



# CCC STANDARDS WARNING

## *COMPULSORY PRODUCT CERTIFICATION SYSTEM*

*Internal Notice Warning for InterChina's Clients and Newsletter  
Subscribers*

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## NOTICE WARNING

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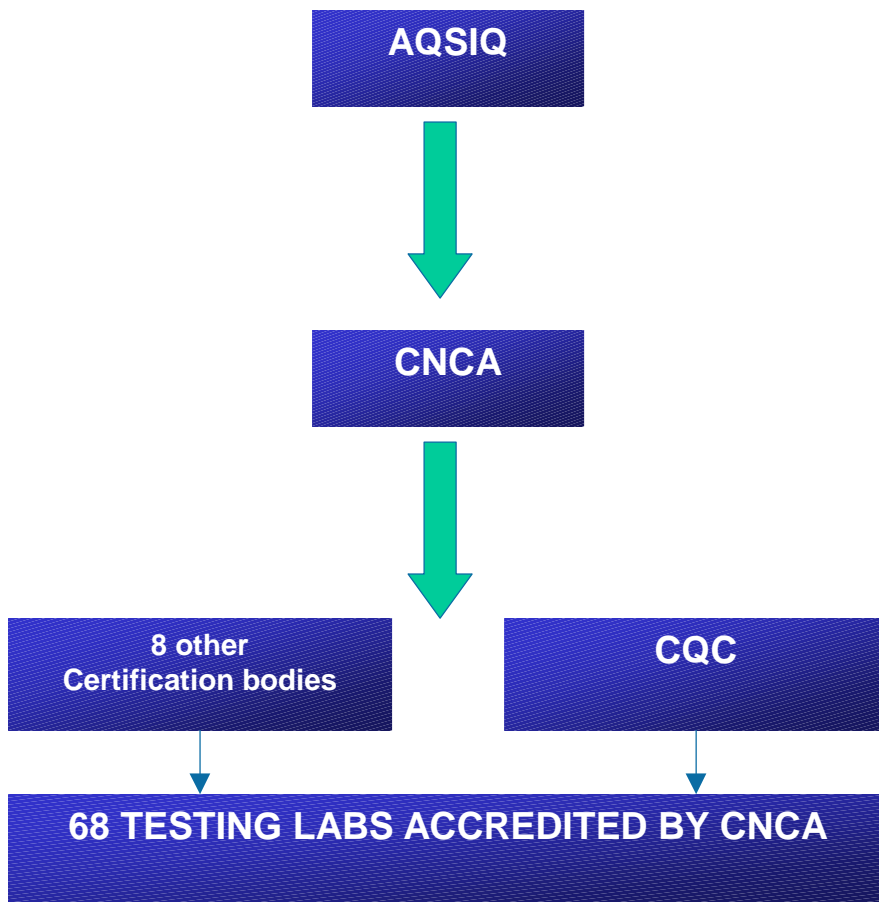
- **Effective in May 2003, all products included in the new “Compulsory Product Certification System” official list will be banned accesses to China if they do not count with a new formal quality certificate provided by the Chinese Administration (the CCC certificate and Label).**
- This new set of customs regulations serves as umbrella to unify most of the previous different standards in China for this kind of products, and has been identified by the European Union Chamber of Commerce (its Trade & Distribution Working Group) as a potential Trade Barrier for European Products.
- The main issue concerning European producers is the procedure to obtain the certificate, since there is a requirement to send Chinese experts to the country of origin to certify the factory and specific products. All costs will have to be covered by the productive company, and the time expense is quite considerable.
- For small product volume or for those companies with a large product portfolio, the effects of this regulation may be very negative. Also, for those companies that do not obtain the certificate prior to May 2003, all product containers may be banned access at China Customs.
- The real effect of the application of the CCC rules is still to be evaluated. Although different customs offices in different areas will apply them on their own way, it is predictable that the overall application will be quite strict, due to the recent strengthening of all Customs Procedures after WTO accession.
- As many of our client’s business in China imply to import of certain technology related products, either as raw materials for their production in China or directly related to the sales of these products in the Chinese market, InterChina considers necessary to inform about the final implementation of the CCC Custom Standards and requirements.
- This extraordinary notice, as previous documents sent to you in our Newsletter, aims to provide a framework of understanding related the problem and application of the new “Compulsory Product Certification System” by customs officials.
- Detailed product specification and system explanation will be found in the following address:
  1. <http://www.aqsiq.gov.cn>
  2. <http://www.cnca.gov.cn>
  3. <http://www.cqc.com.cn>
  4. <http://www.cemc.org.cn>

## SYSTEM HIGHLIGHTS

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- This system has been designed by the Certification & Accreditation Administration and the State General Administration for Quality Supervision and Inspection and Quarantine.
- This systems requires that European Companies importing certain (the general list of products is at [www.cqc.com.cn](http://www.cqc.com.cn) ), must have a new “Certificate for Compulsory Product Certification” (CCPC) as well as a new “China Compulsory Certification Mark” (CCCM). List of 19 product areas affected by this law (from technical appliances to car parts.. wide range of products).
- European Producers importing to China must obtain these two new certificates in case they want to import to China. Should they lack the new documents & marks, products will not be accepted by customs.
- This new law is effective from May 1<sup>st</sup>, 2002, although there is a provisional application period until May 1<sup>st</sup> 2003, where both the old system and the new one are acceptable. In the application period certificates CCIB and CCEE will be accepted.
- Any product reaching China Customs after May 1<sup>st</sup> 2003 without the CCPC Certificate and CCCM label **will be denied access.**
- Certification Agencies:
  1. License Agencies: there will only be 9 private agencies approved by the Chinese government. A detailed list and information may be found at [www.cqc.com.cn](http://www.cqc.com.cn) .
  2. Ticketing Agencies: only one Agency in China will be allowed to provide these tickets.
  3. Both set of agencies will be based in Beijing (although in the medium term they may open offices in the main areas).
- **Important Note:** The property of the certificate will be of the entity that asks for it (Importer, Distributor, Exporter, Trading Co.). If a European company is exporting to China and they request their distributor to ask for the Certificate, this maybe an “instrument” to force conditions from the Chinese party towards the European, who may be in a weak position.

