



CERTIFICATION RULE

Doc: RC-002

PRODUCT

Revision: 05

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The Company identified below represents that it is fully aware of the contents of this document.

RC-002 – “Certification Rule – Product”

Agreed to:

NAME OF COMPANY LEGAL REPRESENTATIVE

SIGNATURE OF COMPANY LEGAL REPRESENTATIVE

COMPANY STAMP

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1. SCOPE

This Certification Rule sets out the criteria employed by TÜV Rheinland do Brasil Ltda. for grant and maintenance of the license for use of SBAC's or TÜV Rheinland do Brasil Ltda.'s Conformity Mark and for maintenance of mark UCIEE for customers that still keeps it effective..

2. FIELD OF APPLICATION

This Rule applies to all companies requesting for grant of license for use of SBAC's or TÜV Rheinland do Brasil Ltda.'s Conformity Mark or UCIEE.

3. RESPONSIBILITY

The Responsibility for revision of these "Rules for Grant and Maintenance of License for Use of SBAC's or TÜV Rheinland do Brasil Ltda.'s or UCIEE Conformity Mark", hereinafter referred to as "Rule", rests on TÜV Rheinland do Brasil Ltda.

4. ACRONYMS AND ABBREVIATIONS

ABNT – Associação Brasileira de Normas Técnicas [Brazilian Technical Standards Association]

IECEE CB Scheme – IEC System for Conformity Testing and Certification of Electrical Equipment

CNPJ – National Corporation Reference File

CRC – Certification Rule Supplement

DIPQ – Small Amount Importation Statement

EA – European Cooperation for Accreditation

IAAC – Interamerican Accreditation Cooperation

IEC – International Electrotechnical Commission

ILAC – International Laboratory Accreditation Cooperation

INMETRO – Instituto Nacional de Metrologia, Normalização e Qualidade Industrial [National Institute for Industrial Metrology, Standardization and Quality]

ISO – International Organization for Standardization

NBR – Brazilian Registered Standard

OCP – Organismo de Certificação de Produto [Product Certification Body]

SBAC – Sistema Brasileiro de Avaliação da Conformidade [Brazilian Conformity Appraisal System]

TÜV – TÜV Rheinland do Brasil Ltda.

UCIEE – União Certificadora

5. DEFINITIONS

For purposes of this Rule, definitions in 5.1 thru 5.5 are implemented as supplemented by those contained in NBR ISO 9000:2005 and in ABNT ISO/IEC 17000:2005.

5.1. Conformity Mark

Registered Conformity Mark, affixed or issued pursuant to the criteria established by INMETRO based on the principles and policies implemented within SBAC or TÜV, indicating that an appropriate degree of confidence exists that the products conform to the respective technical standards listed in the supplements to this rule.

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5.2. License for Use of Conformity Mark

Document issued pursuant to the criteria set forth in this Rule based on the principles and policies implemented within SBAC or TÜV, under which TÜV grants to an applicant, upon a contract, the right to use the Conformity Mark on applicant's products (TÜV or UCIEE Conformity Mark).

The license shall contain the following data:

- a) Corporate name and CNPJ. Companies headquartered abroad and having no representation in Brazil shall submit the company's legal organization documents issued in the country of origin;
- b) identification of the license for use of the Conformity Mark, issue date and license effective term;
- c) lot identification, which is mandatory in the case of lot conformity appraisal.

Note: Other information may be required in specific situations. In such event, information duplicity should be avoided by not referring to the requirements established in the accreditation / designation criteria.

5.3. Lot

The set of equipment or devices having identical characteristics and belonging to the same model, series or type (the less collective out of the three) made by the same manufacturer at the same plant.

5.4. Applicant (or Company to be Licensed)

Is a corporation that applies for / holds the authorization for use of the conformity identification stamp through the execution of a contract and that bears the responsibility for the certification process.

