COSMETIC CERTIFICATION RULES

1. Introduction

1.1 Policies

1.1.1 INTERTEK Italia SpA (hereinafter called Intertek) is a Certification Body (hereinafter called CB) with the necessary independence, impartiality and competence for providing Quality Management System (hereinafter called QMS) third-party conformity assessments, thanks to the accreditation by ACCREDIA nr. 044A for QMS and nr. 277B for PRD

1.1.2 INTERTEK shall be responsible for, and shall retain authority for, its decisions relating to certification, including the granting, maintaining, renewing, extending, reducing, suspending and withdrawing of certification.

1.1.3 Independence, impartiality, intended as actual and perceived presence of objectivity, and competence are managed and assured by a Committee for safeguarding impartiality, representing the interested parties.

1.1.4 INTERTEK not offers or provides management system consultancy to the clients or to the certifying companies, but for merely information and assistance.

1.1.5 CB procedures are managed with impartiality and without discrimination, indeed:

a) conformity assessments activities are publicly accessible, or provide upon request;
b) there are not financial or other pressures that could compromise impartiality;
c) conformity services is not conditioned by the size of the organization or by belonging to a particular association or group, nor to the number of certified companies;
d) the evaluation criteria of clients QMS are the same.

1.2 Scope

These Rules shall be considered integral part of F101-6 Certification Agreement in the last edition, with relative Addenda and Errata Corrige, using the same structure and clauses, and applies to all third-party conformity assessments in Cosmetic field, with particular reference to REG. (EC) n. 1223/2009 of the European Parliament and of the Council of November 30th 2009 on cosmetic products and ISO 22716: 2007; any specific requirements will be defined in appropriate attachments.

1.2.1 These Regulations are intended to:

a) Define and describe the conditions and procedures adopted by INTERTEK for the certification of cosmetic products, in accordance with REG regulations. (EC) n. 1223/2009 of the European Parliament and of the Council of November 30th 2009 on cosmetic products and ISO 22716: 2007;

b) Discipline the relationships between INTERTEK and the Organizations wishing to obtain the aforementioned certification, identifying the respective obligations that, with the signing of the regulation, assume the parties.

1.2.2 Any violation of these Regulations by the certified Organization will generate one of the conditions set out in Chap.4.

1.3 Normative References

1.3.1 The INTERTEK referenced documents for this Certification scheme are available at following web sites:
www.accredia.it - LS-02 - List of standards and reference documents for the accreditation of Certification Bodies

- www.iaf.nu – Publications
- www.european-accreditation.org – Publications
- REGULATION (EC) No 1223/2009 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 30 November 2009 on cosmetic products
- ISO 22716:2007

1.4 Definitions

Here below the terminology used in these rules:

1.4.1 **"Organization"**: it's a company, firm or Body asking for certification against to REGULATION (EC) n. 1223/2009 and to the Standard ISO 22716:2007;

1.4.2 **"Certified Organization":** it's a company, firm or Body owning a valid certificate of registration issued by a Certification Body;

1.4.3 **"Service/Product"**: it's the result (output) of a process as the whole of correlated and interactive activities which transform an input into an output of one or more processes;

1.4.4 **"Production site"**: it's the site/s in which the Company manufactures its products or supplies its services covered by the certification in accordance with REG regulations (EC) n. 1223/2009 of the European Parliament and of the Council of November 30th 2009 on cosmetic products and ISO 22716: 2007;

1.4.5 **"Certification Process"**: all the activities carried out by INTERTEK from the contract signature throughout the certification validity, including documentation review, surveillance audit and recertification audit;

1.4.6 **"Man/day"** (m/d): it's a standard working day of 8 (eight) hours;

1.4.7 **"Evaluation"**: it's a whole of actions by which the Certification Body makes sure that the Company asking for certification, works in conformity to the requirements of the REGULATION (EC) n. 1223/2009 and to the Standard ISO 22716:2007;

1.4.8 **"Audit"**: it's a systematic, independent and documented process for obtaining audit evidence and evaluating it objectively to determine the extent to which policies, procedures or requirements are fulfilled;

1.4.9 **"Surveillance":** it's the whole of activities by which a Certification Body verifies the maintenance of the conformity to the requirements of the REGULATION (EC) n. 1223/2009 and to the Standard ISO 22716:2007;

1.4.10 **"Audit team":** it's the Certification Body personnel who carries out audits aimed to the conformity evaluation (or maintenance) of the QMS;

1.4.11 **"Team Leader":** it's the responsible of the audit team;

1.4.12 **"Corrective Action Request (CAR)":** it's a request made by the audit team of an action to take in order to resolve a nonconformity;

1.4.13 **"Non-Conformity":** it's a non-fulfillment of a specified requirement;

1.4.14 **"Audit findings":** they are the audit report contents, including issued NCs and their classification;

1.4.15 **"Certification Package**": it's the whole of the records, from the application to Audit documentation;

1.4.16 **"Certification Requirements"**: they are INTERTEK procedures, reference standard, ACCREDIA technical requirements, international requirements (IAF documents - MD series, EA documents), applicable European rules;

1.4.17 **"Initial Audit"**: means the first audit in an organization without the COSMETIC certification in accordance with REGULATION (EC) no. 1223/2009 and ISO 22716: 2007 standard.