**ORGANISATION STRUCTURE<sup>1</sup>**



**AQSIQ/State General Administration of the People’s Republic of China for Quality Supervision and Inspection and Quarantine**

- *Law-enforcement administration organ of the State Council / Quality / Metrology / Entry-exit Commodities Inspection / Entry-exit Health Quarantine / Entry-exit Animal and Plant Quarantine*

**CNCA/ Certification and Accreditation Administration of the People’s Republic of China**

- *Government agency / Administration and coordination of activities / Certification / Accreditation / Certification and Testing Market Supervision*

**CQC China Quality Certification Centre**

- *is an organisation in charge of the implementation of CCC certification.*

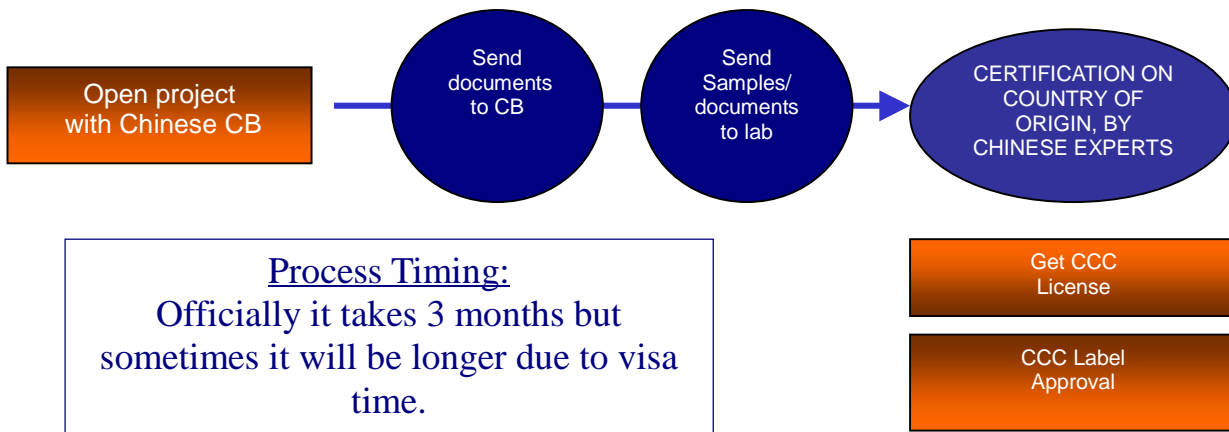
**LABS** *Conduct testing.*

<sup>1</sup> Organisation Chart and price information provided by TVU China.

**PROCEDURE, TIMING & COSTS**

- Procedure to certify the CCC. The Chinese authorities are using the standards described in the 5<sup>th</sup> ISO procedure rules:
  1. Type Test- certifies each product meet practical standards.
  2. Verification at Home Factory Level- By Chinese group sent to exporter’s factories.
  3. Follow Up- not well defined yet. Only Agencies can do it.

At this moment there are no international agreements with foreign agencies to certify this conditions. In practice it will only be done by the Chinese agencies, which lack of resources and practice to carry on with the incoming workload.



- The CCC price depends on the product. There is a big difference among CCC listed products.
- Normally some fees are fixed such as:
  1. Application fee: 600RMB,
  2. Approval(license) fee: 800RMB
  3. Document check fee English version documents: 1000RMB
- For initial Certification on Country of Origin, they will go to Europe to conduct by themselves.
- The fee is around US\$3000, excluding auditors' travelling expenses.

## **NOTICE OF PRODUCTS AFFECTED**

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Joint Announcement No. 33 [2001] by the State General Administration for Quality Supervision and Inspection and Quarantine of the People's Republic of China and the Certification and Accreditation Administration of the People's Republic of China  
December 3, 2001

First Catalogue of Products Subject to Compulsory Certification

### **1. Electrical wires and cables ( total 5 categories )**

- Cord sets, Flexible rubber-sheathed cables for mining purposes, Insulated cables (wires) for railway vehicles of rated voltage up to and including 3kV. Rubber insulated cables of rated voltages up to and including 450/750V, Polyvinyl chloride insulated cables of rated voltages up to and including 450/750V.

### **2. Switches for circuits, Installation protective and connection devices (6 categories)**

- Appliance couplers (household and similar purposes, industrial purpose), Plugs and socket-outlets (household and similar purposes, industrial purpose), Thermal-links, Cartridge fuse-links of miniature fuse, Switches fixed electrical installations for household and similar purposes, Enclosures for accessories fixed electrical installations for household and similar purposes

### **3. Low-voltage Electrical Apparatus ( 9 categories )**

- Residual current protective devices, Circuit-breakers ( RCCB, RCBO, MCB ), Fuses, Low-voltage switchers (disconnectors, switch-disconnectors, and fuse-combination units), Other protective equipment for circuits ( current limiting devices. circuits protective devices, over current protective devices, thermal protectors, over load relays, low-voltage electromechanical contactors and motor starters), Relays ( 36V <voltage ≤ 1000V ) ,Other switches ( switches for appliances, vacuum switches, pressure switches, proximity switches, foot switches, thermal sensitive switches. hydraulic switches, push-button switches, Position limit switches, Micro-gap switches, two direction switches, temperature sensitive switches, travel switches, change-over switches, auto-change-over switches, knife switches), Other devices (contactors, motor starters, indicator lights, auxiliary contact assemblies, master controllers, A.C. Semiconductor motor controllers and starters), Low-voltage switchgear and control gear assemblies.