5.5. TÜV Certification Commission (TÜV Technical Commission)

Within SBAC, it is a commission made up as a minimum of representatives from the manufacturers trade associations, of consumers and neutral organizations, all of which of recognized capability.

In the case of Voluntary Certifications, the Technical Commissions (CT's) will not be necessary. The process will have to be approved by at the very least 2 technical executives of the TÜV that had not participated of the accomplishment of factory inspection or technical analyses, in part or all the process.

6. GENERAL CONDITIONS

The license for use of Conformity Mark within SBAC may only be granted to products contemplated in ABNT Standards or, failing the same, in International Standards.

The license for use of the Conformity Mark may be granted outside the SBAC for products addressed in other standards or requirements indicated by applicant or by TÜV.

- 6.1. It falls upon the Technical Commission to deliver its opinion on the process laid before it applying for a license for use of the Conformity Mark.
- 6.2. For qualifying to the Conformity Mark, a product must be subjected to the tests and verifications denominated admission or initial, established in the procedures that are specific to the respective product classes, herein designated CRC.
- 6.3. The license for use of the Conformity Mark will only be granted if applicant and/or applicant's suppliers (if any) possess production and testing means (personnel, facilities, appliances and instrumental) that are capable of warranting the ongoing product conformity. The CRCs may establish in every product class that testing equipment judged as the minimum indispensable to guarantee such conformity.

It may further specify the tests to be conducted and respective method.

Where the manufacture of the product shall be entrusted by applicant to third parties either wholly or in specified parts, applicant itself shall demonstrate and warrant over time – on penalty of lapse

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of the license effectiveness – that stable relations exist of either contract or corporate nature with its suppliers.

6.4. The grant of license for use of the Conformity Mark and maintenance thereof is conditional upon performance of the conditions contemplated in a contract, in addition to the technical conditions specified in this Rule.

6.5. Tests and verifications to qualify for the Conformity Mark as well as control tests are conducted at laboratories as established in the specific CRC.

Actions relating to the grant of license for use of the Conformity mark, in particular tests and verifications performed at TÜV Laboratories, will be carried out under a confidentiality commitment, including with third parties.

6.6. Publicity on applications under review are precluded, it being allowed only after the respective grant of license for use of the Conformity Mark.

7. GRANT CONDITIONS

Use of the Conformity Mark is strictly reserved to applicant, except for the event of assignment or transformation of the company, in which case TÜV shall be communicated on timely basis for, upon review of the change occurred, decide on whether the grant of license for use of the Conformity Mark shall continue.

7.1. Applicant has the right to publicize in the manner deemed appropriate by it the securing of the license for use of the Conformity mark; however, it shall clearly avoid situations that might give rise to its products bearing the Conformity Mark being mistaken for those not bearing the Conformity Mark in its own catalogs or lists, and it shall further abstain from causing said products and advertising in general to contain data that could lead the consumer to error or mistake. Applicant shall secure prior authorization from TÜV for utilization of the Conformity Mark in advertising material.

8. CONFORMITY APPRAISAL MECHANISM

Steps:

8.1. Application for Certification

8.1.1. Applicant shall formalize its intention to certify its product(s) through a form provided by TÜV, or through another medium.

Note: The status of legal representative of the product manufacturer either alien or domestic shall be clearly stated in the application form.

8.2. Critical Review of Application

Phase in which TÜV assesses the conditions for approving of the application.

Note 1: TÜV Rheinland is not allowed to offer or provide internal audits for its certificated clients.

Note 2: TÜV Rheinland does not provide audits for the group's companies.

Note 3: TÜV Rheinland does not certify another certifying body in its activities of certification of management systems.

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8.3. Issue of Proposal, Acceptance and Contract

Certification process formalization step.

8.4. Review of Documentation

TÜV shall carry out the review of the respective documents relating to the product that is the application subject matter.