1.4.18 **"Corrective Action Plan**" Corrective Action Plan, including:

- correction of the nonconformity
- analysis of root cause
- the proposed corrective action shall eliminate the cause of the nonconformity
- the means for verifying the effectiveness of the proposed corrective action

- the timeline for implementation and verification of effectiveness

1.4.19 **"Cosmetic"** means any substance or mixture intended to be applied on the external surfaces of the human body (epidermis, hair system and hair, nails, lips, external genital organs) or on the teeth and mucous membranes of the mouth for the sole purpose or mainly to clean them, perfume them, modify their appearance, protect them, keep them in good condition or correct body odors.

1.5 General criteria

The organization that intends to access and / or confirm the certification must meet the following requirements:

a) Possession of certified personnel in sufficient numbers
b) Have an active production of cosmetics that fall within the scope of certification, during the audit.
b) Possession of the appropriate equipment
c) The companies must have the necessary equipment for the effective carrying out of the activities.
d) Undergo an evaluation test on the site.
e) Have the knowledge and competence as well as the ability to update all the binding legislation applicable to their processes, products and/or services provided; the Organization remains the sole responsible for compliance with the laws in force applicable to it and the products and/or services provided, with the exclusion of any liability or guarantee obligation by INTERTEK.
f) Keep documented information on any complaints received from customers, to ascertain the effectiveness of the corrective action taken and the solution of the related complaint;
g) To allow INTERTEK auditors and, if requested and informed in advance, to ACCREDIA inspectors, to carry out the tasks for which they are responsible, including unscheduled surveillance arising from reports from customers and other external entities (see §3.6.1), through access to their premises and information, in compliance with the access, security and data processing conditions (see §2.3.1); failure to acknowledge the Accreditation Body's auditors with the right of access to their office (s) (in support of the INTERTEK auditors), involves the non-granting of the accredited certification or suspension of the same.
h) Commit to accepting and conforming to the present Certification Rules last edition; in the event of revisions of the Regulations, the Organization must undertake to adapt to the same according to the deadlines defined by INTERTEK;
i) Having submitted to INTERTEK a request for certification, prepared by an authorized representative, providing all the information and documentation necessary to carry out the assessment;
j) Complete the payment in favor of INTERTEK of the competences and expenses that relate to the activities of initial certification, recertification, scheduled and non-scheduled surveillance, regardless of the final guarantee of certification or maintenance of the same.
k) INTERTEK does not assume any obligation regarding the positive outcome of the conformity verification and, therefore, regarding the issue of the certificate.
l) The consultants of the Organization, with the prior consent of INTERTEK, can attend the audits, but only as observers.
m) The Certified Organization must keep INTERTEK undamaged and guaranteed for any damage that may occur to it in the performance of the services covered by this agreement.
n) INTERTEK and its representatives are also expressly exempt from the Certified Organization from any responsibility if they are unable to complete all or part of the task assumed as beyond their control and in situations whose occurrence is not foreseeable.
o) INTERTEK is responsible for verifying that the organization's MS is able to effectively manage compliance with the laws and binding regulations regarding the supplied products and/or services provided, even if it does not assume any direct responsibility regarding the adequacy of the choices

techniques adopted for this purpose by the organization (responsibility that remains the exclusive responsibility of the same), or in order to ascertain compliance with legal requirements.

p) The legislative compliance pertaining to the object of certification will be considered by Intertek as an indispensable pre-requisite for the issue of certification. The certification issued by Intertek, however, only concerns compliance with the applicable certification requirements, therefore it does not constitute a guarantee of compliance with the mandatory requirements, the specific responsibility of the Customer Organization, which remains solely responsible, towards itself and towards third parties, of the legislative obligations related to the performance of the activities subject to certification.

q) Before embarking on the Certification process with Intertek, the Organization must meet the following requirements:

- Arrange and apply processes and procedures that meet the reference requirements for certification;
- Accept the conditions set forth in these Regulations;
- Guarantee assistance to the Intertek Audit Team during all the Audit activities;
- Authorize access to the premises, areas and information necessary for carrying out the audit;
- Designate its own Representative as the main interlocutor of the Audit Team and have any consultants present during the audit perform the role of observer;
- Be responsible for the application of the requirements set by the current regulations on safety at work.

In the absence of mandatory provisions, the Organization undertakes to provide Intertek with complete and detailed information on the specific risks existing in the environment in which Intertek personnel are destined to operate. Therefore, the Organization undertakes to implement, as well as to promote, through the designated person, measures to protect and prevent risks at the workplace that affect the activities of the Intertek Auditors and which require the protection of both workers and of all the other subjects operating or in any case present in the same work environment;

r) Accept, without additional costs, the possible presence of:

- Intertek Auditor in training;
- Intertek observers, whose purpose is to carry out monitoring activities in the field on the correctness of the evaluations and the service rendered to the Customers.

