



CNBOP-PIB

CERTIFICATION DEPARTMENT

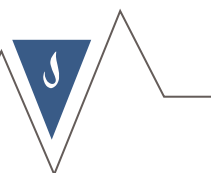
# PC-CPR SCHEME FOR ASSESSMENT AND VERIFICATION OF CONSTANCY OF PERFORMANCE OF CONSTRUCTION PRODUCTS (AVCP SYSTEM 1, 1+)

(edition: sixth; issue date: 14 September 2020)



CENTRUM NAUKOWO-BADAWCZE  
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## 1 General information

The following scheme describes the activities and rules of conduct of Centrum Naukowo-Badawcze Ochrony Przeciwpozarowej – Państwowy Instytut Badawczy (CNBOP-PIB) in the scope of assessment and verification of constancy of performance (AVCP) of construction products according to system 1, 1+ in accordance with the Regulation of the European Parliament and of the Council (EU) No. 305/2011 (as amended), required for the manufacturer to issue a declaration of performance and CE marking of construction products. This scheme is also a guidebook for all interested parties.

Technical details necessary to implement the system of assessment and verification of constancy of performance are included in the relevant harmonized standards (hEN for short). Harmonized standards refer to the intended use of construction products, which include and define methods and criteria for assessing the performance of construction products in relation to their essential characteristics.

The current list of products subject to AVCP processes conducted by CNBOP-PIB, together with information about the applicable harmonized standards (and their editions) for these products and the applicable AVCP system, is available on the Institute's website at *Services → Certification and admittance → European certification of constancy of performance of construction products*.

CNBOP-PIB carried out assessment and verification of constancy of performance in a transparent manner with regard to the manufacturer and in a proportionate manner, avoiding creating unnecessary burdens. CNBOP-PIB performs its tasks taking into account the size of the enterprise, the sector in which the enterprise operates, and its structure, the degree of complexity of the technologies used in production and the mass or serial nature of the production process. However, CNBOP-PIB aims to take into account the strict requirements imposed on the product by the Regulation of the European Parliament and of the Council (EU) No. 305/2011 of 9 March 2011 mentioned in point 4 of the scheme and what role the product plays in meeting all basic requirements for construction works.

Matters not covered by this scheme are settled by CNBOP-PIB on an individual basis.

## 2 Legal grounds

- Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC (L 88/5 of 4.4.2011) **[1]**.
- Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (EWG) nr 339/93 (L 218/30 of 13.8.2008) **[2]**.
- COMMISSION DELEGATED REGULATION (EU) No 568/2014 of 18 February 2014 amending Annex V to Regulation (EU) No 305/2011 of the European Parliament and of the Council as regards the assessment and verification of constancy of performance of construction products (L 157 of 27.5.2014) **[3]**.

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The competences of CNBOP-PIB Certification Department (DC CNBOP-PIB) are confirmed by the accreditation of the Polish Centre for Accreditation No. AC 063 according to PN-EN ISO/IEC 17065:2013 “*Conformity assessment – Requirements for bodies certifying products, processes and services*” referring to:

- assessment of the performance of the construction product carried out on the basis of testing (including sampling), calculation, tabulated values or descriptive documentation of the product;
- initial inspection of the manufacturing plant and of factory production control (FPC);
- continuing surveillance, assessment and evaluation of factory production control;
- control/audit testing of samples obtained from the manufacturing site (system 1+).

The scope of accreditation is available on the website of the Polish Centre for Accreditation: <http://www.pca.gov.pl>.

CNBOP-PIB has the authorization of the Minister of Infrastructure and Development and the notification of the European Commission number 1438 in the scope of Regulation (EU) No. 305/2011 of the European Parliament and of the Council. The scope of the notification is available on the website of the European Commission: <http://ec.europa.eu/>.

### 3 System of assessment and verification of constancy of performance of construction products

AVCP system <sup>1</sup>	Elements of the assessment and verification system of constancy of performance (tasks of the notified body)	Type of issued document / product marking
1	<ul style="list-style-type: none"> <li>➤ assessment of the performance of the construction product carried out on the basis of testing (including sampling), calculation, tabulated values or descriptive documentation of the product,</li> <li>➤ initial inspection of the manufacturing plant and of factory production control (FPC),</li> <li>➤ continuing surveillance, assessment and evaluation of factory production control.</li> </ul>	Certificate of constancy of performance / CE marking – an example of marking:  1438 (1438 – CNBOP-PIB identification number as a notified body participating in the processes of assessment and verification of constancy of performance of construction products)
1+	<ul style="list-style-type: none"> <li>➤ assessment of the performance of the construction product carried out on the basis of testing (including sampling), calculation, tabulated values or descriptive documentation of the product,</li> <li>➤ initial inspection of the manufacturing plant and of factory production control (FPC),</li> <li>➤ continuing surveillance, assessment and evaluation of factory production control,</li> <li>➤ control/audit testing of samples obtained from the manufacturing site.</li> </ul>	Certificate of constancy of performance / CE marking – an example of marking:  1438 (1438 – CNBOP-PIB identification number as a notified body participating in the processes of assessment and verification of constancy of performance of construction products)

<sup>1</sup> according to regulation [1], with changes resulting from regulation [3]

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## 4 Definitions

For the purpose of this scheme, the following definitions apply<sup>2</sup>:

**“construction product”** means any product or kit which is produced and placed on the market for incorporation in a permanent manner in construction works or parts thereof and the performance of which has an effect on the performance of the construction works with respect to the basic requirements for construction works;

**“construction works”** means buildings and civil engineering works;

**“essential characteristics”** means those characteristics of the construction product which relate to the basic requirements for construction works;

**“performance of a construction product”** means the performance related to the relevant essential characteristics, expressed by level or class, or in a description;

**„level”** means the result of the assessment of the performance of a construction product in relation to its essential characteristics, expressed as a numerical value;

**“class”** means a range of levels, delimited by a minimum and a maximum value, of performance of a construction product;

**“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;

**“harmonised technical specifications”** means harmonised standards and European Assessment Documents;

**“harmonised standard”** means a standard adopted by one of the European standardisation bodies listed in Annex I to Directive 98/34/EC, on the basis of a request issued by the Commission, in accordance with Article 6 of that Directive;

**“intended use”** means the intended use of the construction product as defined in the applicable harmonised technical specification;

**“Specific Technical Documentation”** means documentation demonstrating that methods within the applicable system for assessment and verification of constancy of performance have been replaced by other methods, provided that the results obtained by those other methods are equivalent to the results obtained by the test methods of the corresponding harmonised standard;

**“making available on the market”** means any supply of a construction product for distribution or use on the Union market in the course of a commercial activity, whether in return for payment or free of charge;

<sup>2</sup> Rozporządzenie Parlamentu Europejskiego i Rady (UE) nr 305/2011 z dnia 9 marca 2011 r. ustanawiającego zharmonizowane warunki wprowadzania do obrotu wyrobów budowlanych i uchylające dyrektywę Rady 89/106/EWG (Dz. U. L 88/5 z 4.4.2011).

