



## **LOVAG General Instruction G3**

### **LOVAG Mark Certification Rules**

**(for products in full compliance with applicable standards)**

**Edition 3.0**

This document has been approved by the LOVAG Management Committee,  
on 19<sup>th</sup> November 2021

**Signed:**

**Date:** 19<sup>th</sup> November 2021

**Albert Marginet**  
**CHAIRMAN OF LOVAG**

## CONTENTS

	<b>Page</b>
1. SUBJECT – SCOPE– REFERENCE DOCUMENTS	3
2. PROCEDURES FOR OBTAINING A LOVAG MARK LICENCE	4
3. THE MARK: METHODS OF MARKING - REFERENCES TO THE MARK	7
4. OBLIGATIONS TO BE RESPECTED BY THE APPLICANT OR THE HOLDER	7
5. ORGANIZATION PARTICIPATING TO THE PROCEDURE OF GRANTING AND RENEWAL OF THE RIGHT TO USE THE LOVAG MARK	8
6. DECISION FOLLOWING A REQUEST FOR GRANTING THE RIGHT TO USE THE MARK	9
7. SURVEILLANCE OF THE CONFORMITY OF PRODUCT LISTED TO THE MARK	12
8. DECISIONS WITHIN THE FRAME OF THE SURVEILLANCE	13
9. LOVAG MARK COMMITTEE	15
10. FINANCIALCONDITIONS	15
11. COMPLAINT RECORDS	16
12. LOVAG MARK BOARD AND BOARD OF APPEAL	16
13. APPROVAL – REVISION OF THE PRESENT RULES	17
ANNEX 1: SCOPE: PRODUCTS CONCERNED BY THE APPLICATION	18
ANNEX 2: CONDITIONS OF MARKING - REFERENCES TO THE MARK GRAPHIC CHARTER OF THE MARK	19
ANNEX 3 STANDARDS WITHIN THE SCOPE OF THESE RULES	21
ANNEX 4: LOVAG FACTORY INSPECTION RULES	22
ANNEX 5: RULES FOR NUMBER OF SPECIMENN TO BE TESTED AND RULES FOR MARKET SURVEILLANCE	22
ANNEX 6: LOVAG MARK SENIOR SUPERVISOR	22
ANNEX 7: FREQUENCIES OF SURVEILLANCE MEASURES FOR VOLUNTARY LOVAG MARK	22

All changes in comparison to the previous Edition 1.9 are printed in blue colour and indicated by blue lines on the left side.

### **Application Documents:**

The documents of application of the Certification Rules are available at the LOVAG Website ([www.lovag.net](http://www.lovag.net)) and at LOVAG Secretariat for the applicants and the holders.

## 1. SUBJECT – SCOPE– REFERENCE DOCUMENTS

### Subject

The basic aim of LOVAG (Low Voltage Agreement Group) is the harmonisation of the voluntary testing and certification of Industrial Electrical and Electronic equipments (see Annex 1) to IEC Standards and European Standards (EN) within the frame of international, regional regulations e.g.: European Directives such as the Low Voltage Directive (LVD), the Electromagnetic Compatibility Directive (EMC) and the Machinery Safety Directive (MSD), and local regulations, are applicable.

The focus is on Low Voltage Industrial Electrical and Electronic Equipments. LOVAG in this context proposes different services adapted to the market needs :

- Type Test Certification.
- Single Product Licence.
- Limited Licence
- Full Licence

The last three services allows the clients, on a voluntary basis, to be granted the right to use the LOVAG Mark. The LOVAG Mark described in this rules is restricted to product showing full compliance to Standards as listed in Annex 3. Testing according to national deviations can be accepted, but this has to be clearly noted in the LOVAG Mark Licence document.

(NB :Compliance to technical specifications or compliance to parts of standards is not yet considered, and will be covered by future editions of these rules)

This Document governs the LOVAG Mark for Industrial Electrical and Electronic Equipments.

### Scope

For the purpose of this document :

The applicant is the legal person who becomes the "holder" after granting the Type Certificate or the Licence granting the right to use the Mark. In the event the applicant is holding a Licence, alternatively, he may be called the licensee.

The term applicant means the person who legally requests and will be the owner of the Type Certificate or the Licence (Limited or Full). The name and address of the applicant is mentioned on these document, which shall also mention, the name and address of the Manufacturer and the name and address of the factory(ies) actually manufacturing the product.

NB : The applicant may be the manufacturer.

- the term LOVAG means Low Voltage Agreement Group and refers to a Certification Scheme;
- the term " CB" means one of the Certification Bodies of LOVAG;
- the term "LOVAG Mark" refers to a registered LOVAG Mark;
- the terms "registered" refers to the action conducted by one or more of the LOVAG members upon request of the LOVAG MC to register the LOVAG Mark;
- the term "LOVAG Type Certificate" refers to a Type Certificate issued by a CB;
- the term "the Mark" or "Mark" means LOVAG Mark,
- the term "EU" means European Union.

The LOVAG Mark is intended to be used and placed on Industrial Electrical and Electronic equipments that are put on or exposed in different international, regional, national and local markets by a manufacturer or an importer. It may be affixed onto products that have demonstrated compliance to one of the standards listed in the Annex 3.