2. Information Requirements

2.1 Publicly Accessible Information

2.1.1 INTERTEK makes publicly accessible, or provide upon request, information relevant to granted, suspended or withdrawn certification.

2.1.2 On request from any party, INTERTEK provides information relevant the validity of a given certification.

2.1.3 In exceptional cases (e.g. for security reasons), access to certain information can be limited on the request of the client.

2.1.4 INTERTEK communicates to ACCREDIA monthly the list of certified organizations.

2.2 Certificate of Registration

2.2.1 After the activities referred to paragraphs §3.4 and **Error! Reference source not found.**, INTERTEK provides a Certificate of Registration to the certified organization.

2.2.2 The Certificate of Registration is issued, confirmed or renewed only after payment of the invoices relevant to the activities carried out.

2.2.3 The Certificate of Registration mandatorily contains the Company name and the address/es in which the audit has been carried out, together with other information; in case the above mentioned address/es is/are not included in the Organization registration documents (registration of Chamber of Commerce), INTERTEK can ask for corrective actions to the Company.

2.2.4 The Certification granting gives the Company the right to use the Certification Mark and Certificate. The use of this mark and the certificate is strictly controlled and is bound by a certification current validity status.

2.2.5 The conditions governing the use of the Mark and of the Certificate are defined in F205 "Regulations for the use of the make and the certificate" in the last edition.

2.2.6 The Certificate remains the property of INTERTEK to whom it must be returned in case of withdrawn or changes

2.2.7 The expiry of the certificate, independently of the date of the initial audit (stage2), is three (3) years from the date when the Committee takes the certification decision; in case of recertification, and if all activities, renewal audit (see §2.2.9) and Recertification decision are concluded within three (3) months in advance of the expiry date of the certificate, the new expiration date will be based on three years from the original expiration date.

2.2.8 The validity of the certificate is dependent on the carrying out of surveillance audits according to the scheduling defined in § 3.8.1 and their positive results.

2.2.9 The validity of the certificate is subject to renewal audit within three years from the initial audit (stage2) /renewal, however before expiring date of the certificate.

2.2.10 If the renewal audit is not carried out in accordance with § 2.2.99 and the certificate is expired, INTERTEK may, at its irrevocable decision, decide about the repetition of the entire certification process, from the Stage1 Audit.

2.2.11 The certificate renewal is subject to the positive result of the renewal audit (see §3.99).

2.2.12 There are no extensions of expiry dates of the certificate.

2.2.13 The certificate validity is subject to the fulfillment of each clause of the present rules.

2.3 Confidentiality

2.3.1 Upon receipt of the Contract (see § 3.1), INTERTEK will send the form Confidentiality and Privacy Policy in which INTERTEK guarantees absolute confidentiality of information, documents and data they have learned or are in possession as effect of its activity, in compliance with Regulation (EU) 2016/679 "General Regulations for the protection of personal data".

2.3.2 In full respect of its policy, INTERTEK ensures absolute confidentiality when, during the verifications on site, in accompaniment and/or upon request by ACCREDIA, the package of the whole certification process is made available to ACCREDIA inspectors.

2.4 Information exchange between INTERTEK and the Organization

2.4.1 INTERTEK is committed to notify the organization in case of changes and/or modifications to the reference standards, technical requirements defined by ACCREDIA, to accreditation requirements, INTERTEK procedures and/or regulations or other that requires substantial adjustments and additions to these Rules for Certification.

2.4.2 INTERTEK, giving immediate notice to the Certified Organizations and those with request or certification procedure in progress, will establish and communicate a date from which the changes will become effective and binding, in order to leave time to the Certified Organization for the implementation of the changes.

2.4.3 The failure for Certified Organization to implement the corrective actions requested in the timeframe mentioned in § 2.4.2 can be cause for suspension or withdrawal of certification as described in Chapter 4.

2.4.4 Any change of the reference standards may imply the need for additional audit to verify the compliance. Costs relating to above audits will be charged to Certified Organization.

2.4.5 The certified organization is committed to promptly notify INTERTEK all not complying situations that are raised by Control Authorities, and any suspension and revocation of licenses, concessions, etc.. relating to the production/ supply of products/services related to the certification scope.

2.4.6 The certified organization is committed to immediately notify INTERTEK any current judicial and/or administrative proceedings relevant to the subject of the certification, subject to the limits imposed by law.

2.4.7 The certified organization is committed to maintain INTERTEK informed about the developments of these proceedings.

2.4.8 The certified organization is committed to inform INTERTEK of any changes or new process/ product/service, work activity, documentation, corporate structure, addresses change and/or sites, and any situation that may have an influence on the MS capability to meet the requirements of the reference standards for the certification.

2.4.9 In relation to the above and in each case, INTERTEK can perform additional audits, at its irrevocable decision (see § 3.66) and, depending on the impact that the non-conformity may have on the management system of the certified organization, may adopt measures of suspension and/ or withdrawal of certification (see Chapter 4).