### **4. Small power motors (1 category)**

- Small power motors

### **5. Electric tools (16 categories )**

- Drills (include impact drills), Screwdrivers and impact wrenches, Electric grinders, Sander, Circular saws. Electric hammers (electric pickax ), Spray guns for non-flammable liquid, Electric scissors (electric scissors for double-edged blades. electric impact scissors), Electric tapping machine. Reciprocating saws ( jig saw and sabre saws), Internal Concrete vibrators, Electric chain saws, Electric planer, Electric hedge trimmer and Electric grass shears, Electric routers and Edge trimmer, Electric stone cutters(including Marble cutters)

## 6. Welding machines ( 15 categories )

- Portable A.C. arc welding machines, A.C . Arc welding machines, D.C. Arc welding machines, TIG welding machines, MIG/MAG welding machines, Submerged arc welding machines, Plasma arc cutting machines, Plasma arc welding equipment, Electric shock protective devices for arc welding transformer, Coupling devices for welding cables, Resistance welding machines. Wire feeder for welder, TIG welding blow lamp, MIG/MAG welding torches. Electrode holders.

## 7. Household and similar electrical appliances (18 categories)

- **Household refrigerators and food freezers:** with the effective volume under 500L, household and similar use with/without frozen compartment, frozen food storage cabinet, freezer and their combination;
- **Electric fans:** electric fans with single-phase alternate current and direct current for household and similar use;
- **Air-conditioners:** the refrigeration shall not be exceed 21000 cal/h for household and similar use;
- **Motor-compressors** (input power should be under 5000W) : sealed
- **motor-compressors** (hermetic and semi-hermetic type) for air-conditioners and freezing appliances for household and similar use;
- **Household washing machines:** washing machines with/without the devices of water heating, spinning extraction and drying;
- **Storage water heaters:** including fixed storage water heaters and instantaneous water heater. heating water to a temperature below its boiling point;
- **Room heaters:** radiant heaters, panel heaters, liquid-filled radiators, fan heaters, convector heaters. tubular heaters for household and similar purposes;
- **Vacuum cleaners:** vacuum cleaners having the functions of suction dust or liquid, driven by either series or D.C. motors;
- **Appliances for skin and hair care:** appliances with electric heating components for skin and hair care of both human and animals;
- **Electric irons:** electric dry irons and steam irons for household and similar purpose;
- **Electromagnetic cookers:** electromagnetic heating kitchen appliance which may contain electromagnetic heating components single hob or hobs for household or similar purpose;
- **Roasters:** including rated volume not over 10L roasters, toasters, waffle irons, and
- similar appliances for household or similar purpose;
- **Electric food processors :** household food preparation machines and similar
- multiple-use food preparation machines;
- **Microwave ovens:** household appliances for heating food and beverages using electromagnetic energy in one or more of the I.S.M. frequency bands OVER 300 MHz . These appliances may also incorporate a browning or steaming functions;
- **Cooking ranges, hobs, ovens and similar appliances:** including household cooking ranges , stationary electric ovens, hobs, stationary cooking ranges, hob elements, grills and griddles, induction ovens and grills;
- **Range hoods:** electric range hoods installing above household cooking ranges, hobs and similar cooking appliances, with fans, lights and controllers;
- **Appliances for heating liquids and Water dispensers;**
- **Electric rice cookers:** automatic heat-preservation or timer electric rice cooker with heating components.

**8. Audio and video apparatus** (not including the acoustics apparatus for broadcasting service and automobiles) ( 16 categories )

- Active loud speaker system having single or multiple speaker with the max. output sound power under 500W (R.M.S.), Audio power amplifier, Tuners, Radio receivers, Recorders, players, dealers for audio and video with kinds of carrier, media (including kinds of carrier of cassette tape and laser disc ), Combining above sound/vision apparatus, Power adapters for audio/video products, Color television receivers and display monitors with kinds of display types ( not including television receivers for automobiles), B/W television receivers and other monochrome television receivers, Picture/display tubes, Video recorders, Satellite television receivers, Electronic organs, Antenna amplifiers, Equipment and components for cable distribution systems of sound and television signals.

**9. Information technology equipment (IT)** ( 12 categories )

- Personal computers (PC), Portable personal computers, Display units connected with computer, Printers connected with computer, Multiplying printer & coping machines, Scanners, Switching power supply units for computer and adapters. Chargers , Computer game players, Learning machine, Duplicators, Servers, Finance and trade settlement equipment.

