

**UkrSEPRO Certification System**

**PROCEDURE FOR RECOGNITION  
OF RESULTS OF IMPORTED GOODS  
CERTIFICATION**

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Effective date 01.07.1994.

## **1. The Scope of Application**

This document establishes the procedure for acknowledgment of results of certification of imported goods and other functional elements of the certification systems of countries importing goods into Ukraine.

Bodies performing certification of a specific type of goods, entities of various forms of ownership which recognize and exercise control over conformity of the goods imported into Ukraine with obligatory requirements of laws and regulations of Ukraine shall be guided by this document.

## **2. Normative References**

The documents contain reference to KND 50-005-93 "UkrSEPRO Certification System. Procedure for Certification of Goods."

## **3. General Provisions**

**3.1.** An exclusive right to acknowledge the results of certification of goods issued by other countries, with regard to their conformity with obligatory requirements of laws and regulations of Ukraine shall be vested into System of Certification UkrSEPRO.

The subjects of acknowledgment shall be the protocols of tests, certificates (marks) of correspondence and other warrants of correspondence for the goods which are subject to obligatory certification, as per approved lists of goods and services.

**3.2.** Lists of goods and services which are subject to verification and confirmation of their conformity with requirements of obligatory certification, bodies of certification of goods, which operate within the framework of UkrSEPRO, standardization, metrology and certification centers which co-operate with the bodies of certification when goods are imported into the territory of Ukraine, shall be established by Gosstandard of Ukraine.

**3.3.** A decision on the acknowledgment of certificates, issued by the bodies of other countries, (international systems) for domestic and imported goods, to be used in the territory of Ukraine, shall be taken by an UkrSEPRO's body of certification.

**3.4.** Procedure for acknowledgment of results of certification of goods imported into Ukraine shall be based on the confirmation of correspondence of such goods to obligatory requirements, established by laws and regulations, international and national standards of other countries, effective in Ukraine, by concluding agreements or adopting the decisions on acknowledgment.

A warrant of recognition of foreign certificates shall be the certificate of correspondence, issued by the UkrSEPRO system or a warrant of recognition (Annex A).

**3.5.** Agreements on recognition of results of certification shall be concluded under conditions:

- - existence of the national system of certification in the importing country, which has an organization and methodology documents, accredited bodies on certification of goods, testing laboratories (centers) in accordance with the requirements of ISO/IEC on certification and standards ISO 9000, EN 29 000;
- - existence of accredited bodies on certification of goods, testing laboratories within international systems of certification IEC SE, MSS IET IEC, EEC UNO;
- - existence of accredited bodies on certification of goods, testing laboratories within the inter-state systems of certification of a specific type of goods, established jointly by the states-parties to the agreement.

**3.6.** Results of certification of imported goods, which are not covered by the agreement, including certificates (marks) of correspondence of goods, may be acknowledged by UkrSEPRO system on the grounds of the decision on acknowledgment:

- without additional procedures on certification;
- with the use of supplementary procedures on certification;  
based on the positive results of certification of goods in the UkrSEPRO system.

**3.7.** The most important features of the agreement on acknowledgement shall be:

- the mutually acknowledged administrative and legal structures and work programs;
- identical basic criteria that need to be met during the certification of goods;
- normative documents that are in use shall be harmonized with the international standards (ISO, IEC etc.);
- mutual legal and economic responsibility of the parties concluding an agreement;
- possibility to suspend the validity of an agreement;
- procedures ensuring the proper operation of the structures chosen, uniform methods and equipment for conducting certification, analogous supervision procedures, legal protection methods and other leading provisions guaranteeing that neither of the parties participating in certification will not be subject to an unjustified risk on recognition of work on certification of other parties.

**3.8.** Basic provisions of the agreement on recognition of the results of certification of goods are stipulated in Annex B of this KHD.

**3.9.** The rules and procedure of mutual acknowledgement of the national certification systems shall be determined based on the bilateral and multilateral agreements (of member states to an agreement).

#### **4. Procedure for acknowledgement of results of certification of imported goods**

**4.1** Acknowledgement of results of certification of imported goods shall mainly deal with:

- recognition of the certificate (mark) stating that goods meet the requirements (the quality system certification);
- recognition of results of certification of goods by the testing laboratory.

**4.2.** Procedure for recognition of the results of certification of goods shall provide for the following basic stages:

**4.2.1.** When concluding the agreements:

- consideration of an application and documentation analysis for drawing up an agreement;
- drawing up the agreement on recognition of results of certification of goods;
- making up and registration of certificates (marks) of correspondence or warrants on recognition, their filing into the UkrSEPRO's register and the issue to an applicant;
- technical supervision over imported goods in compliance with the agreement on recognition of results of certification of goods during the term of validity of such agreement.

**4.2.2.** When making a decision:

- consideration of an application and documentation analysis submitted for recognition of results of certification of goods;
- making the decision on the possibility of issue of the certificate (mark) of correspondence or a warrant on recognition;
- making up and registration of certificates (marks) of correspondence or warrants on recognition, their filing into the UkrSEPRO's register and the issue to an applicant;
- technical supervision over imported goods in compliance with the decision on recognition of results of certification of goods.