8.5. Initial Audit

8.5.1 – After review of and approval to the application and documentation, TÜV will forward an audit plan (consisting of opening meeting, conduction of audit and wind-up meeting) by mutual agreement with applicant, informing the audit schedule, audit staff and all logistics required.

8.5.2 – Audit with items check as foreseen in the specific CRC.

8.6. Type Test

The initial tests shall be conducted pursuant to the specific CTC standard or regulation.

8.7. Use of Laboratory

The laboratories shall be selected pursuant to item 9.2 or as defined in the specific CRC.

8.8. Technical Report

Document prepared by TÜV's audit staff based on the appraisal of testing reports and factory audit report.

8.9. Submittal of Certification Process to the Technical Commission

Upon fulfillment of all items required under this Rule, TÜV submits the process to the Certification Technical Committee established according to internal procedure.

8.10. Certificate issue and forwarding

In case of approval to the process, the conformity certificate is issued and forwarded to applicant after execution of the contract and fulfillment of the business conditions between TÜV and applicant.

8.11. Maintenance of Certification

Established according to the specific CRC requirements

8.12. Renewal

Established according to the specific CRC requirements

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9. **ACKNOWLEDGEMENT OF CERTIFICATION ACTIVITIES**

9.1 – For acknowledgement and acceptance of the certification activities such as test results or factory-inspection reports, implemented by a certification organization in respect of a test laboratory operating abroad, TÜV may accept the same conditional upon such organization being a partner to a mutual acknowledgement agreement (MOU) or members of ILAC, EA, IAAC or CB Scheme.

In whatever circumstances, the TÜV organization member of the SBAC is responsible for the mandatory certification.

9.2 – Utilization of Test Laboratories

The criterion for utilization of a Laboratory shall be those set out below except where the CRCs establish a specific procedure.

9.2.1 – Test Laboratories

The tests shall be carried out at laboratories accredited by INMETRO for the referenced scope of tests.

Note: Where the accredited Laboratory is first-party, the tests shall be witnessed by TÜV.

9.2.2 – Acceptance of results from test laboratories accredited by foreign accreditation bodies.

9.2.2.1 – The laboratory shall be accredited by an accreditation body that is signatory to a multilateral mutual acknowledgement agreement established by one of cooperation agreements listed below. The scope of agreement adhered to shall include the accreditation of a test laboratory.

- Inter-American Accreditation Cooperation (IAAC);
- European co-operation for Accreditation (EA);
- International Laboratory Accreditation Cooperation (ILAC);
- **Certification Body Testing Laboratory (CBTL).**

Note 1: Where the accredited Laboratory is first-party the tests shall be witnessed by TÜV or by an OCP with which TÜV maintains an MOU (Memorandum of Understanding).

Note 2: The results of laboratory CBTL will be accepted only for voluntary certification without the mark of Inmetro.

9.2.3 – The laboratory accreditation scope shall include the test method implemented under the regulation referenced in the CRCs.

9.2.4 – The test reports issued by the laboratory shall contain clear and unmistakable identification of its accredited laboratory status.

9.2.5 – Failing a Laboratory that meet the requirements in items 9.2.1, 9.2.2, 9.2.3 and 9.2.4, another Laboratory may be utilized providing that assessed and approved by TÜV pursuant to the criteria set forth in NBR ISO 17025 standard and that the trials be witnessed by it.

10. **APPLICANT'S OBLIGATIONS (LICENSED COMPANY)**

10.1 – Observe all conditions established in the respective technical standards, in legal and contract provisions regarding the licensing irrespective of transcription thereof.

10.2 – Manufacture or have manufactured the product object of every individual approval pursuant to the approved sample. In the event that applicant shall intend to introduce changes to the product admitted to the Conformity mark the said changes shall be advised and illustrated in prior to TÜV, which may repeat the qualification tests either wholly or in part on applicant's account.

In this case, TÜV shall request to change the reference of the type or number of model concerned.