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**“placing on the market”** means the first making available of a construction product on the Union market;

**“economic operator”** means the manufacturer, importer, distributor or authorised representative;

**“manufacturer”** means any natural or legal person who manufactures a construction product or who has such a product designed or manufactured, and markets that product under his name or trademark;

**“distributor”** means any natural or legal person in the supply chain, other than the manufacturer or the importer, who makes a construction product available on the market;

**“importer”** means any natural or legal person established within the Union, who places a construction product from a third country on the Union market;

**“authorised representative”** means any natural or legal person established within the Union who has received a written mandate from a manufacturer to act on his behalf in relation to specified tasks;

**“withdrawal”** means any measure aimed at preventing a construction product in the supply chain from being made available on the market;

**“accreditation”** has the meaning assigned to it by Regulation (EC) No 765/2008;

**“factory production control”** means the documented, permanent and internal control of production in a factory, in accordance with the relevant harmonised technical specifications;

**“rebranding manufacturer”** is a manufacturer who does not physically produce rebranded construction products, marketed under his own name or trademark;

**“rebranded construction product”** means a construction product placed on the market by a rebranding manufacturer under his name or trademark.

## 5 Certification

Assessment and verification of constancy of performance of construction products in relation to their essential characteristics is carried out by the CNBOP-PIB Certification Department (DC CNBOP-PIB) in accordance with the systems 1 and 1+ specified in Annex V to the Regulation [1], as amended. DC CNBOP-PIB activities under system 1 and 1+ are described in point 3.

In the certification process, as part of the assessment of product performance, DC CNBOP-PIB indicates the testing laboratory where tests should be carried out in accordance with the testing program prepared by DC CNBOP-PIB on the basis of the *“List of essential characteristics of the construction product”* submitted by the Manufacturer.

As part of the surveillance, CNBOP-PIB evaluates the use of the Notified Body number 1438.

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CNBOP-PIB adheres to the principle that activities related to tests and decisions in the processes of assessment and verification of the constancy of performance of products and in appeal cases should not be discriminatory. CNBOP-PIB, its top management and employees responsible for performing third party tasks in the process of assessment and verification of constancy of performance do not engage in any activities that could compromise their independence of opinion and honesty in relation to the tasks for which they have been notified. In addition, employees performing third party tasks in the process of assessment and verification of constancy of performance maintain the highest degree of professional integrity and the required technical competence in a given field.

### **5.1 Preparatory procedure for submitting a product for assessment and verification of constancy of performance**

The manufacturer of the product or his authorized representative may be the applicant for assessment and verification of constancy of performance. An authorized representative is appointed based on the manufacturer's written power of attorney. The preparation of technical documentation is not included in the power of attorney granted to the authorized representative. The applicant, who is not the manufacturer of the product, should be aware that the "Agreement on the supervision of the granted certificate (CPR)", specifying the rules for using and supervising the issued certificate of constancy of performance, is concluded with the manufacturer of the product.

At the stage of preparing to apply for assessment and verification of constancy of performance to be carried out by DC CNBOP-PIB, the Applicant should be aware of which essential characteristics of products are subject to regulations on the EU market and what specific requirements apply in the Member States in relation to the basic requirements for construction works.

CNBOP-PIB Certification Department provides the Applicant with the necessary information on how to start the process of assessment and verification of constancy of performance of the product, including information on:

- regulations, requirements and methods related to the assessment and verification of constancy of performance of a construction product,
- the technical documentation required to be attached to the application,
- the costs related to conducting the assessment and verification process by DC CNBOP-PIB,
- testing laboratories determining the performance of products,
- the possibility of using special technical documentation (if applicable),
- essential characteristics set out in a harmonized standard applicable to the construction product (including classes in case of reaction to fire).

### **5.2 Submitting the product for assessment and verification**

When applying for assessment and verification of constancy of performance of a construction product, the applicant provides a completed application for assessment and verification of constancy of performance of a construction product. The application must include unambiguous identification of the product, basic information about the Applicant, the manufacturer and place or places of production of the product. The application for certification is also an agreement with CNBOP-PIB for rendering the certification service.



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The application should be accompanied by structured and complete documents, certified as true copies by the owner of the document, depending on the needs, including:

- description of the product (e.g. data sheet), including a description of its intended use (applies to all product varieties, if any),
- product instructions (assembly, installation, operation, maintenance) and information on safety,
- assembly drawings and diagrams (e.g. electrical, hydraulic) of the product and its subassemblies, elements and photos of the product,
- list of essential characteristics of the product related to its declared intended use, on the basis of which DC CNBOP-PIB will conduct the process of assessment and verification of constancy of performance,
- special technical documentation (confirmation that the FPC covers the product in question, up-to-date description of the main stages of the production, the method of monitoring the purchase of materials (raw materials), components or services (subcontracting, if any) used for the production of the product, control and measurement equipment used for tests / checks of the product with a description of how to supervise this equipment, list and description of in-process control and testing and of finished products).