3. Certification Process

3.1 Application

3.1.1 To begin the Certification process, the organization must, through the filling of an Initial Enquiry by an authorized representative, make an explicit request to INTERTEK, taking care to provide all the information required in the above form.

3.1.2 Upon receipt of the Application for Certification, INTERTEK shall, after verify of the completeness of the information received, prepare the Certification Offer, together with the "Consultant presence Statement", if applicable.

3.1.3 The man/days calculation required for initial certification, periodic surveillance and renewal is determined on the basis of the information referred to the paragraph 3.1.1 and the requirements defined by national standards, including ACCREDIA Technical Regulations, and IAF International Guidelines.

3.1.4 If during the certification process will be raised changes to the information included in CIF, INTERTEK reserves the right to revise the number of man/days defined during initial quotation, making notification to the organization.

3.1.5 Upon acceptance of the Offer, the Organization shall resend the same countersigned by the legal representative or his authorized representative; in this way the certification order is signed and these rules accepted.

3.1.6 Upon receipt of the Certification Order and its positive evaluation, INTERTEK will send to the Client the Order Confirmation done for Review.

3.2 Certification activities scheduling

3.2.1 INTERTEK proceed with the planning of the certification audit within 4 weeks, unless otherwise agreed, from the receipt of the Contract, agreeing the period of the Initial Audit, appointing the Audit Team and the Team Leader, responsible of it.

3.2.2 At least 15 days before Audit, if foreseen, and unless otherwise agreed, INTERTEK will formally present to the Organization of the members of the Audit Team, that will be deemed accepted if not officially rejected within five (3) days after the communication, at the end of which the Team Leader in charge will contact the organization for the definition of the Audit date and will send the Audit Plan.

3.2.3 The Organization shall have the right to reject any or one of the members of the Audit Team originally proposed without giving explanation. In case of rejection of the second proposed Audit Team, INTERTEK will ask a written explanation that will be submitted to the Technical Director.

3.2.4 If INTERTEK proposes an auditor or an expert who has been in any way involved in the product/service provided by the Organization subject of the certification process in the two years prior to the audit or who has entertained with it any kind of relations, the Organization shall immediately inform INTERTEK.

3.2.5 The organization also must not appoint, directly or indirectly, any person belonging to the Audit Team of any kind of consulting activities relating to the certification scope within two years following certification. Failing this, the matter will be submitted to the Headquarters of INTERTEK, which will decide if repeat the last audit activities.

3.3 Classification and resolution of the corrective action requests

During the conduct of all types of audits, it can be raised non-conformities; for each of them, the Audit Team will issue a form requesting a Corrective Action. NC are classified as follows:

3.3.1 **Major Non Conformity**:

a) failure to satisfy one or more requirements of the standards (supported by objective evidence)
b) There is evidence of complete lack of implementation in most of the system
c) In case there is evidence of failures/ weaknesses closely related to the quality of the product/service and to the compliance with mandatory laws related to the product/service to be certified
d) Not fulfilling of the requirements of F205-ENG-IT "Regulations for the use of the mark and the certificate", in last edition.

3.3.2 **Minor Non Conformity**:

A situation that raises a significant doubt about the organization's ability to meet the applicable Certification requirements.
In other words, the finding formalized by INTERTEK is classified as NC of grade II when there is evidence of non-fulfillment of a part of a requirement of the reference standards that needs of correction and corrective action, it is not such to compromise the conformity of the product(/service

3.3.3 **Observations or Opportunity for Improvement**:

Are classified as observations all those representing:

a) non-conforming situations but with less or very low impact on the system
b) Potential non-conformity, that are not supported by objective evidence of non-compliance but neither of conformity
c) situations that require action in order to demonstrate the full effectiveness of the process involved.

3.3.4 All corrective action plans, including evidence of correction shall be submitted by the organization within 30 calendar days from the last day of the activity unless the certificate expires prior to that date; in such case the corrective action plan shall be submitted prior to certificate expiring. The corrections and corrective actions are treated as specified below, unless otherwise defined:

a) **Major Non Conformity**: Corrective action plans will be analyzed by the Team Leader for approval; the Team Leader can decide if require a new correction and/or corrective action, or pass to INTERTEK Technical Management, which will decide on the action.
b) For major non-conformities, all corrective actions must be implemented (including verification of effectiveness) within 60 calendar days from the last day of the audit unless the organization's certificate expires earlier. In this case, corrective actions must be implemented within 30 calendar days before the certificate expires. The Team Leader and / or the Technical Management can request a follow-up audit (see § 3.8) and / or a document closure to verify corrections and corrective actions. The date for the planning of the follow-up audit must be within 90 days of the verification, or before the expiry of the certificate, whichever comes first.
c) The closure of Major NC is necessary and sufficient condition for obtaining/renewal of the certification or for the maintenance.
d) **Minor Non Conformity**: For minor non-conformities, all corrective actions must be implemented (including verification of effectiveness) within 90 calendar days from the last day of the audit. The effectiveness of the implementation of corrections and actions corrective will be evaluated in the subsequent verification; if there is no approval from the Team Leader, the same will decide whether to request a new correction and/or Corrective Action or pass it all to the Technical Director INTERTEK which will decide on the actions to be activated.

e) The closure of the Minor NC is necessary and sufficient for obtaining/renewal of the certification or for the maintenance.
f) **Observations and Opportunities for Improvement:** to the organization is required to define a plan of corrective/preventive actions to be implemented before the next audit.