10.3 – Control or have controlled with systematic trials the products manufactured such as to ensure their conformity to the applicable standards; for that purpose, the gauging and testing equipment shall be kept to the requisite efficiency conditions.

10.4 – Consent and facilitate to TÜV or its contractor, upon demonstration of such status, the audit and

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witnessing job as well as the performance of tests and other certification activities as established in the specific CRC.

10.5 – Apply the Conformity Mark to all certified products pursuant to the criteria established in this Rule, and distinguish in a way as not to create confusion those of its products certified from those not certified. The certified product may not keep the same product codification as a non-certified product (code and model), as well as using the two granted marks jointly, TÜV or UCIEE. Mark UCIEE only will be able if used in the products that still effective contract keeps.

10.6 – At TÜV's request, provide the product with references that enable spotting the production date through the serial number or other codification system.

10.7 – Maintain available the records on all complaints and respective corrective actions implemented in respect of the products covered by the license for use of the Conformity Mark.

10.8 – Give notice to TÜV of every removal or change of administrative or manufacturing site stated in the certificate. In this case, TÜV reserves the right to conduct a special audit.

10.9 – Give prompt notice to TÜV in the event that applicant shall permanently cease manufacture or importation of the certified product model. Authorize and facilitate up to six (6) months from expiration of the grant, all investigations that TÜV shall intend to conduct at the manufacturing sites and within its production and business activity as well.

10.10 – Upon TÜV's request, inform the quantity of Certified products manufactured by it.

10.11 – Pay for the rights of license for use of the Conformity mark.

10.12 – Under no circumstances will the grant of license for use of the Conformity Mark modify applicant's responsibility and legal warranties in respect of product consumers.

10.13 – Abide by decisions taken by TÜV regarding certification, turning as a last resort to INMETRO in the cases of complaints and appeals.

10.14 – The licensed company holds technical, civil and criminal liability for those products manufactured or imported by it as well as for all documents relating to the certification, no possibility existing for transferring such liability.

11. CERTIFYING BODY OBLIGATIONS

- Implement and cause the requirements in this Rule to be complied with;
- Appraise conformity of PRODUCT samples to the STANDARDS and provide the results from audits carried out by it;
- Keep Applicant advised of changes, if any, to the documents that govern the certification and the License granted hereunder;
- Hold in secrecy any and all data on the COMPANIES that it may have access to by virtue of this contract or of the rule and require the same confidentiality from its auditors, technicians and experts;
- Keep in effect the MARK(s) composing the CONFORMITY MARK and the right to license and/or sublicense the same;
- Take responsibility for its personnel; and
- Replace the inspectors and experts upon the COMPANY's request.

12. ENLARGEMENT OF OR DECREASE TO CERTIFICATION SCOPE

The concerned company may place a formal request with TÜV for enlarging the certification scope. TÜV will review the request and check for the need for new factory tests and appraisal.

NOTE: No checking inspection will be required for decrease of scope. Another certificate will be issued containing the new scope. The new certificate is posted on TÜV's site and informed to INMETRO if within the SBAC.

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On decrease of scope the company shall:

- Provide TÜV with the list and quantity of products remaining in inventory still bearing the Conformity Mark.
- Assess its advertising material with a view not to unduly publicizing the certification – see item 13.

13. APPEAL

TÜV Rheinland bears the responsibility for all decisions at all levels of the processing of appeals. TÜV Rheinland ensures that the people involved in the processing of appeals are different from those who performed the audit and took the certification decisions.

TÜV Rheinland will not move any discriminatory action against the appellant. Following below a description of the processing of appeals:

1° - Receives the appeal;

2° - Opens the occurrence and register all actions or corrections taken to solve them in FO-215.

3° Corrective actions or appropriates correctives shall be taken.

TÜV Rheinland acknowledges receipt of the appeal by e-mail and provides the appellant reports of the progress and results. If the company will no agree to the certifier's decision during the certification process and the maintenance of certification, it may appeal within thirty (30) days from notice of decision, putting forward the reason for its disagreement to TÜV's quality department.