All tests for LOVAG Mark licences shall be carried out under LOVAG WMT procedure in order to have clear third party conditions. That means that these tests shall be witnessed by a LOVAG Technical Witnesser (LTW) ( see LOVAG OD 03-04).

On basis of an existing LOVAG Test Report which shows complete (100%) standards conformity the relevant LOVAG CB is allowed to grant the LOVAG Mark License. Whereas the following additional requirements have to be fulfilled:

If the relevant LOVAG Test Report does not cover complete standards conformity additional test covering the complete (100%) standard have to be performed and reported by a LOVAG registered Laboratory and approved by the LOVAG CB.

If the relevant LOVAG Test Report is issued more than three (3) year prior to the application for the LOVAG Mark License or the tests are more than 3 years old the LOVAG Test Report has not to be accepted, unless the applicant has successfully demonstrated that the current product is identical to the tested one of the LOVAG Test Report and modifications are not affecting safety and/or performance issues.

If the standard referenced in the LOVAG Test Report is replaced by a new edition or modified the applicant has to demonstrate that the relevant product complies with the present standard by e. g. additional tests.

If, on basis of these rules, standard conformity is shown and confirmed by a LOVAG CB a National Certification Body can grant its Certification Mark without further testing.

If in a country, where no Signatory to the LOVAG Agreement is listed, LOVAG Test Reports are not accepted for one of the national mandatory marks for products from the scope of LOVAG it is not allowed to grant the LOVAG Mark license on the basis of a LOVAG Test Report from a testing laboratory recognized by LOVAG, as well. In that case a LOVAG Type Certificate is allowed to be issued alternatively.

## **2. PROCEDURES FOR OBTAINING A LOVAG Mark LICENCE**

### **2.1 Single Product Licence**

When the applicant wishes to affix the LOVAG Mark on one fully identified product, the applicant formally places a request in written to a CB that under its responsibility fully tests the product in compliance to one of the standards defined in Annex 3.

Upon satisfactory testing, a LOVAG Type Certificate is issued to the applicant by the responsible CB, for one product produced in one exemplary (where testing is not destructive). The Type Certificate validity is indefinite and refers solely to the tested product.

The right to use the Mark is granted as soon as the fees for the right to use the Mark are collected by the CB. The applicant receives a **Single Product Licence** demonstrating its right to use the LOVAG Mark for one product whose ID (e.g.: reference number) shall be recorded on the licence.

The right to use the Mark is granted by the Certification Manager of the CB. The authorization to use the Mark is unseizable and inalienable.

When the Mark is affixed the Logotype to be used is defined in Annex 2.  
The Logotype can also be placed on the packaging, and on the instruction booklet.

## 2.2 Limited Licence

When the applicant wishes to affix the LOVAG Mark on all the products composing a fully identified batch, the applicant shall formally place a request in written to a CB to be granted the right to use the LOVAG Mark.

The applicant, shall supply N representative products of the batch that shall fully be tested in compliance to one of the standards defined in Annex 3.  
The number N is given by the requirements of the product standards.

Upon satisfactory testing, a LOVAG Type Certificate is issued by the responsible CB for the applicant the representative products. The validity of the Certificate is indefinite.

The right to use the Mark is granted as soon as the fees for the right to use the Mark are collected by the CB. The applicant receives a **Limited Licence** demonstrating its right to use the LOVAG Mark for one identified batch production.

The **Limited Licence** is restricted to the products whose Individual serial reference numbers are recorded on the Limited licence, in an appropriate way.

Each individual product shall bear the same reference number as mentioned on the licence and shall be fully traceable.

The right to use the Mark is granted by the Certification Manager of the CB. The authorization to use the Mark is unseizable and inalienable.

When the Mark is affixed, the Logotype to be used is defined in Annex 2.

The Logotype can also be placed on the packaging, on the instruction booklets and on commercial leaflets.

## 2.3 Full Licence

When the applicant wishes to affix the LOVAG Mark on all the products of a traceable mass-production, the applicant shall formally place a request in written to a CB to be granted the right to use the LOVAG Mark.

The CB shall, under its responsibility, fully test a product representative of the production to one of the standards defined in Annex 3.

Upon satisfactory testing, a LOVAG Licence document is issued by the responsible

CB to the applicant for the representative product. The validity of the Licence is three years provided the user has installed it correctly.

Upon satisfactory Factory Inspection conducted under the responsibility of the CB in accordance to LOVAG Factory Inspection requirements (see Annex 4), a LOVAG

Factory Inspection Report (LOVAG FIR) is issued by the responsible CB to a given identified site of production for the product for which a LOVAG Type Certificate has been issued. There shall be one LOVAG FIR per site of production concerned by the same product.

For the LOVAG Factory Inspection and the repeat of testing a LOVAG Mark Senior Supervisor (LOVAG MSS), see Annex 6) can be involved.

As soon as a satisfactory LOVAG FIR has been obtained and the LOVAG Type Certificate has been issued, or the LOVAG Test report has been approved the CB is entitled to issue a **Full Licence** granting the right to use the LOVAG Mark as soon as the fees for the right to use the Mark have been collected by the CB issuing the Full Licence.