The list of essential characteristics according to the harmonized standards covered by CNBOP-PIB's notification is available on CNBOP-PIB website: <http://www.cnbop.pl/>

In the event of an application for assessment and verification of constancy of reaction to fire of a "rebranded" product, the application should be additionally supplemented with:

- an agreement concluded between the manufacturers of the products (the manufacturer of the "original" product and the manufacturer of the "rebranded" product, specifying at least:
  - ✓ list of the products in question,
  - ✓ agreement on sharing test results,
  - ✓ agreement on sharing the results of the FPC inspections,
  - ✓ responsibility for the practical conduct of factory production control, e.g. annual tests required by a harmonized standard:
    - responsibility for conducting tests,
    - responsibility for the analysis of data,
    - responsibility for taking actions (if needed),
  - ✓ agreement on sharing the results of control/audit testing,
- FPC documentation, including: product definition, requirements for the supplier(s) (of the "original" manufacturer), product control, storage conditions, product traceability, handling of non-conformity products, complaints, declaration regarding no changes in the product, which can affect the declared performance.

The condition for registering the application – concluding an agreement with CNBOP-PIB for rendering the certification service – is submitting a correctly completed and signed current application form with all required and applicable attachments.



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The documentation for the process should be submitted in the language version accepted by DC CNBOP-PIB: Polish or English. CNBOP-PIB Certification Department allows the submission of documentation in other language versions, however, it reserves the right to request a translation of this documentation (including a sworn translation) or to order a sworn translation, at the Applicant's expense, into Polish of all or selected parts of the submitted documentation, in order to carry out the process.

**NOTE:** It is possible to submit attachments to the application in electronic form. For this purpose, the option of submitting documentation in electronic form should be selected in the application (item before the list of attachments). Then a DC specialist designated to conduct the process will contact the authorized contact person indicated in the application in order to provide a link to the sentbox and a password. Passwords are generated each time for the purpose of adding / completing documentation.

The application for the assessment and verification of constancy of performance of construction products is available at the Institute's website: <http://www.cnbop.pl/> or by request from CNBOP-PIB Certification Department. When completing the application, particular attention should be paid to the obligations and declarations contained therein that the Applicant should be aware of.

**NOTE:** It is possible to code information about the name and address of the manufacturing plant on the certificate of constancy of performance. For this purpose, the application for the above-mentioned coding should be attached to the application for assessment and verification of constancy of performance of the construction product (optional attachment to the application).

### **5.3 Initial formal verification of the application and documents, identification of the manufacturer of the product and registration of the application**

The application is verified in terms of the correctness of the entries as well as the completeness and correctness of the attached documentation whether they fulfil the formal requirements and in terms of the possibility of carrying out the process for product varieties grouped within a product family.

The Applicant is informed in a documented manner about the results of the verification of the submitted application:

- in case of a negative result of the initial verification – about the need to correct the application and/or necessary supplements to the attachments. Until the Applicant performs the indicated activities, the process is not continued;
- in case of a positive result of the formal verification of the submitted (possibly corrected and/or supplemented) application – the Applicant receives confirmation of the application registration and information on the further course and estimated costs of the process.

Registration of the application is tantamount to concluding an agreement for the implementation of the certification service between the Applicant and CNBOP-PIB. The fee for initial formal verification of the application, identification of the manufacturer of the product and registration of the application is non-refundable.

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Commencing the process of AVCP may be interrupted in the event of:

- failure to provide the documents and/or information required by DC CNBOP-PIB, within 6 months from the date of handing over the information by DC CNBOP-PIB about the need to make additions and corrections to the application and/or the attached documentation, or to perform these activities in an ineffective manner within the deadline,
- receiving a written request from the Applicant regarding the termination of the process of AVCP of the product.

If the Applicant does not provide the documentation required by DC within 6 months, the specialist informs the Applicant that the preparation activities to start the certification process have been terminated and, depending on the Applicant's decision, returns the application together with the provided documentation or permanently destroys it.

Restarting the process of assessment and verification of constancy of performance may take place only after the Applicant submits a new application for the assessment and verification of constancy of performance of the construction product along with all required and applicable attachments. Re-submission of the application is associated with the necessity to pay the fees related to the initial verification of the application and the documentation attached to it.

#### **5.4 Assessment of the performance of the product**

The assessment of the performance of the product serves to determine the performance of a construction product in relation to the essential characteristics for the intended use of the product declared by the manufacturer. Assessment of the performance of a construction product in relation to the essential characteristics for the intended use of the product declared by the manufacturer is carried out on the basis of the applicable harmonized standard/s. The harmonized standard constituting the basis for the assessment of the performance of the product is identified by providing the reference number and the date of issue of the standard (EN), along with all applicable supplements and amendments to the standard. The assessment of the performance of the product is carried out with regard to all the characteristics included in the harmonized standard for which the manufacturer declares performance. For the essential characteristics for which no performance of the product is declared, the manufacturer should indicate "NPD" (*"No Performance Determined"*). In case of characteristics for which the requirement according to the harmonized standard does not apply, the manufacturer should indicate "NA" (*"not applicable"*).

For the purposes of determining performance, a manufacturer's products may be grouped into families in such a way that the test results of one or more characteristics for any product within the family are representative of the same characteristics for all products of the same family.

Determination of the performance of representative samples of a construction product or products from the same family is performed by a testing laboratory (CNBOP-PIB or a subcontractor) on the basis of the methods specified in the harmonized standard (e.g. tests, checks, measurements, visual inspections) and is used to determine the performance of the product type. The selection of samples, including their number, necessary to determine the product type is based on the principles set out in the harmonized standard constituting the basis for the process being conducted. Harmonized standards may define methods that are less burdensome than tests to determine the performance of construction products in relation to their essential characteristics. The samples should be representative of the actual manufacturing process. Sampling of the

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product(s) for testing refers to serial production and is carried out taking into account the rules arising from the applicable relevant harmonized standard. Samples for testing are taken by CNBOP-PIB.

In case of tests performed on prototype samples, it is necessary to confirm, as part of the initial inspection of the manufacturing plant and factory production control by DC CNBOP-PIB, the representativeness of the sample for the planned method of product production – in the absence of appropriate confirmation, it is necessary to confirm the performance of the product type on samples from serial production.

Commissioning the determining of performance of a construction product by a subcontractor is possible only with the consent of the client. CNBOP-PIB bears full responsibility for the tasks performed by the subcontractor.