**4.3.** The declarer of goods of the importing state shall present the following documents to the body on certification of the specific type of goods of UkrSEPRO :

- application on recognition;
- certificate (mark) of recognition;
- standard (specifications) for goods and certification procedure;
- certificate of the testing laboratory accreditation (if available);
- protocol on testing;
- quality certificate, certificate of production (if available) by a producer;

**4.4.** If there is no relevant body on certification of the specific type of goods of UkrSEPRO, the documents shall be submitted to the State Committee on Standardization of Ukraine which shall appoint the institution to function as a body on certification of these goods and exercise recognition of results of certification.

**4.5.** Relationship between the parties to the works on recognition of results of certification of goods shall be maintained through their permanent representatives.

**4.6.** A body on certification of a specific type of goods shall consider and analyze the documents submitted. For consideration of the documents a commission headed by the chair of the certification body shall be established. The experts-auditors of various fields of certification of goods, professionals of the state sanitary-epidemiological service (if necessary), representatives of consumer's unions and other institutions concerned.

The commission which considers the documents, shall have the right to request for additional documentation from the representative of other party that has submitted the documents.

Based on this analysis the draft agreement on acknowledgement of the results of certification between the authorized persons of both parties shall be developed or a decision on the procedure for recognition of the results of certification shall be adopted.

**4.7.** The agreements shall be concluded with organizations at various levels with participation of the UkrSEPRO's certification body.

**4.8.** The body on certification of a specific type of goods shall issue the UkrSEPRO's certificate (mark) of correspondence for the goods which have been certified under the agreement.

In the course of the validity period of agreement, the cases of full recognition of certificates (marks) of correspondence for the goods of foreign partners may be possible.

In this case the certificate on recognition shall be issued in accordance with Annex A of this KND.

**4.9.** Full recognition of certificates (marks) of correspondence which are not covered by the agreement, certificates of accreditation of the bodies of certification, testing laboratories (centers) may be possible when the following requirements are met:

- identity of the basic criteria upon which the activity of certification systems for a specific type of goods of UkrSEPRO are based on and the importing state, including application of procedures which ensure uniform certification procedures, testing equipment and similar procedures for supervision over the goods certified, production quality (attestation) systems;

- application of international and uniform standards (specifications) for goods and procedures of certification that are used in Ukraine and in the importing state.

**4.10.** In case of the full recognition of foreign certificates (marks) of correspondence, the body on certification of the specific type of goods shall prepare certificates on recognition (Annex A).

**4.11.** If a consensus between the parties is reached, when there is a minor divergence concerning the assessment of documents with regard to the indices (characteristics) of goods that are subject to obligatory certification, the partial recognition of the results of certification and other functional elements of certification systems of the importing state which are not covered by the agreement may be possible. In this case the body on certification of a specific type of goods shall recommend conducting of the additional procedure on certification of samples of goods by these indices (characteristics) in the testing laboratories of UkrSEPRO system.

**4.12.** After conducting of additional procedures on certification the body on certification of concrete produce type registers compliance certificate according to the Guiding Normative Document 50-005-93. In this Document procedures on certification, conducted in UkrSEPRO system, and recognition of foreign compliance certificate are grounds to issue certificate.

**4.13.** In a case of a considerable divergence when evaluating documentation concerning characteristics of produce which has to be certified in a compulsory way, body on produce certification recommends complete conducting of produce samples certification in test laboratories of UkrSEPRO system or other laboratories in accordance with UkrSEPRO system rules and in regard to concrete produce type.

**4.14.** After conducting of certification in UkrSEPRO system the body on certification of concrete produce type issues compliance certificate according to the Guiding Normative Document 50-005-93.

**4.15.** Samples for certification under paragraphs 4.11 and 4.13 are provided by imported Party. System of identification mentioned in documentation or expressed by marking is applied when providing samples or articles.

**4.16.** Within one month the body on certification of concrete produce type sends results of works on recognition (compliance certificate, other documents, etc.) together with documentation under paragraph 4.3 to Derzhstandard of Ukraine (State Standard of Ukraine) for consideration and registration.

**4.17.** Derzhstandard of Ukraine registers certificates on recognition of foreign compliance certificates (marks) and compliance certificates issued in UkrSEPRO system.

**4.18.** Recognition of compliance certificates (marks), accreditation certificates of test laboratories (protocols of tests) and other functional elements of importer-states' certification system is considered valid since the moment of their entering in the register of UkrSEPRO system for the period of agreement on recognition validity or term established by the body on certification of concrete produce type.

**4.19.** Technical surveillance over imported produce is conducted through fulfillment of mutual obligations mentioned in agreement (Annex B).

**4.20.** Technical surveillance over imported produce which not covered by the agreement on recognition of certification results under paragraph 3.6 is conducted in accordance with UkrSEPRO system rules and concrete produce type under scheme (model) of certification.