The applicant has then the right to affix the Mark on each of his products covered by the licence which shall be fully traceable.

The Logotype can also be placed on the packaging, on the instruction booklets and on commercial leaflets when referring to the concerned products.

In order to maintain the **Full Licence**, a satisfactory yearly follow-up Factory Inspection and a satisfactory Market Surveillance are required.

Upon satisfactory results, the Full Licence is prolonged one year upon reception of the fees.

For the follow-up inspections and Market Surveillance the recommendations of the LOVAG MSS of the site of production can be taken into account.

For the Market surveillance a product sampling shall be performed. The sampled product are fully tested in compliance to the criteria defined by LOVAG for Market Surveillance Rules (see Annex 5).

The period of validity of this Full Licence is maximum three years and can be, anytime, suspended or cancelled if the **Full Licence** owner breaks the Certification Rules set in this document. For a re-issue of the licence the recommendations of a LOVAG MSS can be taken into account.

Each product bearing the LOVAG Mark shall be fully traceable.

NB : A product is considered as fully traceable if upon examination of the product the following information can be derived from an appropriate marking documented by the Manufacturer: (Date of production, place of production)

The right to use the Mark is granted by the Certification Manager of the CB. The authorization to use the Mark is unseizable and inalienable.

When there are several manufacturing sites within the same company, the benefit of the Mark is granted individually to each site, even if the concerned products are identical. A Licence is issued per site.

A the end of the period of validity, the Full Licence can be renewed in the conditions defined in § 6.

### **Reference Documents**

- LOVAG G1: Certificates and Test Reports
- LOVAG G2: Measurement Uncertainties

- LOVAG G4: LOVAG Certification Scheme (SEC(LOVAG)04.015)
- Conditions of Marking – Graphic Character (see Annex 2 of this document)
- Applicable Standards (see Annex 3 of this document)
- LOVAG Factory Inspection Rules (see Annex 4 of this document)
- LOVAG OD 03-01: LOVAG Mark Senior Supervisor (LOVAG MSS) (see Annex 6)
- LOVAG OD 03-02: Surveillance tests for mass products bearing a LOVAG Mark (see Annex 5)
- LOVAG OD 03-03: Classification of Licence Holder for Surveillance Periods (Annex 7)
- LOVAG OD 03-04: LOVAG's Procedure for WMT testing
- LOVAG Decision Sheets (LDS)
- LOVAG Test Report Forms (TRF).

### **3. The MARK: METHODS OF MARKING - REFERENCES TO THE MARK**

All products which have been granted a Licence must bear the LOVAG Mark in accordance with Annex 2. The Annex 2 defines the methods of reproduction of the LOVAG Mark.

### **4. OBLIGATIONS TO BE RESPECTED BY THE APPLICANT OR THE HOLDER**

The holder of a Licence having the right to use the Mark can be the manufacturer or a designated representative.

As an alternative, a third body putting the product on the market under its name can be "holder" of the Licence being granted the right to use the Mark. It must have concluded an agreement with the manufacturer relating to the respect of the fundamental conditions to observe during manufacture and continuous control of the product.

The applicant **commits** himself to complying to the following as soon as he has been granted the right to use the LOVAG Mark :

- to maintain conformity of the product listed to the Mark by provisions of procurement, manufacturing and control bringing a degree of confidence equivalent to that which led to the issuance of the Licence;
- to conform without restriction, nor reserve with the provisions of the present LOVAG Certification Rules for the LOVAG Mark;
- when having been granted a Full Licence, to authorize the access, to its buildings and installations, and to guarantee the access to the manufacturing site of the product, specifically when the applicant and the manufacturer are different, to the authorized representatives of the CB within the frame of the audits and controls of the products that will or are bearing the LOVAG Mark products;
- to accept the transmission of the reports of control and tests to the Certification Body granting the Mark as defined in these rules;
- to pay all the expenses relating to the granting and where relevant the maintenance of the use of the Mark.

## **5. ORGANIZATION PARTICIPATING TO THE PROCEDURE OF GRANTING AND RENEWAL OF THE RIGHT TO USE THE LOVAG MARK**

### **5.1 Certification Bodies Recognized by LOVAG**

ACAIE (Italy)  
ALPHA at VDE (Germany)  
ASEFA (France)  
APPLUS+ Laboratories (Spain)  
Intertek Semko (Sweden)  
IMQ (Italy)  
SGS CEBEC (Belgium)

### **5.2 Main functions assumed by the CB**

The CB is responsible for all the operations of management and implementation of the process of granting the LOVAG Mark. This includes :

- Implementation of the Certification Rules defining the procedures of evaluation and control of conformity to the standards, in particular the requirements relating to the control by the manufacturer of the quality of the products;
- examination of the applications requesting the right to use the Mark, issuance of the different Licences granting the right to use the Mark, for full Licence, issuance of the Factory Inspections Report, Issuance of the Type Certificates through checking of the product conformity to the technical requirements of safety. It is made by examinations and tests according to standards and applicable reference specifications (See Annex 3);
- Where appropriate, has the responsibility to insure relationship with the applicants, in particular for the control of the correct use of the Mark;
- has the responsibility to conduct the initial audits/inspections;
- Where required, has the responsibility to conduct the surveillance audits/inspections, scheduled or unannounced;

A request for a LOVAG Mark can lead to:

- an initial LOVAG Mark license
- an extension or modification of a LOVAG Mark license

An initial LOVAG Mark license results from a request of an applicant manufacturer not having received the license for the LOVAG Mark for the concerned product already

An extension or a modification relates to a modified product compared to the basic product of type having already received the license for the LOVAG Mark. The validation of the modifications requiring partial tests and checks.

