	ESMA- GIS Contracts	Reference #	P3-AE-27-PCA
	<b>Procedures for Suspension and Withdrawal of Emirates Quality Mark &amp; CoC</b>	Version	3
		Date	15.04.2021
		Author	Krishna Raj
		Approved by	Sithara Hatim

## 1. Scope

This document covers the procedures and conditions for the suspension and withdrawal of Emirates Quality Mark (EQM) & CoC (Includes certificate of conformity, license, agreement, schedule of certificate)

This document covers appropriate actions that shall be considered and decided when non-conformity with certification requirements is substantiated, either as a result of surveillance report, product recalls, complaints and other factors (not meeting the updated standard, violation of rules and regulation. etc) where further review is deemed necessary.

## 2. Definitions

**Suspension:** is a temporary status which can only end by full reinstatement or withdrawal of certification and usage of Emirates quality mark. During this period, the client's certification and Emirates Quality Mark of product(s) is temporarily invalid.

**Withdrawal:** Action by SGS to terminate the validity of the certificate and use of Emirates Quality Mark.

## 3. Suspension of Emirates Quality Mark & Certificate of Conformity (CoC)


Suspension of all or part of a Client's certificate of conformity and Emirates Quality Mark of the product(s) may be a decision made by the SGS Certification Committee.

The certification and Emirates quality mark applicable to a specific product may be suspended upon adequate evidence of:

- non-compliance with the requirements of a nature not requiring immediate withdrawal (i.e. identification of less significant deficiencies during an assessment. Etc);
- improper use of the SGS issued EQM CoC and Emirates Quality Mark, (i.e. misleading prints or advertisements are not solved by suitable retractions and appropriate remedial measures by the certification body); and
- any changes in EQM logo design (size, color.etc), improper and misuse of EQM logo etc
- usage of EQM in such a manner that SGS may consider as misleading;
- other deviations from the requirements of the SGS product certification program (i.e., failure to pay the required fees, etc.)

When a Client's EQM & CoC is suspended, SGS shall confirm an official suspension through a letter by mail, return receipt requested, (or equivalent means) to the clients' authorized representative, stating:

- the cause;
- the conditions under which the suspension will be lifted;
- that the suspension will be publicized to the Principal's regulatory body/ies and other relevant stakeholders;

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- that the suspension is for a temporary period to be determined by the time needed to take corrective action;
- that, within thirty (30) days of receipt of the notice, the client may submit in person, or in writing, information in opposition to the suspension, including any additional information that raises a genuine dispute over material facts;
- that a further review will be conducted to consider such information and a further written notification will be sent to the Client by authorized mail, return receipt requested, indicating whether the suspension has been terminated, modified, left in force or converted to a withdrawal of EQM & CoC.
- Details shall be communicated to ESMA and approval will be taken before and after the decision.


#### 4. Withdrawal of Emirates Quality Mark & Certificate of Conformity (CoC)

SGS shall withdraw the CoC and EQM for any of the following causes:

- Use of Emirates Quality Mark on non-certified product(s)
- violation of EQM agreement and EQM logo usage policy D3-GIS-01-PCA-ESMA-96.
- under the relevant provisions for suspension of certification, failed to do corrective action for suspension;
- Emirates Quality Mark on product(s) coming from factory with is not certified under EQM;
- Product is no longer available and client goes out of the business;
- if surveillance or reassessment indicates that deficiencies are of a serious nature as judged by the SGS Certification Committee;
- when complaints are received relating to one or more of the Client's products reveals serious deficiencies in the aspects of product standards and safety;
- if the system rules and standards are changed and the client either will not or cannot ensure conformance to the new requirements;
- on any other grounds specifically provided for under these program requirements or formally agreed between SGS and the Client;
- when such action is necessary to protect the reputation of SGS; and
- at the formal request of the Client itself

When it is proposed to withdraw the CoC and EQM of product(s), SGS shall issue a written notice by authorized mail, return receipt requested

- that withdrawal is being considered;
- products shall be withdrawn immediately from UAE market by the client.
- of the reasons for the proposed withdrawal sufficient to put the client on notice of the cause;
- that within thirty (30) days of receipt of the notice client may submit in person, or in writing, information in opposition to the withdrawal, including any additional information that raises a genuine dispute over material facts; and of the effect of proposed withdrawal, including the removal of the Client's name from the SGS directory with valid CoC and Emirates Quality Mark.
- Details shall be communicated to ESMA and approval will be taken before and after the decision.

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5. Depending on the reason for the withdrawal, the following schedule of notice will be followed:

**Situation requiring the dispatch of notice that can lead to withdrawal      Days of notice prior to withdrawal**

Manufacturer's wish to withdraw:      30 Days

SGS determines that the product is hazardous      None

Violation of an existing standard, for reasons other than safety:      Max : 60days

Non-payment of charges to certification body-      Max : 30days

Failure to meet other provisions of the licensing agreement      Max.60days

Mandatory conformity with new requirements in relation to revision of a standard:      3 months

## 6. Appeal

A Client may appeal to SGS against a decision to suspend, withdraw or not to award Emirates Quality Mark and CoC.

Reference document: P3-AE-23-PCA, ESMA Procedure for Complaints Appeals and Dispute.

P4-GIS-01, Global procedure for complaints, claim and appeal

D4-GIS-01-02, Guideline for complaints and appeal

SGS PCA terms and condition – [www.sgs.com](http://www.sgs.com) / [SGS PCA T&C](#)

SGS product conformity assessment - [SGS PCA](#)