**4.21.** Applicant shall pay for works on recognition of certification results of imported produce.

**4.22.** Annex B of this Guiding Normative Document determines the procedure of works on recognition of certification results of imported produce.



**Annex A**  
(obligatory)  
Certificate of Recognition

**STATE COMMITTEE OF UKRAINE ON STANDARDIZATION, METEOROLOGY  
AND CERTIFICATION  
(GOSSTANDARD OF UKRAINE)**

**Certification System of UkrSEPRO**

CERTIFICATE OF RECOGNITION \_\_\_\_\_  
(name of the foreign certificate or another document, certifying correspondence)

Registered in the register  
of the certification system of UkrSEPRO  
“ \_\_\_\_ ” \_\_\_\_\_ 199 No. \_\_\_\_\_

ISSUED TO \_\_\_\_\_  
(applicant (producer, supplier, recipient, its address))

FOR THE PRODUCT \_\_\_\_\_  
(name, type, sort, trade-mark, lot, in the amount of (units, kg., meters, etc.))

ON THE BASIS OF \_\_\_\_\_  
(name of the document, certifying correspondence, its registration number and date of issuance)

ISSUED BY \_\_\_\_\_  
(name of the body who issued the document, certifying correspondence)

IN ACCORDANCE WITH \_\_\_\_\_  
(international, regional, bilateral agreement or another document, number, date)

CERTIFICATE IS ISSUED \_\_\_\_\_  
(name of the certifying body, its address, number of the certificate of the certification body accreditation)

Head of the body  
certifying products: \_\_\_\_\_ (signature)  
\_\_\_\_\_ (initials, surname)

Seal

**Annex B**  
(recommended)  
**The basic provisions of agreements on recognition**

B1. Parties which conclude the agreement on recognition shall submit information on organization's name, address, other data of legal character and surnames of persons responsible for decision on the agreement.

B2. Applied produce categories, functional elements and standards (or other normative documents) shall be determined in the text of the agreement precisely. Probability of the current agreement periodical review (if required) shall be provided in the Annex to the agreement. There is a reference on it in the main text. While concluding the agreement in two languages both texts shall be equally authentic.

B3. All terminology included in the agreement shall be determined synonymously.

B4. While concluding the agreement on recognition the training program for Parties' representatives (experts) on conducting of text laboratories valuation, methods of tests and procedures used by Contracting Parties shall be developed. The program should promote achievement of mutual confidence, acceptance of tests results and their protocols (reports); and identity in understanding of requirements established in standards or other normative acts.

B5. The agreement on recognition should include provision on issues of insurance, legal responsibility, costs, fees rates, types of losses which can be caused as a result of unforeseen circumstances while fulfilling obligations of the agreement.

B6. All measures of Parties on valuation of obligations fulfillment responsibility shall be mentioned in the agreement if provided:

- initial valuation of producing capacities, equipment and staff qualification; and valuation of quality system (if exists);
- repeated valuation of producing capacities while modernizing technological process and equipment, change of quality system and change of the agreement's action field and their grounds;
- permanent control over applying of correcting means when finding out non-compliance or incorrect actions by one of two Parties; and terms of their (means) conducting;
- checking on tests conducting methods;
- distribution of costs to conduct control.

B7. The agreement should provide resolving of administrative issues, provision with communication, documentation exchange and use of language (if Parties use different languages) applied for communication and settlement of disputes.

B8. Methods to check types of works carried out by Parties and financial costs provided in the agreement shall be mentioned in the agreement.

B9. The agreement shall determine a mechanism to resolve disputes appeared between the Contracting Parties.

B10. The agreement shall establish term of its validity, conditions of cessation, stopping or renewal

## ANNEX C (recommended)

### Procedure of recognizing certification of the imported products

1 stage	<p>Registration of the application</p> <p>Registration of the documents according to Art. 4.2</p> <p>Consideration of the additional application and analysis of documents</p> <p>Execution of the draft agreement and preparation of the documents according to 4.9; 4.11; 4.13</p>	<p>Registration journal</p> <p>Formation of the commission</p> <p>Inquiry for information (if necessary) 4.6</p>	
	Execution of documents or making decisions on recognition procedure	Positive decision on considered documents	Confirmation of the agreement or issuance of the certificate of recognition according to 4.10
2 stage		Necessity of the certification procedures	<p>Partial recognition of the foreign correspondence certificate (sign) and issuance of the correspondence certificate (sign) according to 4.12</p> <p>Certification in the system of UkrSEPRO, issuance of the correspondence certificate (sign) according to 4.14</p>
	Submission of the decision on recognition to the State Committee on Standardization of Ukraine		Registration of the correspondence certificate (sign) or abolition of the register and recognition procedures

3 stage	Execution and registration of correspondence certificates (signs), certificates of recognition, certificate of the experimental laboratory accreditation (or recognition of the experimental results), other elements of the certification system, their registration in the register of the certification system of UkrSEPRO
4 stage	Technical supervision for the imported products according to the agreement for the period of its validity or for the period determined by the certification body for definite type of products