### **5.3 Initial LOVAG Mark Licence**

The review of the application includes examination of the following:

The product must be in conformity with the relevant LOVAG Certification Rules.

What results in:



- examination of the characteristics of the product including in its final assembly,
- examination of the conditions of presentation of the product on the market, its marking, its notes of warning, its instructions, and all usual information in connection with the product. For the purpose of this Certification Program, the notes and instructions must be written, in English.
- examination of the technical file (elements provided by the applicant, design of the product in connection with the standards and LOVAG applicable documents, )
- checking of the product conformity to the applicable requirements.

The conclusions resulting from the report of examination and tests are taken into account for the decision of granting the license to use the LOVAG Mark. The LOVAG License including the Test Report is provided to the applicant.

When there are several manufacturing sites within the same company, a LOVAG License has to be issued per site and it has to be based on testing of a representative product coming from the relevant site for the purpose of issuing a mark for each site. For this the recommendations of a LOVAG MSS can be regarded.

Reminder: There is no possibility of affixing the Mark on the product for which only a Type Certification has been issued.

#### **5.4 Request of extension or modification of LOVAG Mark Licence**

At the time of examination of the application and according to the nature and the range of this one, the CB determines whether whole or part of the services are to be realized.

For the requests for extension or modification not requiring issuance of a new authorization, the conclusions resulting from examination are the subject to a notification of extension and an amended LOVAG Mark Licence is issued.

At the end of the period of validity of a Mark Licence , it can be re-issued only after a full test has been performed on the product ; or when

- the reference documents have not changed and
- the concerned product have not been changed.

If a LOVAG MSS is installed his recommendations can be taken into account.

## **6. DECISION FOLLOWING A REQUEST FOR GRANTING THE RIGHT TO USE THE MARK**

### **6.1 Nature of the decisions**

The instruction of an application may be concluded by one of the following decisions:

- Agreement to grant the Right to use the Mark;
- Refusal to grant the Type Certificate or the right to use the Mark.

### **6.2 Effective date**

The decisions are enforceable as from their notification.

## 6.3 Validity of the right to use the Mark

### Limited Licence

The period of validity of a Limited Licence is unlimited but is strictly restricted to the batch itself. The Limited Licence can be withdrawn, in particular, in the event of fraud, of non-conforming product found on the market or standard withdrawn for safety reasons. It leads automatically to the withdrawal of the products put on the Market. It is the duty of the Licence holder to guarantee at his own cost the return of the products.

### Full Licence

The period of validity of a Licence granting the use of the Mark is maximum 3 years. The period of validity cannot be increased. It can be reduced, in particular, in the event of fraud, of non-conforming product or standard withdrawn for safety reasons. A re-issue of the licence is possible under the conditions given in § 5.4.

## 6.4 Affixing of the Mark

When the right to use the Mark has been granted, the Mark is affixed on every piece of the products under the responsibility for the “holder”, once the authorization of use is received from CB.

The Mark cannot be affixed on a product when:

- the right to use the Mark was withdrawn or has never been granted.

Affixing the Mark on a product is always in the responsibility of the manufacturer it will never, in no instance, substitute the guarantee of the CB to the one that is of the “holder responsibility”.

## 6.5 Improper use or misuse of the Mark

Are considered as improper uses:

- any use of a Mark beyond its date of validity by a person or company having been granted the right to use the Mark. Products having been affixed the Mark before the end of validity can be sold beyond the date of validity of the Mark only if they are fully traceable.
- any use of a Mark by a person or company not having been granted the Mark
- any affixing of the Mark on a product other than that the one for which it was delivered,
- any affixing of the Mark on a modified product, without prior authorization by the CB;
- any selling (with reference to the mark) or selling attempt of a marked product after cancellation or withdrawal of the right to use the Mark;
- any publicity likely to create ambiguity between the product covered by the Mark and those which are not certified;
- in general, all acts related to the Mark likely to mislead a third party.
- no respect of any applicable regulatory provisions in the country where the product is sold;

Any one aware of any improper use of the Mark shall inform the CB.

In accordance with its procedures, the CB takes the suitable actions following the improper use of the Mark. e.g. withdrawal of the right to use the mark, legal actions,

A penalty of 10,000€ per non conforming sample of product type found on the Market shall be paid by the licensee or by the not authorized organisations/persons to the CB.

## 6.6 Contesting a decision - Appeal

The applicant or the holder can contest a decision. The delay to make an appeal against any decision of the CB is 15 days; the appeals are treated by the CB, if not solved appeals can be made to the Mark Committee of the CB which is composed of manufacturers, users and state representatives, in case of persistent contest of the decision, the last authority is the LOVAG Mark Board (see clause 12).