3.3.5 In the next audits will be verified the effectiveness of the actions taken against of any real situation or potential non-compliance.

3.3.6 In case in the next audits the CAR and/or comments have not been effectively implemented, the Team Leader will increase the degree of them; for NC of grade I not implemented, INTERTEK will take action as per Chap. 4.

3.3.7 If Intertek is not able to verify the implementation of corrections and corrective actions for any major non-compliance, within 6 months after the last day of an initial audit, it will have conduct a follow-up audit before to recommend the issue of certification.

3.4 Initial Audit

3.4.1 INTERTEK ITALIA performs assessment (unique-stage audit) at the production site and any warehouses. During the assessment audit (unique-stage audit), the organization must demonstrate that it has the appropriate expertise and structure to perform the activity for which product/service certification is required.

3.4.2 The scope of the initial audit is to assess the implementation, including the effectiveness of the quality management system and the conformity with the standards.

3.4.3 The initial audit will be conducted at the site(s) of the organization and will provide verification of at least the following points:

a) Information and evidence of compliance with all the requirements of the standards;
b) Review, reporting, measurement and monitoring of performance against objectives and targets set;
c) The organization's MS and its performance with respect to legal compliance;
d) The production process;
e) Internal Audits;
f) The management's responsibility for the organization's policies;
g) The link between regulatory requirements, policy, objectives and targets of performance (consistent with the expectations of the standard or other normative document), any applicable legal requirement, responsibility, competence of personnel, processes, procedures and findings of internal audits.

At the end of the Audit, the Team Leader will present the organization during the closing meeting, the findings of the audit, in the form of two types of documents:

a) A report in which they are registered summarizes the findings of the audit.
b) Any Findings Reports

The results of the audit (see §1.4.15) are not final and are subject to confirmation by INTERTEK within thirty (30) days from the closing meeting or the date of closing of the NC and the review by the Decision Committee for the issuance of the certificate.

3.5 Granting of Certification and issuance of certificate

3.5.1 The Certification package at the end of all audits shall be subject to monitoring and review (see the following paragraphs) by the Decision Committee in the first meeting available.

3.5.2 The Decision Committee is appointed by the Technical Director and consists of members with the right technical and accreditation scheme skills.

3.5.3 The Decision Committee after verifying and review of the Audit Practice, has the responsibility and authority to:

a) Approve the Certification and relevant Certificate, approving everything contained in the Audit Practice including the recommendation of the Audit Team and the scope of certification.
b) Reduce the scope of certification
c) Re-arrange the RAC, including observations.
d) Require the organization to adapt to any requests formally submitted by the Decision Committee.
e) Request an Additional Audit if there is sufficient objective evidence with regard to the requirements of the certification and for the purpose of certification; the supplementary audit is formally notified by the Decision Committee to the Organization and it is agreed and planned with. The audit shall be borne by the Organization.
f) The organization can make invoking the Technical Director of INTERTEK, under the terms defined in §5, in the decisions taken by the Decision Committee.

3.5.4 The date of first issue corresponds to the date of approval of the Certificate (certification decision) and cannot be prior to the latter;

3.5.5 If the certificate lapses for a period of time (for example, for withdrawal of certification or for not having completed the Certification Renewal within the deadline) Intertek will issue a new certificate keeping the original Certification date, but making clear the date of the certification Recertification Audit and the current issue date of the Certificate, as follows:

a. Original certification date: same as the previous certificate
b. Last expiration date
c. Date of recertification audit: date of last audit day
d. Date Issue of the certificate
e. Certificate Expiry Date: three (3) years minus one (1) day from the Certificate Issue Date.

3.5.6 The expiry of the certificate, regardless of the date of execution of the initial audit, is three (3) years minus one (1) day from the Decision Date, ie from the date on which the Certification Committee takes the certification decision.

3.6 Special Audit (Short-Notice Audit)

It may be necessary for the certification body to conduct audits on short notice or without notice, on certified customers, to investigate complaints or in response to changes or as a consequent action against customers whose certification has been suspended.

3.6.1 An Additional Audit, than contractually or as otherwise required by the Surveillances Programme may be required to the certified Organization by the Decision Committee and/or the Technical Department in the event that:

a) We receive serious reports from customers, stakeholders and/or by the Accreditation Body.
b) The evidence gathered in previous audits do not fully support the recommendation made by the Team Leader
c) The results of that surveillance activities listed in § 3.8.1 and § 3.8.1 are negative.
d) Not fulfill the conditions mentioned in § 2.4.5 and 3.3.
e) The certification has been suspended (see §4)

3.6.2 INTERTEK will inform in advance the organization, within 5 days from the moment in which the previous points occur, the reasons for which the audit is necessary, the date of the audit and the Audit Team, which cannot be rejected by the organization.