In the event that that company disagree to the certifier determination, the company may appeal to INMETRO (appeal is only valid for certification with INMETRO accreditation).

TÜV Rheinland sends a formal communication (letter or e-mail) to the appellant, notifying the end of the appeal's process.

If the company will not agree to the certification process decisions, it may appeal within thirty-(30) days from notice of the decision, putting forward the reasons for its disagreement to TÜV's quality department.

In the event that the company shall not agree to the decision on the appeal in respect of a certification within SBAC, the company may file an appeal with INMETRO.

14. CERTIFICATION EFFECTIVE TERM AND MAINTENANCE

The Product Certificate will have the effective term established **on the certificate**; save for waiver or abrogation as contemplated in this Rule, it shall be automatically renewed for equal period and so successively on.

15. COMPLAINTS AND DENUNCIATIONS

Receiving a complaint, TÜV Rheinland has to confirm whether it is related to the certification activities which is responsible for (this confirmation may be through a consultation of a database that describes the activities of certification of each certificated client). If affirmative, shall be treated in FO-22, being subject to confidentiality requirements regarding the claimant and the subject of the complaint. In some cases, the effectiveness of the management system certificated must be examined.

Any complaint about certificated client, TÜV Rheinland will formally notify the certificated client within a period of fifteen (15) days.

To ensure the general description of the process of receiving, tracing, etc , TÜV Rheinland stores all dealings of the process in the FO-122. And, if others action are necessary, it will be forward to the Systems Technical Superintendent or to the Systems Coordinator, so that they will be able to take an appropriate action.

Whenever possible, TÜV Rheinland provides to the complaint reports of the progress results. The

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communicate of the decision is made by the Systems Technical Superintendent or by the System Coordinator, if they have not been involved with the subject of the complaint, they will designate those responsible for this communication.

TÜV Rheinland sends to the claimant a formal notice (letter or e-mail) informing the end of the process of complaint handling. TÜV Rheinland, the claimant and the client will determine together (by letter or e-mail) if the subject of the complaint or solution shall be made public, and in affirmative case, in which dimension.

NOTE: In those case of irregularities, complaints, suggestions or denounces, it may be formalized with the TÜV Rheinland internal quality department, or through the website: www.tuvbrasil.com.br or by e-mail qualidade@br.tuv.com.

16. UNDUE USE OF CERTIFICATION

TÜV shall control whether the use of the Conformity Mark as utilized on the product or company documentation is not leading the message target audience into mistake.

In particular, use of the certification, i.e., utilization of the Certificate and Conformity Mark is improper in those cases where:

- the Certification has not yet been granted or has been revoked;
- the Certification has been suspended;
- the Certification has been utilized on products not covered by the Certification.

17. SUSPENSION OF CERTIFICATION

TÜV may decide to suspend the Certification of a product where:

- It shall prevent or impair performance of the certification process activities;
- During Inspections and periodic Witnessing Test it shall detect serious nonconformities affecting the product quality or the Manufacturing Quality Management System;
- It shall fail to respond to nonconformity corrective actions within the specified periods;
- Undue use of the conformity mark is made;
- The Company is in default in respect of commitments undertaken by it;
- A formal request is made by the legal representative of the Company, which will inform TÜV of the reason(s) for the suspension, the length of suspension. This conformity certificate suspension may last no longer than 3 months.
- Significant changes have been introduced to the Company's Manufacturing Quality Management System or to the product and the Company fails to give notice thereof to TÜV.
- After the suspension, TÜV shall:
 - Make reference thereto on TÜV's website and when within SBAC, advise INMETRO of the Product Conformity Certificate suspension and the respective length thereof;
 - Keep track of the dates set by the Company to mend the nonconformities.

Such suspension may be revoked only where it shall have been verified that the Company has implemented actual corrective actions.