The appeal does not have a suspensive effect.

## 6.7 Particular obligation when of putting into circulation of a product

- a) The holder, the manufacturer, his representatives and the importers of a product are in the obligation when putting into circulation:
  - to make sure that the user receives all necessary information allowing him to judge and to protect himself from the dangers due to the product, dangers being able to occur during the usual or reasonably foreseeable period of utilisation, and which without warning are not immediately detectable,
  - to make sure that the products he puts on the market comply continuously to the regulatory requirements that are applicable to them, including the Health and Safety requirements,
  - to trace the products they are selling ,
  - in the event the product is sold in EU, to clearly identify the name of the manufacturer or his representative in the European Community if he does not elect domicile there, or the name of the importer and his address, on the consumer product or its packing,
  - to take the measures adapted to the characteristics of the products they are putting in circulation in order to avoid any danger. These measures can be the recall of the consumer product, the adequate warnings, and withdrawal of the products as well.
- b) The retailer must verify that he sells only safe products. Therefore, he should not put on the market product for which he knows or can think according to information he has or from his experience, they do not respect the fundamental requirements mentioned above.

## 7. SURVEILLANCE OF THE CONFORMITY OF PRODUCT LISTED TO THE MARK

### 7.1 Surveillance conducted by the CB in case of a Full Licence has been granted

For product that are under Full Licence Program, a surveillance is conducted under the responsibility of the CB as of the granting of the right to use the Mark.

The control of the use of the Mark has the aim of checking:

- that the marked product is in conformity with that for which the right to use the Mark was granted;
- that the applicant maintains the provisions relating to the internal audit of conformity for the concerned product;
- generally, that the “holder” respects the obligations to which it committed formally.

### **Frequency of the visits:**

This surveillance consists of audits in manufacturing sites (or distribution ones), possibly in sampling for examination and tests of conformity of the product, and any other check allowing to ensure the respect of the commitments resulting from the granting of the Mark and the continuous ability to produce.

For a holder, frequency of the visits starts normally with 12 month. A reduced or higher frequencies can be agreed with the CB according to the rules defined in LOVAG OD 03-03 (Annex 7)

For inspection procedure, sampling criteria and test frequency see document: LOVAG OD 03-02 ( Annex 5).

If a LOVAG MSS is installed his recommendations can be taken into account for the sampling and retesting.

In the event of irregularity, the CB makes a decision in accordance with clause 8 of the Rules.

Moreover the CB are reserved the right to perform any unexpected visits, or to carry out or to make carried out, all tests which it considers necessary following complaints, disputes, litigations, etc... of which it could be informed and related to the use of the Mark.

The CB are reserved the right to make carried out pre-shipment controls whenever deemed necessary.

## **7.2 Market Surveillance**

According to the present Rules the CB shall also conduct market surveillance.

The purpose is to verify that products under Full Licence still complies.

Whenever one product is found not complying to the requirements as set in the Licence the penalty fee of 10,000€ per sample of product type will be applied to the Licensee, irrespective of possible legal actions. The Licensee accepts by abiding to these Certification Rules to pay the penalties to the CB and to commit himself to have the non complying delivery be returned at his own cost and to find an arrangement with the retailer whatever the actual chain is.

## **7.3 Controls conducted by the Applicant**

The applicant of the Mark is committed to conduct in the manufacture of product bearing the Mark, a regular control in accordance with the obligations of the Rules.

## **7.4 Control requested during the process of complaint**

In the event of litigation with users, controls may include sampling or tests on the spot of use of the certified products (in this case, the holder is invited to be present or be represented to attend to the sampling and the tests).

In this event all the costs resulting from testing will be invoiced to the holder.

## 7.5 Results within the framework of the factory surveillance

The audits/inspections or controls carried out are summarized in audit reports and test reports.

## 8. DECISIONS WITHIN THE FRAME OF THE SURVEILLANCE

On the basis of result of the visits of the testing and manufacturing unit, the CB notifies one of the following decisions:

- a) Maintenance of the right to use the Mark;
- b) Suspension of the right to use the Mark;
- c) Withdrawal of the right to use the Mark.

In the case of the decisions b) and c), the additional expenses of checks decided by the CB are to be settled out by the applicant, whatever their results, as well as the expenses of tests in the taken samples whose results are non conforming.

The withdrawal can be pronounced for one of the following causes:

- no respect of the obligations described in the present Rules and accepted at the time of the request for admission by the holder,
- improper use of the Mark,
- fraud, deception
- non-payment of the expenses connected with the granting or the maintenance of the right to use the Mark.

The Licence granting the right to use the Mark must be returned to the CB as soon as it is declared invalid. The non compliance to this requirement is likely to prevent a subsequent return to the Mark.

The decision is executive as of its notification.

The holder can contest the decision in accordance with clause 6.6 of the Rules.

The list of the suspended or withdrawn Licences is established by the LOVAG Secretariat who is informed by the CBs and made available to all CBs. A list of valid licences is made available to the public.

Any modification in the conditions of the maintenance of the Mark must be disclosed in advance to the CB in writing by the holder.