**10. Lighting apparatus** ( 2 categories) (not including the lighting apparatus with the voltage lower than 36V) luminaries, Ballasts**11 . Telecommunication Terminal equipment** ( 9 categories )

- **Fixed telephone terminal** ( Common telephone set, CID telephone set, Card Management Telephone set, Answering Machine Telephone set, Coin Pay-phone set, Intelligent Card Telephone set, IC Card Public Telephone set, Hands-fee Telephone set, Digital Telephone set, Additional Device of telephone set)
- **Cordless telephone terminal** (Analogue Cordless telephone set, Digital Cordless telephone set )
- **Key-Phone system** ( Key-phone system , Telephone Conference Exchange )
- **Facsimile machine** ( Fax machine, Voice/Fax Card, Fax machine with multi-functions )
- **Modem** ( Voice-band Modem, Base-band Modem, DSL Modem, including card )
- **Mobile Terminal** ( Analogue Mobile Station , GSM Digital Cell Mobile Station(including handset and other terminal) , CDMA Digital Cell Mobile Station(including handset and other terminal)
- **ISDN Terminal** (NT1 ,NT1+. TA(including card) )
- **Data Terminal** (Storing/Transmitting Fax/Voice card, POS terminal, Interface Transformer, Network Hub, Other Data Terminal)
- **Multimedia Terminal** (Video Phone, Conference System, VOD Terminal, Other Multimedia Terminal)

**12. Motor vehicles and Safety Parts**(4 categories)

- **Automobiles:** Motor vehicles of Categories M,N,O Motorcycles
- **Motor Vehicle Parts:** Safety belts, Motorcycle engines



**13. Motor vehicle Tyres** (3 categories)

- **Automobile Tyres:** Passenger car tyres (Passenger car radial ply tyre, Passenger car diagonal tyre), Truck tyres (Ult-light Truck tyres, Light Truck tyres, Medium/heavy Truck tyres)
- **Motorcycle Tyres:** Motorcycle Tyre (Code indicating series, Metric system series, Light type series, Scooter series)

**14. Safety Glasses** ( 3 categories)

- **Safety Glass for Road Vehicle:** Laminated Glass A, Laminated Glass B. Zone-Tempered Glass and Tempered Glass
- **Safety Glass for Building:** Laminated Glass, Tempered Glass
- **Safety Glass for Railway Rolling Stock:** Laminated Glass, tempered Glass. Insulated Safety Glass

**15. Agricultural Machinery** (1 category)

- Equipment for Crop Protection: Motorized or Manual Liquid Knapsack sprayer". Motorized or Manual Powder Knapsack sprayer, Motorized Liquid and Powder Knapsack sprayer

**16. Latex Products** (1 category)

- Rubber Condoms

**17. Medical Devices** (7 categories)

- Medical Diagnostic X-Ray Equipment, Haemodialysis Equipment, Hollow Fiber Dialysers, Extra-corporeal Blood Circuit for Blood Purification Equipment, Electrocardiographs, Implantable Cardiac Pacemakers, Artificial Heart-Lung Machine

**18. Fire Fighting Equipment** (3 categories)

- **Fire Alarm equipment:** Point Type Smoke Fire Detectors, Heat Sensitive Point Fire Detectors, Fire Alarm control Units, Control for Fire Protection Equipment, Manual Fire Alarm Button
- **Fire Hose:** Lined Fire Hose, Wet Fire Hose
- **Sprinkler Extinguishment Equipment:** Sprinkler, Wet System Alarm Valves, Water Flow Indicator, Fire Pressure Switch

**19. Detectors for Intruder Alarm Systems** (1 category):

- **Detectors for intruder alarm systems:** microwave doppler detectors for use in building, active infrared intrusion detectors, passive infra-red detectors for use in building. combination microwave and passive infrared intrusion detector

## **ANNEX 1. LEGAL TEXTS OF COMPULSORY PRODUCT CERTIFICATE**

### **Order No. 5 by the State General Administration for Quality Supervision and Inspection and Quarantine of the People's Republic of China (AQSIQ) December 3, 2001**

Regulations for Compulsory Product Certification was approved by the Senior Management Meeting of AQSIQ on November 21, 2001 and is announced for statutory implementation on May 1, 2002.

### **Regulations for Compulsory Product Certification**

#### **Chapter I General Provisions**

##### **Article 1**

Based on relevant laws and regulations covering product safety licensing and product quality certification so as to improve and enhance regulatory functions in the field of compulsory product certification as well as to effectively safeguard national and public interests in a feasible manner, the following regulations are announced for statutory implementation in accordance with the functions of the State General Administration for Quality Supervision and Inspection and Quarantine of the People's Republic of China (AQSIQ) and the Certification and Accreditation Administration of the People's Republic of China (CNCA) authorized by the State Council.

##### **Article 2**

The Compulsory Product Certification System (hereinafter referred to as CPCS) is applied to products related to human life and health, animals, plants, environmental protection and national security.

##### **Article 3**

Authorized by the State Council, CNCA is in charge of nation-wide certification and accreditation activities.

##### **Article 4**

With regard to CPCS, one Catalogue of Products Subject to Compulsory Product Certification (hereinafter referred to as the Catalogue), one set of applicable technical regulations, national standards and conformity assessment procedures, one obligatory mark and one structural fee chart will be announced for statutory implementation.

##### **Article 5**

Any product covered by the Catalogue must first be certified by a certification body designated by relevant competent authorities (hereinafter referred to as DCB). The subject product must obtain the certificate and be applied the certification mark before it can be marketed, imported or used for any commercial purposes.

## Chapter II Administration and Implementation Organizations of CPCS

### Article 6

Based on relevant national laws and regulations, AQSIQ formulates the CPCS regulations, approves and declares for implementation the Catalogue.