The selection of samples, including their number, necessary to determine the product type is based on the principles set out in the harmonized standard constituting the basis for the process being conducted. Harmonized standards may define methods that are less burdensome than tests to determine the performance of construction products in relation to their essential characteristics. The samples should be representative of the actual manufacturing process. In case of tests performed on prototype samples, it is necessary to confirm, as part of the initial inspection of the manufacturing plant and factory production control carried out by DC CNBOP-PIB, that the sample is representative for the planned method of product production – in the absence of appropriate confirmation, it is necessary to confirm the performance of the product type on samples from serial production.

In case all test results obtained in testing laboratories other than CNBOP-PIB or subcontractor's laboratories, DC reserves the right to order a repeated performance of tests in a part of the range of the submitted results. However, each time in order to make sure about the credibility of the presented documentation of the product, DC shall order identification tests of the product in CNBOP-PIB laboratory. The scope of testing concerns at least the compliance of the product with the documentation and marking. Carrying out identification tests is a necessary condition of carrying out the process by CNBOP-PIB.

In case of recognizing the test results made available to the rebranding manufacturer, the Certification Department orders the identification of the product for which the process of assessment and verification of constancy of reaction to fire is carried out by CNBOP-PIB laboratory, in the scope concerning, at least, the compliance of power, control and telecommunication cables and wires with technical documentation and marking. In addition, the rebranding manufacturer must obtain a classification report(s) which will include reference to the test report(s) used for its issue, made available by the manufacturer of the "original" product. Conducting identification tests and providing the classification report(s), based on positive results of laboratory tests, is a necessary condition for positive assessment and verification in the field of assessing product performance.

In case of construction products covered by a harmonized standard and which are manufactured individually or to order in a non-series production process in response to a special order and embedded in one specific construction works, the determination of the performance of the product may take place on the basis of a special technical documentation of the product prepared by the manufacturer and submitted to CNBOP-PIB.

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The manufacturer's special technical documentation, bearing a reference number that allows for its unambiguous identification, should indicate the requirements that the product meets, as assured by the manufacturer, as well as the methods that enable the achievement, under system 1 or system 1+ of the assessment and verification of constancy of performance, of results equivalent to the results achieved using test methods set out in a relevant harmonized standard. The result of the verification of the special technical documentation is the basis for determining the performance of the product(s) that this documentation concerns.

### **5.5 Initial inspection of the manufacturing plant and factory production control**

Manufacturers of construction products are obliged to ensure the existence of procedures ensuring that the declared performance of the product is maintained in serial production. Requirements for factory production control, taking into account the specific conditions of the production process of a given construction product, are specified in the applicable harmonized standards.

The manufacturer, as part of ensuring the appropriate conditions of factory production control, is obliged, among others to ensure measurement traceability of the measuring instruments used in the production process of the product under assessment. CNBOP-PIB requirements in this regard are published on the Institute's website.

The process of assessment and verification of constancy of performance of construction products carried out by CNBOP-PIB includes initial inspection of the manufacturing plant and factory production control (FPC) of the manufacturer of the product or the entity commissioned by the manufacturer to manufacture the construction product. The date of the inspection is agreed with the Applicant.

Unless otherwise agreed, the inspection is performed after DC CNBOP-PIB has positively assessed the performance of the product type or has successfully verified the specific technical documentation.

The purpose of the FPC inspection is verification:

- a) whether all the resources necessary to achieve the product characteristics specified in the applicable European harmonized standard are available at the assessed site and correctly put into use, and
- b) whether the FPC procedures, in accordance with the FPC documentation, are actually followed, and
- c) whether the product is in agreement with the samples taken for the purpose of assessing the performance of the product, for which the compliance with the declared performance as defined in the applicable harmonized standard has been verified.

Inspection covers all locations where the final assembly of the product takes place or where the final testing of the product is carried out in order to verify that all the conditions specified above (from a) to c)) are met.

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When the subject of tests in the process was a prototype of a construction product, and the intention of the manufacturer is to start serial production of the product, the initial inspection of the plant and FPC is performed before the start of production and/or implementation of the FPC. During the initial inspection, DC CNBOP-PIB verifies:

- availability of all resources necessary for the product to achieve the characteristics required by the harmonized standard,
- implementation and practice in accordance with the FPC procedures constituting the documentation of the FPC,
- the availability of procedures confirming that the production processes lead to the production of subassemblies compliant with the requirements of the harmonized standard and that (each) subassembly will be the same as used in the sample(s) subject to determining the performance of the product type and verified for compliance with the harmonized standard.

The results of the FPC are included in the FPC inspection report. The report is prepared in two identical copies, which, together with the attachments, are submitted to the assessed organization for review and signature. If, during the initial inspection of the manufacturing plant and factory production control, DC CNBOP-PIB finds that the manufacturer has not ensured the constancy of performance of the manufactured product, the manufacturer is obliged to take appropriate corrective measures within the time limit proposed by the manufacturer and accepted by CNBOP-PIB, not exceeding however, 6 months from the date of the non-conformity.

If DC CNBOP-PIB has the results of an FPC inspection carried out by CNBOP-PIB assessment team during the current or previous calendar year for the manufacturing plant indicated by the Applicant, manufacturing:


- a product being the subject of the process,
- a product with a similar design and scope of performance to the product for which the process is carried out, provided that the Applicant presents a written declaration of the manufacturer that the product is covered by the FPC system assessed by DC CNBOP-PIB and documentation confirming that the production of the product in question is covered by the FPC system,

it is possible to withdraw from the FPC inspection based on a positive result of the assessment and verification of the information submitted to DC CNBOP-PIB.

Withdrawal from performing the FPC inspection is also possible on the basis of an agreement between the manufacturers on sharing the FPC inspection results, submitted in the assessment and verification process of the constancy of reaction to fire carried out for a “rebranded” product.

## **5.6 Assessment and verification (review)**

The documentation collected in the process is the subject of assessment and verification in terms of confirmation of constancy of performance of the construction product declared by the manufacturer in relation to the essential characteristics, the results of which constitute the basis for a decision to issue or refuse to issue a certificate of constancy of performance.

