

**Guideline regarding the procedure to be followed by authorized technical institutes for
the acceptance and execution of orders for quality testing
of smoke alarm devices**

Supplement to the Regulation governing the EU Certification Mark No. 018155313 „“

INDICATION: the German version of these Guideline shall be binding.

1. In accordance with the trademark regulation and its Supplementary Provisions, in particular the “Technical Guidelines for Quality Testing of Smoke Alarm Devices” the authorized Technical Institute may only accept and execute an order for the testing of smoke alarm devices from a „manufacturer“ or his authorized representative.
2. In addition to that, the mark owner and/or the trademark proprietor (hereafter referred to as the “Proprietor”) or a third party or person authorized and commissioned by him may order the authorized Technical Institute, to carry out tests according to the trademark regulation and the “Technical Guideline for Quality Testing of Smoke Alarm Devices”, if there are concrete clues that workpieces of a product for which a manufacturer has been granted the right to use the EU certification mark and workpieces made available on the market of this product marked with this trademark do not or do not completely comply with the requirements in accordance with the trademark regulation and the “Technical Guideline for Quality Testing of Smoke Alarm Devices”.
 - 3.1 For the purpose of this trademark regulation the authorized Technical Institute will only process those testing orders for which a written contract has been set up in which the client’s details are correctly indicated as well as the complete scope of services to be rendered and which has become legally effective prior to the start of execution; in accordance with No. 11 this testing order has to be kept in the respective testing documentation by the authorized Technical Institute.
 - 3.2 Immediately upon the legally effective conclusion of such an agreement, the authorized Technical Institute will inform the Proprietor about the facts of the order for testing of a smoke alarm device in accordance with the requirements of the trademark regulation and the “Technical Guideline for Quality Testing of Smoke Alarm Devices” for the purpose of a possible later granting of the right to use the mark for a smoke alarm device; the notification shall be made in text form stating the ordering party as well as all details which are useful and will be suitable for identifying the product.
4. The authorized Technical Institute will only carry out an order for the initial test of a smoke alarm device in accordance with the trademark regulation and the “Technical Guideline for Quality Testing of Smoke Alarm Devices” (“initial testing”) if the client
 - 4.1 is already either named on the workpieces of a product to be tested with his name or his trademark and his address in accordance with the provisions of Regulation (EU) No. 305/2011 or the customer makes a binding commitment in writing to the authorized Technical Institute when placing the order to make available on the internal market in future himself workpieces of the product to be tested marked correspondingly.

4.2 either

a.) has submitted all documents referred to in Nos. 7.2.6.1 to 7.2.6.5 of the Supplementary Provisions of the trademark regulation with the content described therein from which it is possible to derive, for each of the technical individual features of any of the defined essential features which at the time of placing the testing order are considered as harmonized in the EN 14604 made known to the public under Regulation (RU) No. 305/2011 and which on the basis of the actually available technical equipment of the test samples submitted by the manufacturer are relevant for the respective product and will result in testing results according to which the product concerned complies each with all the relevant technical individual features described in the standard.

or

b.) has previously placed a separate order with the authorized Technical Institute or places it at the latest simultaneously for testing and performance assessment of test pieces of the same product according to the current EN 14604 made known to the public as harmonized under Regulation (EU) No. 305/2011 at the time when placing the testing order, namely in respect of all technical individual features described in EN 14605 with regard to each of the defined Essential Features and such a test has actually been carried out or will be carried out with regard to those technical individual features which based on the actually available technical equipment of the test samples submitted by the manufacturer are relevant.

whereby in both cases it will not be taken into account in as far as that which specifications regarding the product the manufacturer has declared or will declare in his performance declaration.