### Article 7

CNCA is specifically responsible for the administration and organizing the implementation of CPCS. CNCA fulfills the following responsibilities:

- 1) To supervise and regulate the certification and accreditation activities, and to coordinate related major events.
- 2) To develop, adjust and to join AQSIQ in declaring for implementation the Catalogue.
- 3) To develop and declare the implementation Rules of product certification relevant to the Catalogue.
- 4) To specify the applicable certification model for any product covered by the Catalogue.
- 5) To develop and declare for implementation the certification mark.
- 6) To specify the form and format of the certificate.
- 7) To designate competent certification bodies to undertake product certification, also designation of competent testing and inspection bodies to undertake CPCS-related requirements.
- 8) To publish the official list of DCBs and list of designated testing and inspection bodies, together with their specified business scopes.
- 9) To publish the official list of certified products and manufacturers.
- 10) To approve the exemption of products for special use from compulsory certification.
- 11) To guide AQSIQ local branches in their efforts to eliminate related illegal practices.
- 12) To accept CPCS-related appeals and complaints. To also organize the elimination of related serious illegal practices.
- 13) To guide CPCS-related important events.

### Article 8

AQSIQ local branches should fulfill the following responsibilities:

- 1) To supervise the products covered by the Catalogue in their respective administrative jurisdiction in accordance with relevant laws and regulations .
- 2) To eliminate related illegal practices.

### Article 9

The DCBs should fulfill the following responsibilities:

- 1) To perform certification according to their designated business scope following CPCS Implementation Rules.
- 2) To grant certificates to certified products.
- 3) To undertake follow-up inspection on certified products.
- 4) To accept CPCS-related appeals and complaints.
- 5) To suspend, cancel or withdraw certificates as and when deemed necessary.

### **Chapter III The Implementation of CPCS**

#### **Article 10**

Catalogue-covered products are applicable to one or more of the following certification models.

- 1) design appraisal.
- 2) type testing.
- 3) testing or inspection of samples taken from the factories.
- 4) testing or inspection of samples taken from the market.
- 5) assessment of the manufacturers' quality assurance system.
- 6) follow-up inspection on certified products.

Based on the principle of reasonable convenience, the choice in the certification model should be made in an objective and constructive manner by taking into consideration the comprehensive factors such as the product performance, the degree of possible detriment to human health, the environment, national security and the product life cycle. The specific product certification model is specified in the Implementation Rules.

#### **Article 11**

The Implementation Rules cover the following guidelines:

- 1) Scope of applicable products.
- 2) Technical regulations and national standards corresponding to the applicable products.
- 3) Specific certification model for different products.
- 4) Requirements for the division of the product application unit.
- 5) Requirements for sampling and sample delivery.
- 6) Requirements for the confirmation of key parts and components (when necessary).
- 7) Requirements for testing standards and rules.
- 8) Special requirements for factory inspection (when necessary).
- 9) Special requirements for follow-up inspection.
- 10) Specific requirements to apply certification marks to applicable products.
- 11) Other requirements.

#### **Article 12**

Catalogue-covered product certification requires all or part of the following steps to be taken:

- 1) Acceptance of the application.
- 2) Type testing.
- 3) Factory inspection.
- 4) Sampling and testing.
- 5) Evaluation of the certification results and approval of certification.
- 6) Follow-up inspection.

#### **Article 13**

The manufacturer, wholesaler or retailer, as well as the importer can act as an applicant to apply to a DCB concerning the Catalogue-covered products.

#### **Article 14**

The applicant should comply with the following requirements when filing an application.

- 1) To submit the application, required technical documents and samples to the DCB by

following the implementation Rules.

- 2) When the wholesaler, retailer, or importer acts as an applicant, they should provide, together with the information specified in 14.1 , copy of the contract signed between the wholesaler or retailer and manufacturer, or signed between the importer and manufacturer.
- 3) Should an applicant authorize another party to apply on their behalf, they should complete an agreement with the trustee concerning certification, testing, initial factory inspection and follow-up inspection, etc. . The trustee should provide, together with the information specified in 14.1 , the trust deed, copy of the entrustment agreement and other relevant contracts.
- 4) To pay the certification fee according to the structural fee chart.

#### **Article 15**

The DCBs will accept and review the application, arrange type testing, factory inspection, sample testing etc. based on the Implementation Rules, and decide on whether or not to grant the certificate for the subject product.

Except in unusual circumstances, DCBs should make the decision and notify the applicant within 90 days upon the receipt of the completed application .

#### **Article 16**

The certificate serves as valid documentation to indicate that the Catalogue-covered product meets requirements and that the certification mark can be applied.

The certificate should include the following information:

- 1) Applicant.
- 2) Product name, type and series.
- 3) Manufacturer and its factory (factories).
- 4) Model of certification.
- 5) Referred technical regulations and standards.
- 6) Date of certificate being granted and validity period.
- 7) Certificate granting DCB.

#### **Article 17**

The certification mark is referred to as "China Compulsory Certification (CCC)". The certification mark serves as evidence that the Catalogue- covered product can be marketed, imported or used. The certificate holder should abide by the Regulations for Compulsory Product Certification Mark when using the mark.

#### **Article 18 .**

The DCBs should undertake follow-up inspection on those certified products and manufacturers based on the specific requirements of the implementation Rules.

#### **Article 19**

The DCBs should revoke the certificate in the event any of the following situations arise:

- 1) There are some changes or modifications in the technical regulations, national standards or the implementation Rules applicable to the Catalogue, whereby the product can not qualify for the changes or modifications.

- 2) The certificate holder failed to prolong the certificate.
- 3) The production of the certified product has terminated.
- 4) The certificate holder applies to cancel the certificate.

#### **Article 20**

The DCBs should suspend the use of the certificate in the event any of the following situations arise:

- 1) The certificate holder uses the certificate or the certification mark in violation of relevant requirements.
- 2) The certificate holder violates the Implementation Rules or the requirements of the DCBs.
- 3) The follow-up surveillance indicates that the certified product failed to meet the Implementation Rules, but not serious to the extent as to lead to the immediate withdrawal of the certificate.

