may create confusion about the full name or acronyms of the BAFRA.

**4.5.2** Anyone using any name which may create confusion about the full name or acronyms of the BAFRA under Act is punishable.

#### **4.6 Penalties**

**4.6.1** Any person who contravenes any provisions is penalized in accordance with Food Act of Bhutan, 2005 and Food Rules and Regulations of Bhutan 2017.

#### **4.7 Enforcement & Coordination**

**4.7.1** This involves all such actions which are required to be taken for misuse of the Standard Mark, search and seizure.

**4.7.2** Before any action is taken by BAFRA CS on filing of any complaint in the court, the matter should be examined in house to ascertain the facts.

### **5. REFERENCES**

Food Act of Bhutan, 2005

Food Rules and Regulations of Bhutan 2017.

ISO IEC Guide 27 Guidelines for corrective action to be taken by a certification body in the event of misuse of its mark of conformity

ISO/IEC 17030:2003 CA- General requirements for third-party marks of conformity

BAFRA-CS -GL4.1-01 Guidelines on Use the Standard Mark

BAFRA-CS -PR7.6-01 Procedure for Grant of Certification

BAFRA-CS-PR7.11-01 Procedure for Termination, Reduction, Suspension or Withdrawal of Certification

## **ANNEX A**

### **SPECIMEN OF THE BAFRA CERTIFICATION MARK**

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The BAFRA product Certification Mark:

- a) shall be of the shape as described in the design
- b) may be larger or smaller than in the design but its parts shall keep the same proportions as in the design
- c) may appear in the official colours of the BAFRA logo or any colour provided colour is uniform throughout.