3.6.3 The audit must be made within fifteen (15) working days from the moment you have one or more of the events referred to in 3.6.1

3.6.4 The Audit will aim to verify to what extent the conditions referred to the previous 3.6.1 affect the continuing compliance of the quality management system standards.

3.6.5 At the conclusion of the Audit, during the closing meeting, the Team Leader will present to the Certified Organization the findings of the verification by completing the Audit Report, including recommendation to maintain certification and any Corrective Action Requests, whose classification and management is reported in par. 3.3.

3.6.6 If your organization does not allow the execution of the additional audit, see also 3.6 and 3.7, INTERTEK reserves the right to take action as provided in Chapter 4.

3.7 Follow Up Audit

3.7.1 In the presence of Major Non Conformity is generally required a Follow-up Audit to verify the effectiveness of the actions taken and the consequent elimination of the cause of NC detected.

3.7.2 A Follow Up Audit may also be required in the case in which the number and extent of the Minor Non Conformity not support full compliance with certification requirements.

3.7.3 The Follow-up audit is usually conducted by the Audit Team, unless otherwise agreed.

3.7.4 The Follow-up Audit should be carried out within 90 calendar days from the last day of the activity; otherwise it will implement measures as provided for in Chapter 4, or the repetition of the entire certification process.

3.7.5 Negative outcome of the Follow-up audit, will the non-issuance of the certificate with all subsequent repetition of the certification process, or in the event of an audit other than the Initial measures as provided for in Chapter 4.

3.8 Surveillance Audit

3.8.1 The surveillance audit is part of monitoring activities that INTERTEK run throughout the three-year period of validity of the certificate. Such activities may include:

a) Request for information to the (e.g. questionnaires) Certified Organization on matters related to certification.
b) Review of Business statements of the Certified Organization with regard to its production activities (e.g. promotional material, website, etc.).
c) Request the Organization to provide certified documents and/or records (paper or electronic).
d) Other means to monitor the performance of the Certified Organization.

3.8.2 Maintenance of the certification is subject to positive surveillance audits contractually agreed as well as to the payment of the so far acquired fees.

3.8.3 These audits shall be performed at intervals defined in the contract, semi-annual or annual basis.

3.8.4 The date by which you have to perform this audit, is calculated from the date of Certification Decision.

3.8.5 The frequency of surveillance audits is defined by contract but it will at least annually. The date of the first surveillance audit must be within the calendar year following that of Certification Decision (see note c). Changes to the original surveillance program must be approved by the Technical Management.
The surveillances must be carried out with the following schedules:

a) The date of the first surveillance audit after initial certification must be within the calendar year following that of Certification Decision.

b) Subsequent surveillance audits will be carried out at least once a calendar year, except for the recertification year.
c) It may be necessary to vary the frequency of surveillance audits as requested by the client. The motivation must be justified and documented and submitted to the assessment of the Scheme Manager; in this case a maximum tolerance of 2 extra-months will be granted.

3.8.6 At least the following elements must be verified during the surveillance audits:

a) Use of the Certificate and Logo
b) Management of Complaints
c) Maintaining of the Compliance of product/service even in the face of any changes that have occurred in the organization certified.
d) Systematic execution of internal audits of all processes related to the purpose of certification (at least annually)
e) Control of the manufacturing and welding processes with relevant technical regulations and applicable laws.
f) Verification of the effectiveness of the actions taken as a result of RAC issued in previous audits, including comments.
g) Verification of the effectiveness of the objectives of the certified Organization
h) Progress of planned activities aimed at continual improvement.

3.8.7 At the conclusion of the Audit, the Team Leader will present to the Certified Organization during the closing meeting, the findings of the verification in the form of two types of documents:

a) A report in which they are registered summarizes the findings of the audit; the report, countersigned by the certified Organization, expresses the conclusions about the recommendation to the maintenance of certification;
b) Any Requests for Corrective Action.

3.8.8 The recommendation made by the Audit Team is reviewed by the Management of INTERTEK, which may take the following decisions:

a) Approve the Maintenance of Certification accepting the recommendation of the Audit Team
b) Request to the Team Leader for further clarification as to the recorded objective evidence to support the recommendation, in which case the recommendation of the Audit Team will be confirmed/modified on the basis of the explanations given.
c) Request an Additional Audit at the organization certified if the evidence collected does not fully support the recommendation made; in which case the need for Additional Audit is formally notified by the Technical Management of INTERTEK to the Certified Organization and with it is agreed and planned.

3.8.9 After a Surveillance with a positive outcome and after verifying the effective implementation of corrective actions for any non-conformity, certification can be confirmed.