#### **Article 21**

The DCBs should withdraw the certificate in case any of the following situations arise:

- 1) During the period when the certificate is suspended, the certificate holder failed to take adequate corrective action.
- 2) The follow-up inspection shows that the product bears major defects.
- 3) The certified product caused a serious quality accident because of major defects.

#### **Article 22**

Should the applicant or the certificate holder have any objections concerning the decision of the DCB, the applicant may file an appeal or a complaint with that DCB. If the applicant has further objections towards the resolution of the DCB, the applicant may continue to appeal to CNCA.

### **Chapter IV Supervision and Administration of CPCS**

#### **Article 23**

The DCBs and the designated testing and inspection bodies should abide by the following rules:

- 1) To accept the supervision and administration of CNCA.
- 2) To undertake Catalogue-related certification, testing and inspection within their designated scope based on the relevant laws and regulations relative to product quality certification.
- 3) To ensure the accuracy of the certification results and to undertake the corresponding legal obligations.
- 4) To report to CNCA on a regular basis Catalogue product certification updates.
- 5) To keep the certified products commercially and technically confidential. Illegal use of the scientific and technical achievements is prohibited.
- 6) Transfer the right for application review, certification grant decision, testing and inspection is not permitted unless approved.
- 7) Consultancy or product development within their respective designated business scope of certification is prohibited.
- 8) Bilateral or multilateral mutual recognition agreements with other agencies are not permitted unless approved when certification, testing or inspection of Catalogue products are involved.

- 9) No catalogue-related certificate is allowed to be granted based on the bilateral or multilateral agreements referred to in Article 23.8.
- 10) To join AQSIQ local branches in their efforts to eliminate illegal practices contrary to the laws, regulations and rules relevant to quality certification.
- 11) To implement an appeal and complaint response system so that disputes concerning Catalogue product certification within their designated scope can be handled impartially.

#### **Article 24**

Manufacturers, importers, and sale outlets that have obtained the Catalogue product certification should abide by the following requirements :

- 1) To guarantee working environment necessary for certification.
- 2) To ensure the certified products meet relevant national standards and technical regulations are on a continuous basis.
- 3) To ensure all the marketed or imported Catalogue products are certified products.
- 4) To apply certification mark to the certified products according to relevant requirements.
- 5) Misguiding consumers with the certificate or certification mark is prohibited.
- 6) Transfer or trading of certificate or certification mark is prohibited. Partially presenting or copying the certificate is also prohibited.
- 7) To accept the surveillance by AQSIQ local branches and follow-up inspection by the DCBs.

### **Chapter V Penalties**

#### **Article 25**

A fine of RMB 30,000 is imposed if the Catalogue products failed to be certified, and certification must be completed within the specified period.

#### **Article 26**

Certification marks must be applied if the Catalogue products are certified. Otherwise, corrective measures must be completed within the specified period. A fine of RMB 10,000 is imposed in failing to do so.

#### **Article 27**

Punishments will be enacted according to relevant laws and regulations for the falsification and piracy of certificate or certification mark. Also for other practices that violate relevant national laws and regulations on product safety quality licensing and product quality certification.

#### **Article 28**

The DCBs and designated testing and inspection bodies that present falsified testimonial or papers shall bear corresponding legal liabilities.

#### **Article 29**

The administrative penalties mentioned in this Chapter will be exercised by AQSIQ local branches following AQSIQ's procedures for handling administrative cases .

## **Chapter VI Supplement**

### **Article 30**

Specific administrative rules including the Implementation Rules and Regulations for Compulsory Product Certification Mark referred to in these Regulations will be announced separately.

### **Article 31**

With the authorization of AQSIQ, CNCA will be responsible for the interpretation of these Regulations.

### **Article 32**

These Regulations will be implemented on May 1 , 2002.



## **ANNEX II. EXPLANATORY CIRCULAR CPCS**

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### **Circular Relevant to the Implementation of the Compulsory Product Certification System by the Certification and Accreditation Administration of the People's Republic of China (CNCA)**

**December 3, 2001**

The Compulsory Product Certification System (CPCS) is jointly announced for statutory implementation by the State General Administration for Quality Supervision and Inspection and Quarantine of the People's Republic of China (AQSIQ) and the Certification and Accreditation Administration of the People's Republic of China (CNCA).

This new system consists of Regulations for Compulsory Product Certification, Regulations for Compulsory Product Certification Mark, and the First Catalogue of Products Subject to Compulsory Certification (hereinafter referred to as the Catalogue), and so on. The Old System, namely, the Safety License System for Import Commodities administered by the former State Administration for Entry-Exit Inspection and Quarantine of the People's Republic of China (CIQ), and the Compulsory Supervision System for Product Safety Certification administered by the former China State Bureau of Quality and Technical Supervision (CSBTS), will be replaced. The following circular is announced concerning the transition from the Old System to the New System.

#### **1. The time when the New System is implemented and the Old System is Annulled**

Regulations for Compulsory Product Certification stipulates that the New System will be implemented on May 1, 2002 and the Old System be annulled on May 1, 2003 so as to ensure a smooth transition and an effective safeguard of the legitimate rights and interests of all the parties concerned.

#### **2. Supervision of products applicable to either the New System or the Old System**

1) Starting from May 1, 2003, the Catalogue products either marketed by domestic manufacturers or imported must obtain the certificate for compulsory product certification (hereinafter referred to as the New Certificate) and be applied China Compulsory Certification mark (hereinafter referred to as the New Mark) before they are imported or marketed.