5. The authorized Technical Institute ordered to carry out the quality test and quality assessment according to the trademark regulation and the “Technical Guideline for Quality Testing of Smoke Alarm Devices” is not allowed to only take technical test results regarding the assessment of the performances of the smoke alarm device published in accordance with the EN 14604 as harmonized under the Regulation (EU) No. 305/2011 from a performance declaration which the manufacturer has established with regard to Regulation (EU) No. 305/2011 for the product concerned. Instead, the authorized technical institute commissioned must obtain the data from the test protocol to be submitted by the manufacturer or requested from him or from the written test protocol of that performance assessment test.
6. For the execution of the product tests in the scope of continuous monitoring by an authorized Technical Institute of a product for which the right governing the use of the certification mark has been granted, the provisions according to No. 7.4 of the trademark regulation will apply.
- 7.1 Prior to executing tests in accordance with the trademark regulation and the “Technical Guideline for Quality Testing of Smoke Alarm Devices”, the authorized Technical Institute must ensure, that test reports, certificates and other attestations submitted by the client (manufacturer) have been issued for workpieces of the same product or the

same series as for the workpieces submitted to it for testing. If the authorized Technical Institute has doubts regarding the identity of the product and the workpieces, respectively, it has to immediately request the client in text form to dispel by means of suited measures or documents the doubts to be described in detail on part of the authorized Technical Institute. The authorized Technical Institute may set an appropriate deadline for this purpose.

- 7.2 If according to the authorized Technical Institute's opinion the doubts are not removed or dispelled appropriately within the deadline set, the authorized Technical Institute is in accordance with the trademark regulation and the "Technical Guideline for Quality Testing of Smoke Alarm Devices", not allowed to continue the tests. In such a case it is above all not allowed to issue a certificate regarding conformity of the product with the requirement according to the trademark regulation and the "Technical Guideline for Quality Testing of Smoke Alarm Devices", ("Q-certificate"). Instead, the authorized Technical Institute is hold to immediately transmit to the Proprietor a short report in text form which must include the client, the manufacturer, the identification data of the product concerned, the main reasons of the doubts, the date when it has been noticed and the reaction of the client or manufacturer.
- 8.1 If the initial tests carried out by the authorized Technical Institute for the test samples of a smoke alarm device submitted by the manufacturer show that the tested product complies with all quality features defined in accordance with the trademark regulation and the "Technical Guideline for Quality Testing of Smoke Alarm Devices", the authorized Technical Institute will in compliance with the format and content according to No. 10 issue to that manufacturer a corresponding written confirmation („Q-certificate). The „Q-certificate“ is a summarizing, easily to comprehend presentation and assessment of the results of the technical quality tests of a product in accordance with the trademark regulation and the "Technical Guideline for Quality Testing of Smoke Alarm Devices" in which as a result it is confirmed that these technical tests have shown that the product in question complies with the technical quality for smoke alarm devices defined in the trademark regulation and the "Technical Guideline for Quality Testing of Smoke Alarm Devices".
- 8.2 No matter whether verbally, in writing or in any other form, the authorized Technical Institute will only and only then confirm – compliance of a product submitted for test in accordance with the requirements of the trademark regulation and the "Technical Guideline for Quality Testing of Smoke Alarm Devices", if
- a. all technical tests necessary to demonstrate that the product in question meets all technical performance features defined in the trademark regulation and the "Technical Guideline for Quality Testing of Smoke Alarm Devices", have been carried out in its own test laboratory or in a test laboratory under contract, with the assistance and constant supervision of competent staff,
 - b. a written test protocol is provided which contains in complete and reproducible form the course of the individual tests and all individual results of the tests necessary in accordance with the trademark regulation and the "Technical Guideline for Quality Testing of Smoke Alarm Devices",