3.9 Recertification Audit

3.9.1 The recertification audit (hereinafter also called renewal audit) must be performed within three years from the initial audit / renewal in the field; the recertification audit should be scheduled at least 30 days before the expiry of the Certificate so that there is sufficient time for the implementation of any necessary corrections and corrective actions, before the expiry of the Certificate.

3.9.2 When the certification renewal activities are successfully completed before the expiry date of the existing certification, the expiry date of the new certification can be based on the expiry date of the previous certification. The date of issue of a new certificate must be corresponding to or subsequent to the certification decision.

3.9.3 If the renewal audit is not completed before the certification expires or the verification of the implementation of corrections and corrective actions for any major non-compliance is not carried out before the certification expiry date, then the renewal of the certification must not be approved and the validity of the certification cannot be extended.

3.9.4 Following the expiry of the certification, Intertek will be able to restore it within 6 months, provided that the pending certification renewal activities have already been completed, otherwise an initial audit will have to be carried out, which will have the same duration in terms of man/days of the Renewal. The effective date on the certificate must be corresponding to or subsequent to the decision to renew the certification and the expiry date must be based on the previous certification cycle.

3.10 Extension Audit

3.10.1 The Certified Organization may request an extension for the purpose of initial certification and the scope, including new Branches, Local Units, etc.

3.10.2 The certified Organization shall send to the INTERTEK Sales and Technical offices a request for extension where he has to explain the type of extension, in particular in relation to any new activities and/or new processes and/or new production lines and/or new services, new locations, indicating any change in the number of employees.

3.10.3 After the analysis of the extension request, INTERTEK will decide and notify the Organization with all audit activities necessary to decide whether or not the extension may be granted, including:

a) The man/days of audit required
b) Any contractual variations in terms of man/days and related costs, defined during the signing of the first contract.

3.10.4 The extension audit may be conducted in conjunction with the planned surveillance audits.

3.11 Transfer Audit

Not applicable for ISO 22716. In the event of a request from a Customer, an initial Certification audit is carried out

4. Suspending, withdrawing or reducing the scope of certification

4.1 Suspension

4.1.1 If INTERTEK find, in the certified Organization, serious lacks or if they persist beyond the agreed deadline for the elimination, at its sole discretion may suspend the certification.

4.1.2 The maximum period of suspension of the certificate will be six (3) months and will be defined by INTERTEK.

4.1.3 Technical Management of INTERTEK will inform the organization of the reasons of suspension.

4.1.4 Technical Management of INTERTEK will inform the organization about the duration of the suspension, which is the period within the organization will be required to resolve the issues that led to the suspension; after this time limit INTERTEK will proceed with the withdrawal or reduction of the certification scope.

4.1.5 During the suspension period, the certification of the quality management system is temporarily invalid and it is forbidden to promote the organization, by any means, including its certification logo as certified Organization.

4.1.6 In addition to the cases described in the Rules of Certification and recalling this chapter, INTERTEK may suspend certification if:

a) The certified organization has systematically and seriously failed to meet the certification requirements.

b) The certified organization does not allow that the surveillance audits, follow-up or renewal are carried out according to the defined frequency/terms.

c) The organization voluntarily requests the suspension.

d) During a surveillance and/or audits following the initial audit, a Non-Compliance that requires the immediate suspension (e.g. serious breaches legal relating to the product/service under the scope of certification) is found.

e) The Certified Organization contravenes any of the terms governing the certification or a procedure provided by INTERTEK and not remedied within thirty (30) days, or within a reasonable time otherwise specified in writing.

f) The Certified Organization does not adjust the misuse of the certificate or logo correcting within the time prescribed by the certification body.

g) The Certified Organization violates a second time one of the terms that govern the certification to which previously had been required to remedy.

h) The Certified Organization has failed to comply in due time to the changes made to the rules for the certification.

i) The Certified Organization is in arrears with payments.

j) The Organization Certified ceases or reduced substantially its activities.

k) The Certified Organization is subject to bankruptcy or other insolvency proceedings. In such cases the Certified Organization shall promptly notify to INTERTEK the occurred admission to the insolvency procedure for the appropriate action.

4.1.7 In the case of suspension of certification, the Certified Organization must immediately respond in writing within fifteen days (15) of receipt of notice of suspension, confirming whether or not the intention to meet the demands action, according to the time defined in the same communication of suspension or the intention to appeal against the decision taken (see §5.2).

4.1.8 The Certified Organization, within 30 (thirty) days from such notification, may submit notice of appeal against the decision of the Technical Director of suspension of the certificate, according to the procedures described in §5.2.

4.1.9 To restore the validity of the certification may be required, depending on the reasons, a supplementary audit (see §3.66).

4.1.10 INTERTEK cannot be held responsible for damages and losses, including indirect, possibly suffered by the Certified Organization as a result of the suspension, or to any penalties or any loss which may arise from the Certified Organization by the arranged suspension.

4.1.11 The Certified Organization must provide in any case and regardless of the final decision of INTERTEK to the immediate payment of accrued in favor of INTERTEK due to its performed services in connection with this Agreement.