2) Starting from May 1, 2003, the sales outlets or importers are not permitted to purchase, import or sell the Catalogue products that do not bear the New Certificate and the New Mark. Whereby the Catalogue products that are purchased or imported before April 30, 2003 and bear either the Import Safety License and CCIB Mark or the Safety Certificate and the Great Wall Mark (hereinafter referred to as the Old Certificate and the Old Mark) may still be sold under the supervision of the AQSIQ local branches with which such products are filed.

3) Starting from May 1, 2003, if the Catalogue products that have obtained the New Certificate and the New Mark need continue to use the outer packing applied with the Old Mark, they can be marketed or imported only when the New Mark is applied along with the Old Mark.

4) Prior to April 30, 2003, the Catalogue products for which the Old Certificate and the Old Mark is compulsory can be marketed or imported by either the Old Certificate and the Old Mark or the New Certificate and the New Mark.

5) Starting from May 1, 2002, with regard to products for which the Old Certificate and the Old Mark was compulsory but being no longer covered by the Catalogue this time, the Old Certificate and the Old Mark will not be required when they are marketed or imported .

### **3. The acceptance of the certification application**

1) Starting from May 1, 2002, the certification bodies designated by CNCA (hereinafter referred to as DCBs) begin to accept applications for the New Certificate and the New Mark relevant to the Catalogue products and will no longer accept applications for the Old Certificate and the Old Mark.

2) Prior to April 30, 2002, the Catalogue products for which the Old Certificate and the Old Mark is compulsory may continue to apply for the Old Certificate and the Old Mark.

### **4. Supplements**

1) With regard to the Catalogue products for which the application has already been filed but the Old Certificate is yet to be granted, or for which the Old Certificate has been granted, the New Certificate and the New Mark can be granted upon further application by the applicant and the confirmation of the product's qualification by the DCB.

2) The cost incurred for the New Certificate and the New Mark referred to in 4.1 will be borne by the applicant based on the actual items required according to the fee chart of the New System.

## **ANNEX III. REGULATION ON COMPULSORY PRODUCT CERTIFICATION MARK**

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### **Announcement No. 1 [2001] by the Certification and Accreditation Administration of the People's Republic of China (CNCA) December 3, 2001**

Based on the Regulations for Compulsory Product Certification, namely, Order No. 5 of the State General Administration for Quality Supervision and Inspection and Quarantine of the People's Republic of China (AQSIQ), CNCA announces that Regulations for Compulsory Product Certification Mark be implemented on May 1, 2002.

### **Regulations for Compulsory Product Certification Mark**

#### **Chapter I General Provisions**

##### **Article 1**

The following regulations are announced for statutory implementation based on relevant laws and regulations to strengthen and unify supervision and administration governing the compulsory product certification mark (hereinafter referred to as Certification Mark) so as to safeguard the legitimate rights and interests of the consumers.

##### **Article 2**

These regulations are applicable to the design approval, announcement, use and control of certification mark relevant to the Catalogue of Products Subject to Compulsory Product Certification (hereinafter referred to as the Catalogue).

##### **Article 3**

The Certification and Accreditation Administration of the People's Republic of China (CNCA) is the competent authority to give approval of the design, announce for statutory implementation the certification mark and to exercise relevant supervision and administration.

##### **Article 4**

Any product covered by the Catalogue must first obtain a certificate from the Certification Bodies Designated by CNCA (hereinafter referred to as DCBs), and must meet certification criteria during the validity period of certification before the Certification Mark is applied.

##### **Article 5**

The Catalogue products must be certified and applied the certification mark before they are marketed, imported, or used for any commercial purposes.

## Chapter II The design of the Certification Mark

### Article 6

The Certification Mark is referred to as "China Compulsory Certification (CCC)".

### Article 7

The Certification Mark consists of two identities: the core design, and the letter reference indicating the type of certification.

(1) The core design is shown in Figure I below.

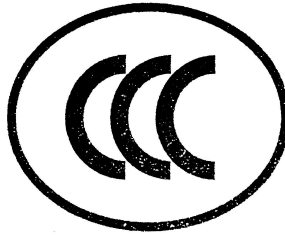


Figure I

(2) The letter reference indicating the type of certification is shown in Figure II below. The letter reference is printed in small capital letter(s) in the right of the core design to indicate the type of certification. The letter reference reflects the type of certification, for example "S" represents "safety". CNCA will design and announce for mandatory implementation the letter reference required.

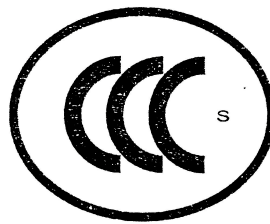


figure II

### Article 8

For certified special products, such as the nature of wire and cable, the three statutory CCC only, as special deviation, will be applied and not circled.

### Article 9

The specifications of the Certification Mark

The certification marks fall into two categories, standard-size and irregular- size certification marks.

1) The standard-size has five categories. See Table 1 and Figure 3 for specifications.

**Table 1: Specifications of the standard-size certification mark (mm)**

No.size	1	2	3	4	5
A	8	15	30	45	60
A1	7.5	14	24	42	56
B	6.3	11.8	23.5	35.3	47
B1	5.8	10.8	21.5	32.3	43

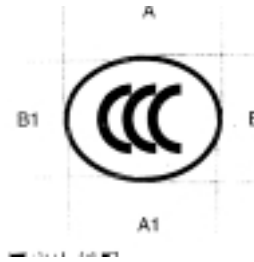


Figure 3

(2) The irregular-size certification marks vary in size, but must be in proportional line to the standard-size.

#### Article 10

The color of the Certification Mark

(1) The standard-size certification marks printed only by CNCA are of black design on a white background.