### 8.1 - Modification concerning the holder

The applicant must announce in writing to the CB any legal modification concerning his company or any change of corporate name.

In the event of fusion, liquidation or absorption of the holder, all the rights to use the Mark will automatically cease.

### 8.2 - Modification concerning the manufacturing unit

Any transfer (total or partial) of the manufacturing unit of a certified product in another place of work unknown to CB for this type of product involves an immediate suspension of the right to use the Mark for the transferred products.

The holder must declare this transfer in writing to the CB which will organize a visit of the new site of manufacture and, if necessary, may decide to conduct necessary testing.

The CB issues a new licence after examination, that is charged to the holder.

### **8.3 - Modification concerning the quality organization of the manufacturing unit**

The holder must declare in writing to the CB any modification related to his quality organization likely to affect the conformity of the production to the requirements of the Certification Rules and his appendices. In particular, any modification concerning installations, quality plans must be declared.

He must in particular declare any modification of certification of his Quality Management System.

Any temporary suspension of internal audit of a certified product involves an immediate suspension of the right to use this one.

### **8.4 - Modification concerning the product which have been granted a Licence**

Any modification of the product which have been granted a Licence must be declared in writing to the CB which according to nature and the range of the modification and the CB decides the maintenance, the suspension or the withdrawal of the right to use the Mark.

Any final cessation of manufacture of a certified product or any abandon of a right to use the Mark must be declared in writing to the CB which will proceed with the withdrawal of the right to use the Mark.

The licence holder shall inform CB about the estimated duration needed by the holder for the final reduction of stocks of certified products.

## **9. LOVAG MARK COMMITTEE**

The LOVAG MARK Committee represents the supervision of LOVAG for the issue of the licences to use the LOVAG Mark. The duties of the LOVAG MARK Committee are:

1. to give its agreement before the granting of a mark
2. to give its agreement before the re-issue of a licence for a Mark

Upon request by the CB the LOVAG Mark Committee has to give its approval or disapproval within two weeks; disapproval can only be given with written explanations. If no agreement can be reached between CB and LOVAG Mark Committee final decisions have to be taken by the LOVAG Mark Board, being installed according to clause 11 of LOVAG G3.

Additionally the LOVAG MARK Committee shall keep a listing of all licences for a LOVAG Mark, including the following information: CB granting the licence, Type of licence, approval no., product, type designation, company name and address, characteristic technical data.

Each LOVAG CB can propose one expert for the LOVAG MARK Committee, who has to be approved by the LOVAG Management Committee; minimum three members have to be appointed. Decisions are taken by a simple majority,

## **10. FINANCIAL CONDITIONS**

The expenses related to the examination of the applications of admission and control of the Mark are the subject of an offer established pursuant to the tariffs in force with the CB or its authorized representative.

The expenses are to be settled with the CB or its local authorized representative by the applicant and the recipient of the Mark, in accordance with the rules specified in the offer taking into account the relevant decisions of LOVAG. The signature of the request form of the right to use the Mark means acceptance of this offer.

These expenses are established as follows:

### **For the admission:**

The expenses include:

- expenses for admission for licence procedure,
- expenses for the tests and examination of the product,
- where applicable expenses for factory initial inspection
- expenses for issuing the LOVAG Mark Licences.

In the case of the instruction of a request for admission, the whole of the expenses is to be settled by the applicant, whatever the result of these operations.

### **For the technical follow-up of the Mark :**

The expenses include:

- expenses for follow-up of the file,
- expenses for the testing and examination of the product sample during the follow-up factory inspection,
- where applicable expenses for the follow-up factory inspections,
- annual expenses for the administrative Mark management related to the right of user.

Within the framework of the follow-up actions, the whole of the expenses is to be settled by the holder, whatever the result of these operations.

If the results of follow-up reveal the need for additional operations, the applicant is informed about them so that he can agree with the complement of expenses to be charged to him, and if necessary about the corresponding delays.

### **Fees for the Right to use the Mark covering :**

The right to affix the Mark on the product and commercial leaflets  
The right to be protected against unlawful uses of the Mark  
The normal market surveillance plus the related testing of products  
The preparation for legal actions.  
These fees are due to the CB.

All testing to be performed outside of the normal activity will be invoiced to the holder.

A share of the collected fees are paid back by the CBs to LOVAG Secretariat for general management of the mark, and legal actions. This share is:

Fixed price per LOVAG licence for homogeneous series: 1000 EURO without VAT, payable in two amounts of 500 EURO each.

The first payment has to be made after first issuance of the license normally valid for 3 years. The second payment has to be made one month before the end of validity of the first issued Licence or whenever the Licence is cancelled by the Licence holder or withdrawn before its first renewal. No further payments after further renewals.

## **11. COMPLAINT RECORDS**

The holder of the right to use of the Mark must:

- keep a record of any complaint in connection with the conformity of a product to the requirements of the relevant standard and to make available this record to the organization of certification upon request,
- take appropriate measures following such complaints or concerning any defect noted in a product which would affect its conformity with the requirements of certification,
- document correctives undertaken actions.

This record must be made available to the auditor/inspector at the time of the visits presented on request to the CB or its authorized representative.