4.2 Withdrawal

4.2.1 INTERTEK revokes the Certification and consequently withdraws the Certificate and cancels all agreements made regarding its use when the conditions set out in this Regulation are verified; in particular, the Certified Organization does not respond within the defined suspension period and / or does not implement the required actions

4.2.2 The decision taken by INTERTEK to proceed with the revocation and withdrawal of the certificate and the cancellation of the agreements on the use of the certificate itself is communicated to the Certified Organization by written communication

4.2.3 In the case of withdrawal, the organization is required to immediately suspend the use of the certified company logo and its certificate, promptly communicating it to its customers.

4.2.4 The Certified Organization must provide in any case and independently from the final decision of INTERTEK the immediate payment of the competences accrued in favor of INTERTEK as a result of the services rendered by them in relation to this agreement;

4.2.5 INTERTEK cannot be held liable for damages and losses, even indirect, possibly suffered by the Certified Organization as a result of the withdrawal itself, nor for any penalties or any prejudice that could result from the withdrawal from the Certified Organization.

4.2.6 INTERTEK directly revoke the certification of an organization in the following cases:

a) Notice of cancellation of the certification.
b) Cessation of activities subject to certification
c) Sale of a business activity covered by the full scope of certification.
d) Serious irregularities or abuses by using the certificate and/or Logo of Certification
e) Final judgment (become final) of the Organization for facts relating to non-compliance with statutory and regulatory requirements relevant to the product/service.
f) No reply from the Certified Organization within fifteen days (15) from the receipt of notice of suspension;
g) At the end of the established period of suspension of the certificate (see §5.2);

and any other event that INTERTEK judges seriously undermine the credibility of the certification process.

4.3 Reduction of the Scope of Certification

4.3.1 INTERTEK may reduce the Organization's scope of certification to exclude the parts that do not meet the requirements, if the organization has systematically and seriously failed to meet certification requirements for those parts of the certification scope.

4.3.2 The reduction of the order will be decided by INTERTEK at any time of the three-year cycle of validity of the certificate, including the renewal audit.
4.3.3 Technical Management of INTERTEK will inform the organization about of the reasons of reduction.
4.3.4 The Certified Organization, within 30 (thirty) days from such notification, may submit notice of appeal against the decision of the Technical Management of reducing the scope of the certificate (see §5).
4.3.5 The Certified Organization must provide in any case and regardless of the final decision of INTERTEK to the immediate payment of accrued in favor of INTERTEK due to its performed services in connection with this Agreement.

5. Complaints and Appeals

5.1 Complaints

5.1.1 In case of a claim by any interested party (e.g. user, customer, public administration, accreditation body etc.) on an organization certified by INTERTEK, the same will be managed by the Management of INTERTEK. The correct accuracy and impartiality of the handling of the claim is task of the Committee for safeguarding impartiality.
5.1.2 The process for handling claims by INTERTEK will foresee a thorough analysis, by the Technical Management, of complaint in order to decide what action must be taken in response to it, also ensuring that the manager is not directly or indirectly involved in the subject of the claim.
5.1.3 Decisions, including obtaining any Additional Audit (see §3.66), will be communicated to the organization and, if possible, to the claimant.
5.1.4 INTERTEK inform officially the end of the handling of the claim to the claimant.
5.1.5 The above also refers to the customer's complaint concerning the work of Intertek and/or its auditors.

5.2 Appeal

5.2.1 INTERTEK handles any appeal in a non-discriminatory way.
5.2.2 INTERTEK ensures that those responsible for all decisions at all levels of the process of managing of claims are not involved in the subject of the appeal.
5.2.3 The Organization has the right to appeal to the Technical Management of INTERTEK against any decision taken by itself.
5.2.4 The organization must submit to the Technical Management of INTERTEK, within 30 (thirty) days of the decision taken, a written request in which specifies the type of action and the related reasons.
5.2.5 INTERTEK inform the certified Organization on the receipt of the appeal and about the progress of the same.
5.2.6 INTERTEK communicate its decision within thirty (30) days of receipt.
5.2.7 In case of dissatisfaction on the part of the applicant, the applicant may submit further and final written appeal no later than 30 days after receipt of the first response.
5.2.8 The Committee for safeguarding impartiality, at the first meeting, will consider all appeals to verify the impartiality of the decisions taken by the Technical Management of INTERTEK;
5.2.9 In case of further dispute, be referred to the Court of Milan (see Chapter 6).
5.2.10 The expenses related to the activities arising from the appeal shall be borne by Intertek.

6 Place of jurisdiction

6.1.1 For any dispute that may arise between the parties in dependence of this Agreement, the Parties agree that the competent Court of Law is to Milano.

6.1.2 The terms and conditions of these Regulations, the contracts signed between the INTERTEK and the Certified Organization and all that is not therein expressed are governed by the rules laid down in the Italian law.

REVISION LOG

Revision #	Description of Change	Release Date
0	Initial release	30-MAY-2018
1	General review	15-MAR-2021
2	Withdrawal and surveillance times review	14-MAR-2025