(2) If the certification mark is printed, pressed, molded, screen-printed, painted, etched, carved, stamped or sealed on the product(s) or the nameplate(s) of the product(s), the color of the background and that of the design can be reasonably altered so as to match the appearance of the product(s) or the nameplate(s) of the product(s).

### Chapter III The use of the Certification Mark

#### Article 11

The manner in which the certification mark is applied to the certified products may be selected based on the nature of the product(s).

(1) The standard-size certification marks printed only by CNCA shall be affixed to the specified place on the outer body of the certified product(s).

(2) If the certification mark is printed, pressed, molded, screen-printed, painted, etched, carved, stamped or sealed on the product(s) or the nameplate(s) of the product(s), it shall be applied on an exposed location on the outer body of the product(s) or the nameplate(s) of the product(s).

(3) If it is not appropriate to apply the certification mark to the body of the product(s), the certification mark must be applied to the smallest packing of the product(s) and indicated in the attached document(s).

(4) For certified products of a special nature that would not be appropriate for certification

marks to be applied, the special derivation of the "China Compulsory Certification (CCC)" must be printed, pressed, molded, screen-printed, painted, etched, carved, stamped or sealed on the product(s) or the nameplate(s) of the product(s).

#### **Article 12**

For compulsory products that have been certified, the Certification Mark may be applied to the packing of the products.

#### **Article 13**

Products produced overseas must apply the certification mark after being certified before they are imported, while products produced domestically must apply certification mark after being certified before they are allowed out of the factory.

### **Chapter IV The Productions Application and Grant of the Certification Mark**

#### **Article 14**

The printing of the standard-size certification marks will be specifically undertaken by a printing house(s) designated by CNCA.

#### **Article 15**

If the certification mark is printed, pressed, molded, screen-printed, painted, etched, carved, stamped or sealed on the product(s) or on the nameplate(s) of the product(s) as referred to in Article 11 (2) and (4), the applicant must submit the design to a CNCA-designated agency and can only produce the mark with the final approval of CNCA.

#### **Article 16**

The application for the use of the Certification Mark

- (1) If the applicant applies in person for the use of certification mark, they need submit to a CNCA-designated agency the application form and copy of the certificate.
- (2) If the applicant applies through another party or parties for the use of the certification mark, the party or parties entrusted need submit to a CNCA- designated agency the trust deed, application form and copy of the certificate .
- (3 ) If the applicant applies through correspondence or any other communication means, they need submit to a CNCA-designated agency the application form and copy of the certificate.

#### **Article 17**

The applicant should pay the cost of the standard-size certification marks printed only by CNCA, or pay the administrative charge if the certification mark is printed, pressed, molded, screen-printed, painted, etched, carved, stamped or sealed on the product(s) or the nameplate(s) of the product(s).

#### **Article 18**

The standard-size certification marks printed only by CNCA will be granted by the CNCA-designated agencies.

## Chapter V Certification Mark Supervision

### Article 19

CNCA is the sole authority to supervise and administer the production, grant and use of the certification mark. Local branches of the State General Administration for Quality Supervision and Inspection and Quarantine of the People's Republic of China (AQSIQ) will be responsible for the supervision and check in the use of the certification mark within their respective administrative jurisdiction.

DCBs will be responsible for the supervision and check in the use of the certification mark relative to their respective certified products. The entrusted overseas inspection agencies will be responsible for the supervision and check in the use of the certification mark relative to the certified products within their respective entrustment scope.

### Article 20

The DCBs and CNCA-designated agencies are under obligation to inform the applicants of these regulations and guide the applicants in the use of the certification mark as required.

### Article 21

The applicant shall abide by the following requirements.

- (1) To set up a management system in the use of the certification mark, and to keep a true and complete file in the use of the certification mark.
- (2) To ensure that products with the certification marks meet certification criteria.
- (3) No certification marks are permitted for products when the certificate has expired.
- (4) To ensure a correct use of the certification mark in promotional materials, such as any advertising or leaflet of the products, so that the consumers are not misguided or cheated.
- (5) To accept the supervision and check in the use of the certification marks by CNCA, AQSIQ local branches and the DCBs.

### Article 22

Certification, testing or inspection bodies designated by CNCA should ensure the correct use of the Certification Mark in their business operations and advertisements, and they are not allowed to misguide or cheat consumers by using the Certification Mark.

### Article 23

The printing house(s) undertaking the printing of the standard-size certification marks with the sole authorization of CNCA shall keep confidential the printing technology and counterfeit-proof technology. Without the authorization of CNCA, such printing house(s) are not permitted to provide any other organization or individual with the standard-size certification marks or the printing equipment.

### Article 24

Should the certified products fail to meet certification criteria within the validity period of the certification, the DCBs shall request the applicant to take corrective action within a prescribed time period, and no certification mark is allowed for use during this time period.

**Article 25**

Administrative penalties will be imposed for any of the following irregular practices. If violation of Criminal Law is involved, legal action will be taken accordingly.

- (1) Falsification, modification, trading or transfer of the certification marks.
- (2) To seize and hold in possession the certification mark without approval.
- (3) To use the certification mark under another party name. or
- (4) Other illegal practices contrary to these regulations.

**Article 26**

Penalties will be imposed according to relevant regulations if the DCBs, the CNCA-designated agencies or their staff fail to fulfill their responsibilities or abuse their power.

**Chapter VI Supplement**

**Article 27**

The applicant for the certification mark referred to in these regulations must be a certificate holder.

**Article 28**

CNCA will be responsible for the interpretation of these regulations.

**Article 29**

These regulations will be implemented on May 1, 2002.