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At each stage of assessment and verification, DC CNBOP-PIB provides the Applicant with the result of these activities along with the possible date of supplementing the documentation and/or performing additional activities (e.g. tests, corrective actions) in order to remove the identified non-conformities.

In cases of doubt, the results of the assessment and verification may be the subject of an opinion and/or decision of the competent Technical Committee operating at the Certification Department.

### 5.7 Decision on issuing or refusing to issue a certificate of constancy of performance

The results of the assessment and verification of constancy of performance constitute the basis for the decision of DC CNBOP-PIB Manager to issue or refuse to issue a certificate of constancy of performance.

The decision to issue a certificate of constancy of performance is the basis for preparing:

- an agreement concluded with the manufacturer, specifying the rules for using and supervising the issued certificate of constancy of performance,
- a certificate of constancy of performance.

DC issues, changes or refuses to issue a certificate or its amendment within 6 weeks from the date of completing the activities performed during the certification process or change of the scope of the issued certificate. The decision to refuse to issue a certificate of constancy of performance, along with the justification, is provided to the Applicant in a documented manner.

### 5.8 Issuing a certificate, validity period

Certificates of constancy of performance are issued by CNBOP-PIB for a period of 10 years. It is possible to extend the validity of the certificates for another 10 years, provided that the harmonized technical specifications, test methods referred to in the harmonized technical specification, production conditions and factory production control do not significantly change, and the manufacturer complies with the requirements contained in the agreement on supervision of the issued certificate. Certificates of constancy of performance are issued by CNBOP-PIB in Polish-English version.

At the request of the manufacturer, it is possible to issue additional language versions or duplicate certificates for a fee.

The certificate is handed over to the manufacturer of the construction product after CNBOP-PIB receives an originally signed agreement for the supervision of the certificate and after the financial obligations towards CNBOP-PIB are confirmed.

### 5.9 Discontinuation the process of assessment and verification of constancy of performance

Discontinuing the process of AVCP, which has been registered, may take place if:

- the Applicant fails to provide supplementary documents and / or information required by DC CNBOP-PIB within a specified deadline (or, if the date has not been specified – within 12 months), or performs these activities ineffectively;
- the Applicant does not fulfil his financial obligations towards CNBOP-PIB, on the terms specified in other regulations,
- the Applicant requests DC to discontinue the process.

The decision to discontinue the process of assessment and verification of constancy of performance of a construction product is provided to the Applicant in writing. Documentation of a registered process that has been interrupted shall not be returned to the Applicant, this documentation is permanently destroyed.

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Resumption of an interrupted process of AVCP is possible only by submitting a new application by the Applicant to conduct the process of AVCP of the construction product together with the required and applicable attachments.

#### **5.10 Supervision over the issued certificates of constancy of performance**

CNBOP-PIB, as a notified body, continues to supervise the certificates of constancy of performance by continuing surveillance, assessment and evaluation of factory production control (FPC) performed in the manufacturing plants listed in the certificate of constancy of performance. The activities related to the supervision are initiated by CNBOP-PIB.

The actions are implemented through:

- continuing surveillance, assessment and evaluation of factory production control (FPC) performed in the manufacturing plants listed in the certificate of constancy of performance,
- control/audit testing of samples obtained from the manufacturing site (only system 1+),
- assessment of using the number of the Notified Body – 1438.

The frequency of FPC inspections in supervision results from the harmonized standards constituting the basis for issuing the supervised certificates.

If the requirements are not specified in a harmonized standard, FPC inspections under supervision are performed at least once a year. Nevertheless, DC CNBOP-PIB reserves the right to carry out additional FPC inspections as part of the supervision over the certificates, in case of:

- conducting assessment and verification of constancy of performance of the product in connection with the introduced changes in the product reported by the manufacturer, affecting the issued certificate of constancy of performance,
- changes to the harmonized standards constituting the basis for issuing the certificate in the scope of FPC requirements,
- changes to the conditions of factory production control or changes to the place of production of the product covered by the certificate,
- receiving a complaint regarding the product performance declared by the manufacturer, confirmed by the certificate of constancy of performance issued by CNBOP-PIB
- verification of taking and/or effectiveness of the corrective measures, to which the manufacturer was obliged by CNBOP-PIB (see below).

If during the implementation of the activities under supervision aimed at verifying the constancy of performance of the manufactured product, DC CNBOP-PIB determines that the construction product no longer has the same performance properties as the product type being the subject of assessment and verification of constancy of performance conducted by DC CNBOP-PIB, the manufacturer is obliged to take appropriate corrective measures, and the supervised certificate(s) is suspended or withdrawn, if necessary. If corrective measures are not taken or if these measures do not bring the required effects, DC CNBOP-PIB accordingly limits, suspends or withdraws the certificate(s) for which no corrective measures have been taken or have been negatively assessed as above.

Market surveillance of construction products is carried out by market surveillance authorities. CNBOP-PIB is not a market surveillance authority.



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### 5.11 Conditions for applying and using the issued certificate

The certificate may be used by the manufacturer in accordance with the terms of the agreement concluded with CNBOP-PIB on the supervision of the issued certificate. The agreement specifies in particular the obligations of the manufacturer (referred to in the agreement as the Holder of the certificate), the methods of supervision over the certificate, the rules of conduct in the event of a change in the certification requirements constituting the basis for issuing/supervising the certificate and the procedure in the event of modification of the product, the production process and the FPC system, conditions for changing the scope and updating, as well as the conditions for suspending, limiting, terminating and withdrawing the granted certificate of constancy of performance.

The manufacturer should always have full control and maintain the necessary resources as to be responsible for the compliance of the product with the declared performance.

By affixing or having the CE marking affixed to a construction product, the manufacturer indicates that he is responsible for the product's compliance with the declared performance. The rules and conditions for affixing CE marking are specified in the provisions referred to in Chapter 2 of this scheme.

The manufacturer is obliged to use the identification number of notified body CNBOP-PIB – 1438 on the certified product together with the CE marking.