- c. it has gained thereof the knowledge and conviction on the basis of its own expertise that the respective product meets all the technical quality features for smoke alarm devices defined in the trademark regulation and the “Technical Guideline for Quality Testing of Smoke Alarm Devices”,
9. Handling of deviations of test samples regarding the performance assessment in accordance with EN 14604:2005 which has been published as harmonized.
- 9.1 If technical tests of the test samples of a smoke detector carried out by the authorized Technical Institute show considerable or significant deviations from testing results, which based on presented results from third party tests according to No. 4.2. version a) were to be expected and which do not only result from different testing procedures, the authorized Technical Institute is obliged to clarify the cause of the difference with the manufacturer (client).
- 9.2 If the cause of deviation can be neither localized nor found out and therefore also cannot be removed by the manufacturer (client), or if the manufacturer (client) does not remove the cause, the authorized Technical Institute itself has to describe it and the noted significant deviations in the test protocol and to indicate this according to its essential technical content as well as the concrete measures initiated thereupon and the results thereof.
- 9.3 In the event that the test samples nevertheless comply with the quality features required according to the trademark regulation and the “Technical Guideline for Quality Testing of Smoke Alarm Devices”, the authorized Technical Institute may issue a confirmation according to No. 8.1. (“Q-certificate”) but only in such a way that the report clearly refers to the noted deviations from the test results of the performance assessment according to EN 14604.
If a noted deviation shows that the requirements according to EN 14604 are not met, the authorized Technical Institute is not allowed to issue a confirmation (“Q-certificate”) according to No. 8.1. of this guideline.
10. Format of the written confirmation of compliance of a product with the requirements in accordance with the trademark regulation and the “Technical Guideline for Quality Testing of Smoke Alarm Devices” (“Q-certificate”).

Regarding the format and the content of the confirmation according to No. 8.1 (“Q-certificate”) the following will apply:

- 10.1 The document is titled:

**„Confirmation of Compliance
with the requirements of the regulation
for the EU certification Mark No. 018155313 („Q-Certificate”)“**

In the authorization agreement with the authorized Technical Institute the Proprietor can make further specifications regarding the layout of the written confirmation and if necessary change them correspondingly with effect for the future.

- 10.2 If the confirmation is not exclusively issued in German or in English or in both of these languages it has to be issued apart from the further language also at least in one of these two languages. A confirmation to be established in separate documents or in the same document in several language versions must have the complete identical meaning in all language versions.
- 10.3 These confirmations must
- a. describe the tested product so precisely that third parties, in particular the Proprietor, can easily and unambiguously assign a smoke alarm device made available on the market to the smoke alarm device for which the Q-Certificate was issued by means of the designations and/or identification numbers affixed to the product.
 - b. in the same way exactly and completely describe all equally tested product variants which shall be covered by the Q-certificate.
 - c. be provided with a serial or register number and further information which permit to easily and clearly assign each confirmation to a certain product, to the relevant test protocols and to the relevant technical documentation according to No. 11 of this guideline.
 - d. contain the explicit remark that the confirmation itself does not grant any legal authorization to use the EU certification mark, but only grants the right to apply for the right to use the EU certification mark in accordance with the provisions of the trademark regulations.
- 10.4 The confirmations ("Q-certificates") shall indicate the authorized Technical Institute with full name and postal address and shall be signed personally by the person or persons responsible and authorized on behalf of the authorized Technical Institute for issuing the confirmations referred to in No. 7.3.2.1.a) of the Supplementary Provisions of the trademark regulation and who were named to the Proprietor. The names and functional designations of the persons signing the confirmation shall be indicated in block letters or typewritten when the confirmation is signed.
- 10.5. A subsequent change or addition to an issued Q-certificate, e.g. for the subsequent recording of technical variants of an already Q-certified product type, does not take place.
11. Documentation and retention obligations
- 11.1 The authorized Technical Institute shall compile documentation of each legally valid order for the testing of workpieces of a smoke alarm device in accordance with No. 7.2 and/or 7.4 of the trademark regulation and the "Technical Guideline for Quality Testing of Smoke Alarm Devices". This documentation shall include:
- a. the complete testing order signed at least by the client.
 - b. all documents regarding the product and/or in connection with the test handed over by the client to the authorized Technical Institute, above all those according to No. 4.2 and 5 of this guideline, and in the event that a case of Art. 36 para. 1, letter b) of the VO (EU) No. 305/2011 exists, the test reports and test results of tests carried out at the same product on behalf of third parties for performance