## **12. LOVAG MARK BOARD AND BOARD OF APPEAL**

The LOVAG MARK BOARD is a consultative instance regarding the changes of the present rules.

It is the last instance for appeal for a decision of a CB regarding the use of the Mark.

It is constituted of representatives of 3 Colleges and the President.

Each College may have up to 6 members having each a designated delegate.

Each college has one vote.

Quorum : In order to perform a vote, at least one physical person shall be present in each college.

Within a college members can delegate, in written, its power to its delegate.

In case the quorum is reached and in case of no majority the President may vote and his vote counts for one vote.

College 1

Manufacturer/ Distributor/Professional Unions of the Manufacturers and Retailers

College 2

National Authorities/ CB/ Laboratories not belonging to a manufacturer / Regulatory authority

College 3

User/ User Unions / Installer / Retailers not selling own brand

One President chairing the LOVAG MARK BOARD.

The President may be normally chosen among the College 1 or the College 3.



When elected by the colleges, he is no longer a member of his original college.  
This delegate may replace him.  
The first President is chosen among members of College 1

### **13. APPROVAL – REVISION OF THE PRESENT RULES**

The Rules (and its appendices) were adopted by the LOVAG MC and are then endorsed by the LOVAG Chairman.

They can be revised, any time, on the initiative of :

The LOVAG MARK Board,  
the Secretary of LOVAG-MC  
a member of LOVAG-MC,  
and the LOVAG-MC itself.

The LOVAG-MC then shall approve the revision in its plenary Meeting.

**ANNEX 1 - SCOPE: PRODUCTS CONCERNED BY THE APPLICATION**

	Low-voltage fuses – Fuses for use by authorized persons (fuses mainly for industrial application)	
	Plugs, socket-outlets and couplers for industrial purposes	
	<b><u>Low-voltage switchgear and controlgear assemblies –</u></b> <ul style="list-style-type: none"> <li>• Type-tested and partially type-tested assemblies</li> <li>• Busbar trunking systems (busways)</li> <li>• Distribution Boards</li> <li>• Assemblies for construction sites</li> <li>• Cable distribution cabinets (CDCs) for power distribution networks</li> </ul>	
	Circuit-breakers for overcurrent protection for household and similar installations	
	<b><u>Low-voltage switchgear and controlgear -</u></b> <ul style="list-style-type: none"> <li>• Circuit-breakers</li> <li>• Switches, disconnectors, switch-disconnectors and fuse-combination units</li> <li>• Contactors and motor-starters <ul style="list-style-type: none"> <li>○ Electromechanical contactors and motor-starters</li> <li>○ Semicontactor motor controllers and starters</li> <li>○ Semicontactor controllers and contactors for non-motor loads</li> </ul> </li> <li>• Control circuit devices and switching elements <ul style="list-style-type: none"> <li>○ Electromechanical control circuit devices</li> <li>○ Proximity switches</li> <li>○ Proximity devices with defined behaviour under fault conditions</li> <li>○ Electrical emergency stop device with mechanical latching function</li> <li>○ DC interface for proximity sensors and switching amplifiers (NAMUR)</li> <li>○ Three-position enabling switches</li> </ul> </li> <li>• Flow rate switches Low-voltage switchgear and controlgear – <ul style="list-style-type: none"> <li>○ Multiple function equipment - Transfer switching equipment</li> <li>○ Control and protective switching devices (or equipment) (CPS)</li> </ul> </li> <li>• Ancillary equipment – <ul style="list-style-type: none"> <li>○ Terminal blocks for copper conductors</li> <li>○ Protective conductor terminal blocks for copper conductors</li> <li>○ Safety requirements for fuse terminal blocks</li> </ul> </li> </ul>	
	Specified time relays for industrial use	
	Programmable controllers	
	Conduit systems for electrical installations	
	<b><u>Conduit systems for cable management –</u></b> <ul style="list-style-type: none"> <li>• Rigid conduit systems</li> <li>• Pliable conduit systems</li> <li>• Flexible conduit systems</li> <li>• Conduit systems buried underground</li> </ul>	
	Empty enclosures for low-voltage switchgear and controlgear assemblies	
	<b><u>Electrical Vehicle conductive charging system</u></b> <ul style="list-style-type: none"> <li>• Connection to an a.c/d.c. supply</li> <li>• AC electric vehicle charging station</li> <li>• Plugs, socket-outlets, vehicle connectors and vehicle inlets</li> </ul>	

**Annex 2****CONDITIONS OF MARKING - REFERENCES TO THE Mark****GRAPHIC CHARTER OF THE MARK****1 - REPRODUCTION OF THE LOGO OF THE LOVAG MARK ON THE PRODUCT**

When the right to use the LOVAG Mark has been granted, the logotype must be affixed in a durable and readable way on each admitted product, in a place where it is not likely to be deteriorated.