18. CANCELLATION OF CERTIFICATION

TÜV may elect to cancel the Certification for a product:

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- In the event of failure to fulfill the commitments undertaken as described in this Rule for Grant and Maintenance of the License for Use of SBAC's or TÜV Rheinland do Brasil Ltda.'s or UCIEE Conformity Mark;
- In those cases of nonconformity affecting the product quality or the Company's Manufacturing Quality Management System which remain non-remedied within six (6) months;
 - In the event of the company's bankruptcy;
- In case of failure to make payment of amounts due to TÜV whenever the company shall persist in its default in spite of notification sent in writing to it and after one month from the forwarding thereof;
- In case of change to the Rules for Grant and Maintenance of License for Use of SBAC's or TÜV's or UCIEE Conformity Mark and failure by the company to warrant conditions or meet the conformity to the new requirements within the period established.

In the event of cancellation, the Company agrees to:

- Destroy all advertising material that makes reference to the certification or identification of the Conformity Mark;
- Return and not utilize the Product Conformity Certificate and existing reproductions, if any.
Upon cancellation, TÜV shall:
 - Advise the company of the reason for cancellation;
 - Make reference thereto on TÜV's website and when within SBAC, advise INMETRO of the Product Conformity Certificate cancellation and the respective length thereof;
 - Inquire into and collect debts, if any;
 - If applicable, obtain from the company the list of the products in inventory bearing the Conformity mark such as to keep control by it over utilization of the Conformity Mark.

19. WAIVER

The Company may waive the certification:

- Where it will not accept variances to the economic conditions;
- In case that it will not accept the changes introduced in this Rule for Grant and Maintenance of License for Use of SBAC's or TÜV's or UCIEE Conformity Mark;
- Where it will not accept changes to the reference standards;
- Where it will cease manufacturing on permanent basis the product within the certification scope;
- For other reasons to be reviewed by TÜV.
- In the event of waiver, the Company commits:
 - Forward to TÜV a document signed by its legal representative or whoever designated by him/her giving notice of its decision;
 - Settle debts, if any, with TÜV;
 - Return the original and no longer use copies of the Product Conformity Certificate;
 - Cease using SBAC' or TÜV's or UCIEE Conformity Mark;
 - Destroy all advertising material containing references to the Certification or identification of SBAC' or TÜV's or UCIEE Conformity Mark.
- Upon waiver, TÜV shall:
 - If applicable, obtain from the company the list of remaining products bearing the Conformity Mark.

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20. VARIATION TO CERTIFICATION REQUIREMENTS

Upon the occurrence of variations to certification requirements, TÜV will inform applicant, who will have the option to adequate to the new specifications within the period indicated to it or waive the grant for use of the Conformity Mark.

In case that the license is maintained, TÜV will assess the need for trials on new samples and may request for new documents or models for the due purposes as well.

Expenses in connection with new tests (if any) shall be borne by applicant pursuant to TÜV's schedule of fees.

21. CERTIFICATION RULE SUPPLEMENT – CRC

For a better understanding of this Rule, supplementary documents had to be created. These documents are the "Certification Rule Supplement", which are supplementary criteria for every certification area at TÜV Rheinland do Brasil Ltda.

The said supplements are identified by their code according to the model below:

CRC – NNN – DDC

(example: CRC-001-INF)

Where:

CRC – Acronym standing for "Certification Rule Supplement"

NNN - Supplement identification number

DDC – Acronym indicating the Certification area (e.g., INF; DPC-COM; AEX, etc.)

Codification of the "Certification Rule" Supplements is assigned by the Quality Area.

22. REVISION STATUS

- 9.2.2.1 - **Certification Body Testing Laboratory (CBTL)**

- 9.2.2.1 - **Note 2: The results of laboratory CBTL will be accepted only for voluntary certification without the mark of Inmetro.**

- 14 - Certification effective term and maintenance replaced "on the specific CRC" by "**on the certificate**"