The conditions for using the identification number of the notified body are set out in a document entitled "*Rules of using notified body (CNBOP-PIB) identification number*", whereas the rules for referring to certification by using CNBOP-PIB logo are specified in a document entitled "*Rules of applying CNBOP-PIB logo for the purposes of referring to certification*". The documents are available on the Institute's website: <http://www.cnbop.pl/>.


According to the provisions of the documents mentioned above, improper or unauthorized reference to the certificate of constancy of performance and/or the identification number of CNBOP-PIB notified body may result in: demand for corrective action, suspension or withdrawal of the certificate or any certificates, publication on CNBOP-PIB website information about unlawful or false reference to the certificate and/or CNBOP-PIB notification number, as well as entering the procedural path.

## 6 Introducing changes to the certificate, including extending and limiting the scope of issued certificates, transfer of rights to the issued certificate

The issued certification document may be subject to change, in particular in the event of:

- modification of the product, production process, FPC system (the manufacturer of the certified product is obliged to immediately inform DC CNBOP-PIB of all intended modifications of the product, production process or FPC system, which may affect any performance of the product assessed and verified by CNBOP-PIB),
- changes in the scope of the certificate (including extension, limitation),
- changes (updates) of entries in the certificate,
- changes in certification requirements,
- transfer of rights to the certificate.

Changes as above require notification to CNBOP-PIB (with the appropriate notification deadline resulting from the agreement on supervision of the issued certificate – if applicable). The process of implementing changes affecting the issued certificate

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includes activities listed in chapter 5 of this scheme, to the extent necessary for DC to confirm compliance with the technical specification and/or certification requirements. The scope of activities necessary for implementation is each time determined by CNBOP-PIB.

The certificate is changed against payment. The basis for changing the certificate is the decision of CNBOP-PIB:

- concerning the extension or limitation of the scope of a valid certificate, based on the results of the performed assessment and verification in relation to the reported change; or
- concerning updating the certificate, based on the results of the analysis performed in relation to the reported need for change.

The introduction of changes to the certificate of constancy of performance takes the form of another certificate issue specifying the date of this issue.

In justified cases issuing a changed certificate may require the manufacturer to sign an annex to the agreement concluded with CNBOP-PIB on the supervision of the certificate.

In the event of any changes other than those listed above, which, in the opinion of the Manufacturer, require updating the provisions of the issued certificate, it is necessary to provide CNBOP-PIB with a written statement describing the essence of these changes. On the basis of the received information, DC determines the possibility and method of further proceedings in order to introduce appropriate changes in relation to the issued certificate.

## **6.1 Change of the harmonized standards constituting the basis for issuing the certificate**

Harmonized standards, similarly to test standards specifying test methods referred to in harmonized standards, may be the subject of updating, changes, corrections and supplements. Pursuant to Regulation 305/2011, manufacturers ensure that changes in the applicable harmonized standards are properly taken into account.

At the request of certificate holders, CNBOP-PIB conducts the processes of changing the scope and / or updating the entries on valid certificates of constancy of performance in the subject as above. The activities are performed in accordance with the scope of changes between the current and new wording of the provisions of the harmonized standards and/or the provisions of the test standards referred to in the harmonized standards.

## **6.2 Transfer of rights to the certificate**

In the event of a change in:

- name and/or address,
- legal status or ownership relationship,
- ownership or ownership rights,

of the Holder of the certificate of constancy of performance, the Holder is required to report this fact in writing to DC CNBOP-PIB. On the basis of the said request, DC CNBOP-PIB makes an individual analysis and settles the possibility of transferring the rights to certification and / or updating the entries in the certificate of constancy of performance.

The certificate Holder is informed about the result of the analysis and the decision in writing. In the event of a positive result of the analysis, the Holder is informed about the further procedure to transfer the rights to the certificate. In the event of a

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negative decision on the possibility of transferring the right to use the certificate, it is necessary to submit an application for an independent process of assessment and verification of constancy of performance of the construction product.

DC shall initiate the activities mentioned above only in case when there are no financial arrears to CNBOP-PIB with reference to entities included in the process in question.

### **6.3 Transfer of a certificate from another notified body**

If the certificate holder applies for transfer to CNBOP-PIB of the certificate of constancy of performance issued by another notified body, the process of AVCP under the transfer of the certificate includes the activities listed in Chapter 5 of this procedure, with the possibility of recognition of the presented test results. The submitted test reports are subject to analysis in accordance with point. 5.4 of this procedure. If the test results are accepted, in order to ascertain the credibility of the submitted product documentation, DC orders product identification tests in CNBOP-PIB laboratory, the performance of which is a prerequisite for conducting the process of assessment and verification of constancy of performance under the transfer of the certificate.

The holder of the transferred certificate of CoP should submit the following with the application for assessment and verification of constancy of performance:

- written information of the Manufacturer about the intention to transfer the held certificate to CNBOP-PIB (taking into account the information on what products the transfer concerns),
- a copy of the transferred certificate of constancy of performance issued by the notified body concerned (certified as a true copy of the original),
- written information from the Manufacturer about changes (no changes) in the product from the date of performance of tests in accredited laboratories described in the reports that relate to the product.

## **7 Suspending, restoring, limiting, withdrawing and terminating the certificate of constancy of performance**

During the validity period, the issued certificate may be suspended, limited, withdrawn or terminated. If the manufacturer removes the reasons for the suspension, DC CNBOP-PIB restores the certificate.

The certificate is suspended when:

- the construction product does not have the same performance properties as the product type being the subject of assessment and verification of constancy of performance carried out by DC CNBOP-PIB,
- the product was subject to modification that could have changed its performance, without the knowledge and/or consent of DC CNBOP-PIB,
- the production conditions in the manufacturing plant have changed significantly without prior notification to DC CNBOP-PIB,
- the results of the FPC inspection are negative,
- CNBOP-PIB is prevented from carrying out activities resulting from supervision over the certificate referred to in point 5.10 of this scheme,

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- there are non-conformities in the method of using and/or referring to the issued certificate or in the manner of using the identification number of the notified body (1438) in relation to the provisions of the agreement concluded between CNBOP-PIB and the Holder of the certificate,
- there is a break in production of the product lasting longer than 12 months,
- there is no implementation or ineffective implementation by the Holder of actions resulting from the change of the certification requirements referred to in point 6.1 of this scheme,
- the Holder does not meet his financial obligations towards CNBOP-PIB,
- CNBOP-PIB is prevented from performing control/audit testing, including taking samples from the manufacturing plant (system 1+),
- result of control/audit testing (system 1+) are negative,
- the Holder grossly violates the provisions of the agreement,
- CNBOP-PIB receives a written request from the Holder.