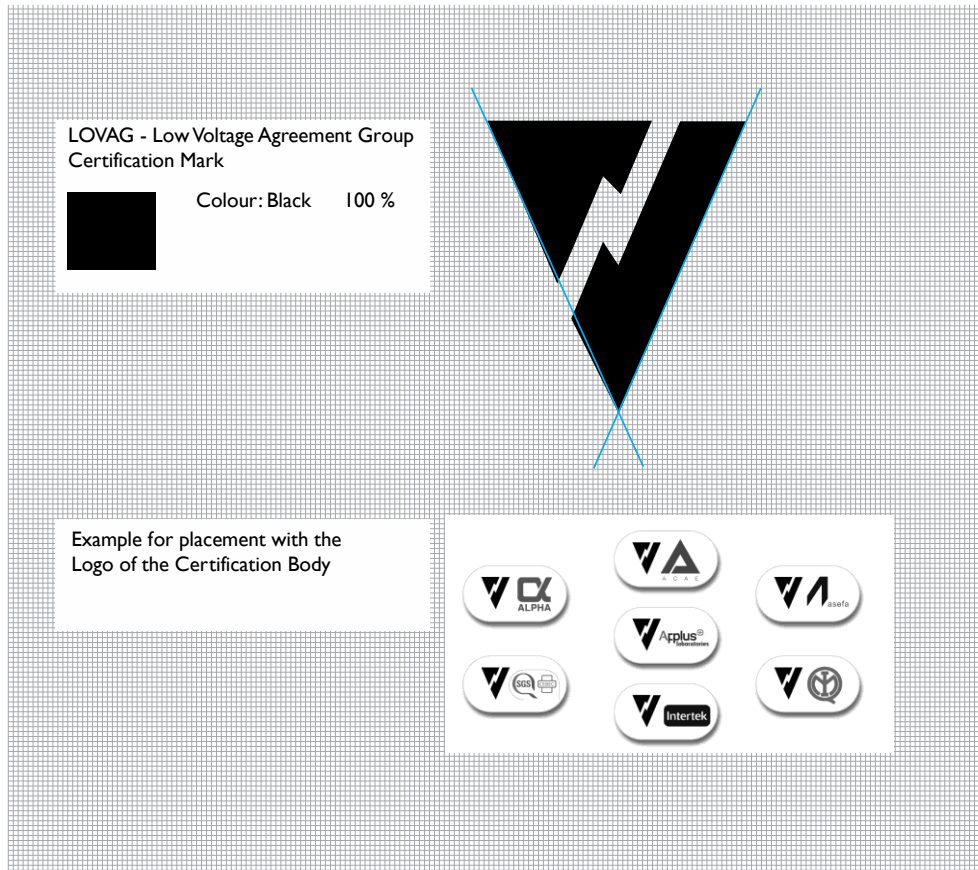
All the equipment for which the Mark is used, must bear the trade mark of the company, as declared to the CB or its authorized representative organizations.

Marking must be carried out in accordance with the below graphic charter, as it is defined in the LOVAG Licence agreement.

The realization of the logo by engraving, stamping on a principal part of the material is accepted. Any proportional enlargement /reduction is accepted; the ratio has to be kept.

Colour of Certification Mark: Black or white as well.

Note: Use only the original files. The special shape secure against forgery. An electronic file is available at the LOVAG CB.



**2-1 CONDITIONS TO ADD THE REFERENCE TO the CB**

It is authorized by LOVAG that a CB can place its LOGO in conjunction with the LOVAG Mark, with the conditional acceptance of the owner of the right to use the MARK. It is the responsibility of the CB to take the necessary precaution to prevent a misuse of its own LOGO.

**3 CONDITIONS OF DEMARKING**

Any suspension and any withdrawal of the right to use Mark involves prohibition to use and to refer to the Mark.

When a product listed to the Mark appears to be non conforming with the applicable requirements, the holder shall take any measures necessary so that the demarking is carried out at in any place where it is there referred to e.g. : product, packaging, documentation, fliers.

**ANNEX 3****Standards within the Scope of these Rule**

IEC and EN standards covering industrial electrical products

The actual scope of the LOVAG scheme is presented on the LOVAG homepage:

<https://www.lovag.net/what-we-do/scope-of-equipment-standards-to-be-used-for-lovag.html>

**ANNEX 4****LOVAG Factory Inspection Rules**

See ETICS Permanent Documents PD CIG 021, PD CIG 022, PD CIG 023,  
PD CIG 023-Appendix and PD CIG 024

**ANNEX 5****Surveillance tests for mass products bearing LOVAG Mark**

The number of specimens to be tested for granting the LOVAG Mark and for sampling for market surveillance are described in LOVAG Operational Document OD 03-02.

**ANNEX 6****LOVAG Mark Senior Supervisor (LOVAG MSS)**

A LOVAG Certification Body, being a LOVAG member for more than 4 years, can install a LOVAG Mark Senior Supervisor (LOVAG MSS) for a product with a licence for a LOVAG Mark by contract with the LOVAG MSS and the holder of the licence.

The requirements and the duties of the LOVAG MSS are defined in the LOVAG Operational Document: LOVAG OD 03-01.

**ANNEX 7****Classification of License holder for Surveillance periods**

For a holder, frequency of the surveillance measures (factory inspection, sampling and re-testing) starts normally with 12 month. The CB can grant reduced or higher frequencies according to the rules defined in LOVAG Operational Document: LOVAG OD 03-03.

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