- assessment as well as evidence that the client is entitled to use these documents and testing results of a third party for the product concerned.
- c. the entire correspondence led by the authorized Technical Institute in connection with the testing order and its execution with the client and third parties;
 - d. all protocols and reports about the course and the result of any testing activity;
 - e. possible findings according to No. 7 or No. 9 of this guideline and all relevant technical details on which such findings are based and the correspondence led with the manufacturer and third parties in this respect as well as
 - f. all other findings and documents deemed to be relevant by the authorized Technical Institute regarding the matter.
- 11.2 The technical documentation must also include the names of those employees of the testing laboratory who have carried out the respective test and on which days which individual test with which result was carried out.
- 11.3 Together with the technical documentation, at least two test samples of each test run of the tested product type submitted by the manufacturer to the authorized technical institute shall also be kept; the initial test, each test within the scope of the continuous surveillance in accordance with No. 7.2.9 of the Supplementary Provisions regarding 7.2 of the trademark regulation and each possible repeat test according to No. 7.4. of the trademark regulation are considered as one test run.
- 11.4 The authorized Technical Institute shall design and store or record the technical documentation established by it in such a way that it can immediately provide the trademark owner, the Proprietor or third parties commissioned and authorized by the Proprietor with at least the following information at any time in accordance with the trademark regulation
- a. all test orders issued and accepted in respect of proving compliance with the technical features in accordance with the trademark regulation and the “Technical Guideline for Quality Testing of Smoke Alarm Devices”, with and without indication of the date on which the respective order was issued and of the data required for identification of the respective product and of whether or not a confirmation in accordance with No. 8.1 of this guideline (“Q-Certificate”) has been issued or not,
 - b. all test orders placed by a particular client with respect to providing evidence of compliance with the technical features according to the trademark regulation and the “Technical Guideline for Quality Testing of Smoke Alarm Devices”, indicating the date on which each order was placed and the details necessary for identification of each product and whether or not a confirmation has been issued in accordance with No. 8.1 of this guideline (“Q-Certificate”),
 - c. all orders placed for a technically identical test, only under different product designations and/or placed by different companies, with respect to proving compliance with the technical features in accordance with the trademark regulation and the “Technical Guideline for Quality Testing of Smoke Alarm Devices”, stating the different product names, clients, order numbers and dates and whether or not a confirmation in accordance with No. 8.1 of this guideline (“Q-certificate”) has been issued or not.

The Proprietor may make further specifications to the authorized Technical Institute in the authorization agreement for the purpose of statistical recording and evaluation.

11.5 The authorized Technical Institute shall keep the technical documentation of the test results at least until the end of the full tenth calendar year after issuing the written confirmation in accordance with No. 8.1 of this guideline ("Q-Certificate").

12. Supplementary provisions to be applied mutatis mutandis

In addition, the following shall apply mutatis mutandis, insofar as this guideline does not contain any specific or deviating regulation

- a.) EN ISO/IEC 17025 for the execution of the technical test according to the trademark regulation in connection with the "Technical Guideline for Quality Testing of Smoke Alarm Devices",
 - b.) EN ISO/IEC 17050 part 1 as well as Section 7.7 of the DIN EN ISO/IEC 17065, for establishing the written confirmation according to No. 8.1. of this guideline ("Q-certificate")
 - c.) the DIN EN ISO/IEC 17050 part 2 for the documentation („testing documentation“) related to the procedure and to the confirmation according to No. 11 of this guideline
- each in its current version.

(Decided by the general meeting of the Forum Brandrauchpraevention (Fire smoke prevention) e.V. at Duesseldorf on November 14, 2019; editorial status: April 27, 2020)