The date of suspending the certification and the conditions for its restoration are determined by DC CNBOP-PIB individually for each case and communicated to the Holder in writing. The period of suspension may not exceed 12 months. The certificate is restored by DC CNBOP-PIB in writing and is performed for the full or limited scope of the certificate, according to the results of the assessment of compliance with the conditions for restoration.

The certificate may be limited in part of its scope at the written request of the Holder of the certificate. The granted certification may also be limited on the basis of the results of DC supervision over the granted certification. Limiting the certificate is made in the form of another certificate issue with an appropriately limited scope, replacing all previous certificate issues.

The certificate is withdrawn:

- in the absence of effective actions by the Holder regarding the timely removal of non-conformities constituting the basis for suspending the certificate,
- as a result of terminating or replacing the agreement on supervision of the issued certificate,
- in justified cases, immediately after DC CNBOP-PIB determines that the product does not have the same performance properties as the product type,
- when the Holder grossly violates the provisions of the agreement regarding the supervision of the issued certificate.

The certification is terminated:

- upon a written request of the Holder of the certificate (i.e. a representative of the Holder authorized in writing),
- as a result of terminating the agreement for supervision of the certificate.

DC CNBOP-PIB provides the Holder in writing with the decisions on suspending, limiting, withdrawing or terminating the certificates, stating the date from which the decision becomes effective.

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In the event of suspending, withdrawing or terminating the certificate of constancy of performance, it may not be used and the Holder is obliged to discontinue:

- referring to the certificate,
- marking products with the identification number of CNBOP-PIB as a notified body (1438),
- issuing, publishing and using advertising materials which in any way refer to the certificate and the identification number of CNBOP-PIB as a notified body.

In the event of withdrawing or terminating the certificate, its Holder is obliged to return the original of this certificate at CNBOP-PIB's request. Moreover, in case of withdrawing the certificate, its Holder is obliged to take all measures to restore and/or achieve all performance properties specified in the certificate, and if necessary, also to withdraw from the market and/or use all construction products which performance varies from those specified in this certificate.

In case of applying for a certificate after its withdrawal or termination, the Holder should re-apply for assessment and verification of constancy of performance.

Each time DC CNBOP-PIB informs the notifying body about the suspension, limitation, withdrawal or termination of a certificate of constancy of performance.

## **8 Changing a EC certificate of conformity of a construction product into a certificate of constancy of performance**

CNBOP-PIB offers the possibility of issuing a certificate of constancy of performance of a construction product in accordance with Regulation 305/2011 in place of a valid EC certificate of conformity of a construction product issued by it, issued on the basis of the provisions of *Directive 89/106/EEC of 21 December 1988 on the approximation of laws and executive acts of the Member States relating to construction products, amended by Directive 93/68/EEC of 22 June 1993*.

In order to initiate the process of obtaining a certificate of constancy of performance, it is necessary for the manufacturer to submit a written application for a certificate of constancy of performance, along with a completed scope of essential characteristics of the construction product according to the applicable harmonized standard(s). CNBOP-PIB makes the said change on the terms described in point 5.3 of this scheme.

Issuing the certificate of constancy of performance requires the signing of an agreement specifying the conditions for supervising this certificate on the basis of relevant requirements and terminating the existing agreement on supervising the replaced EC certificate of conformity. The certificate of constancy of performance receives a validity period, the same as the validity period of the agreement on supervising the issued certificate of constancy of performance and amounts to 10 years. The existing number of the EC certificate of conformity is placed on the issued certificate of constancy of performance, with the modification of the entry from 1438/CPD/XXXX to 1438-CPR-XXXX. There is an entry on the issued certificate about the replaced EC certificate of conformity.

It is possible to update the certificates in administrative mode (rewriting from CPD to CPR) and applies only to products with identical components, described in the collected process documentation, without the need to perform additional tests. Using a different subassembly, not indicated in the documentation of the process, will involve the necessity to conduct supplementary tests relevant to the subject of the change and to analyse the entire documentation. The above mode is possible only for CPD certificates issued by CNBOP-PIB.

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## 9 Extending the validity of the certificate of constancy of performance

The issued certificate of constancy of performance cannot be extended. In order to ensure the continuity of the validity of the certificate, the Holder should submit, in advance, i.e. 3 months before the expiry of the certificate's validity, a complete application for the certification process.

## 10 Changes to the requirements for the system of assessment and verification of constancy of performance

In the event of changing the existing or defining new requirements for the system of assessment and verification of constancy of performance applicable to the product covered by the current certificate of constancy of performance issued under this scheme, CNBOP-PIB notifies the Holder of the certificate about the actions necessary to be taken and the date of their implementation (if applicable).

If it results from changing the existing or defining a new requirement as above, CNBOP-PIB performs an appropriate verification of the actions taken by the Holder of the certificate.

## 11 Fees for the assessment and verification of constancy of performance

Fees for assessment and verification of constancy of performance of a construction product and for activities performed as part of the supervision of valid certificates of constancy of performance are determined on the basis of DC CNBOP-PIB price list. The structure of fees in the processes related to the assessment and verification of constancy of performance is presented in Annex 1 to this scheme.

The fees for the assessment and verification of constancy of performance are borne by the Applicant. The costs of maintaining and supervising the certificate are borne by its Holder, i.e. the manufacturer of the product.

The costs of determining the performance of the basic characteristics of product samples are settled directly between the Applicant and the testing laboratory and are not included in the costs of the process carried out by DC CNBOP-PIB.

## 12 Appeals and complaints

### 12.1 Appeals

The Applicant has the right to submit a written appeal against CNBOP-PIB's decision about:

- the refusal to issue a certificate,
- the suspension of the issued certificate,
- limiting the scope of the issued certificate,
- the withdrawal of the issued certificate,
- terminating the issued certificate.

The appeal is submitted in writing to CNBOP-PIB Director within 14 days from the date of receiving the decision.

The appeal is reviewed by CNBOP-PIB Director within 30 days from the date of receipt. In cases where the time necessary to review an appeal exceeds the indicated deadline, the appellant is informed in writing by CNBOP-PIB about the expected date of reviewing the appeal.

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CNBOP-PIB confirms the receipt of the appeal to the Applicant and, after completing the appeal procedure, informs in writing about the decision of the Director of CNBOP-PIB.

## 12.2 Complaints

At each stage of the process of AVCP and supervision over the issued certificate, the Applicant has the option to file a complaint against the actions of the Certification Department or its employees. CNBOP-PIB also accepts complaints submitted by other parties (complaints about the actions of the Applicant/Holder or the Certification Department).

All complaints are recorded and reviewed. In the event of receiving a complaint by phone, CNBOP-PIB requires a written confirmation of the complaint. The decision to recognize or not recognize a complaint is made by the Director of CNBOP-PIB within 30 days from the date of its receipt. If the decision cannot be made within this time limit, the Complainant is informed about the actions taken and the approximate date of the relevant decision. After completing the complaint procedure, the Applicant is informed in writing about the decision of the Director of CNBOP-PIB and about the further procedure.

The description of the conditions and procedure for submitting and the manner of reviewing appeals and complaints is published on the Institute's website at <https://www.cnbop.pl/en/services/certification-and-admittance>.

## 13 Confidentiality

CNBOP-PIB undertakes to maintain confidentiality of all information obtained from Applicants, Manufacturers and manufacturing plants in the process and subject of certification, as well as during the supervision of the issued certificate and from other sources (complaints), except for cases in which CNBOP-PIB is obliged to provide information on its activities.

This applies to informing:

- the notifying authority, i.e. the Main Office of Construction Supervision (Głównego Urzędu Nadzoru Budowlanego) – on refusing, limiting, suspending, restoring, withdrawing or terminating the certificates,
- other notified bodies performing similar tasks of a third party in accordance with system 1 of assessment and verification of constancy of performance and with regard to products covered by the same harmonized standard – within the scope of relevant information on negative issues, and – upon request – also positive results of these assessments or verifications,
- market surveillance authorities (based on an appropriate request) – about the activities carried out related to the assessment or verification of constancy of performance,
- other authorities in cases and to the extent provided for by law.

If CNBOP-PIB provides the above-mentioned information, the Applicant is informed in writing about the scope and addressee of the information provided, unless the law states otherwise.

## 14 Published information

DC CNBOP-PIB publishes lists of issued (valid), limited, suspended, withdrawn or terminated certificates of conformity (CPD) and certificates of constancy of performance (CPR) on the Institute's website: <https://www.cnbop.pl/>.

The lists as above include at least the following:

- 1) number of the certificate,



 CNBOP-PIB	<b>Centrum Naukowo-Badawcze Ochrony Przeciwpożarowej im. Józefa Tuliszkowskiego</b> <b>Państwowy Instytut Badawczy</b>		
	<b>CERTIFICATION DEPARTMENT</b>		
	<b>SCHEME FOR ASSESSMENT AND VERIFICATION OF CONSTANCY OF PERFORMANCE</b> <b>OF CONSTRUCTION PRODUCTS (AVCP SYSTEM 1, 1+) PC-CPR</b>		
	Edition: sixth	Issue date: 14 September 2020	Amendment No. of -----

- 2) name and type of the product,
- 3) name and address of the Applicant,
- 4) validity period of the certificate.

## 15 Contact details

**Centrum Naukowo-Badawcze Ochrony Przeciwpożarowej im. Józefa Tuliszkowskiego**  
**Państwowy Instytut Badawczy**

*Scientific and Research Centre for Fire Protection – National Research Institute*

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**Certification Department – DC CNBOP-PIB**

Technical Committee for Coordination and Management System

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**Support and Audit Department**

Tel: (+48) 22 769 33 45

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**NOTE:**

Due to organizational and technical reasons, please arrange the dates of meetings in advance and contact us between 7:30 am and 3:30 pm.

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## ANNEX NO 1

### Structure of fees in the processes of assessment and verification of constancy of performance

<b>Fee for the process of European AVCP according to PC-CPR certification scheme</b> consists of basic items and "Other fees" (if applicable in the process)	
1.	Initial formal verification of the application, identification of the Manufacturer of the product and registration of the application – non-returnable fee
2.	Conducting assessment and verification of constancy of performance of the construction product and issuing a decision to issue / refuse to issue a certificate
<b>Process of changing the scope of the certificate – concerning the product or its performance</b>	
3.	Initial formal verification of the application, identification of the Manufacturer of the product and registration of the application – non-returnable fee
4.	Conducting assessment and verification of constancy of performance of the construction product and issuing a decision to change / refuse to change the certificate
<b>Other fees</b>	
5.	Sampling for the purposes of the process
6.	Updating the subject and/or scope of the application
7.	Updating the test program upon client request/notification
8.	Detailed analysis of optional attachments to the application for the process of national AVCP
9.	Fee for translating foreign language documentation submitted to the process of national AVCP or the translator's participation in the process of issuing, changing the scope or updating the certificate
10.	Analysis of the supporting documentation submitted by the Applicant concerning factory production control of the product being the subject of the certification process
11.	Consideration of the application / case and issuance of a decision (opinion) by the relevant technical committee (applies when the application / case was referred for consideration by the Technical Committee)
12.	Fee for the analysis of the documentation submitted by the Manufacturer in connection with the modification of the product, production process, FPC system
13.	Fee for updating the certificate of constancy of performance or for limiting the scope of the certificate of constancy of performance
14.	Translation of the certificate into a foreign language (other than English)
15.	Issuing a duplicate or additional copies of the certificate
<b>Supervision over the issued certificate</b> (under the terms of the scheme)	
16.	Carrying out a FPC inspection in surveillance
17.	Sampling for control / audit testing (when it results from supervision over the issued certificate (in justified cases, the sampling is carried out by the Certification Department))
18.	Evaluation of the results of control / audit testing of product samples