

CERTIFICATION: DEFINITION AND ROLE OF THE TBT PROGRAMME, BY THE ACP EU TBT PROGRAMME

The WTO TBT Agreement aims at ensuring that technical regulations, standards, testing and certification procedures do not create unnecessary obstacles to trade. This is why the issues of certification are at the heart of the ACP EU TBT Programme with a number of projects having specific activities in relation to certification, namely one on strengthening the competitiveness of Ghana-based exporters through effective Export Quality Management Systems, on providing support to the Mauritius Accreditation Service (MAURITAS), a capacity building intervention to the Zambia Bureau of Standards (ZABS).

There are a number of definitions of the term “certification” available, referring, in general, to the confirmation of certain characteristics of an object, person, or organization. To be more technical, **certification** is the provision by an independent body of written assurance (commonly known as a certificate) that the product, service or system in question meets specific requirements.

Certification is a very useful tool to add credibility, by demonstrating that particular products or services meet the expectations of consumers. For some industries, certification is a legal or contractual requirement.

Therefore, certification is one of the conformity assessment activities for determining, directly or indirectly, that that a process, product, or service meets relevant technical standards and fulfils relevant requirements.

There are several types of certification depending on a criteria used – for example, an area covered by certification – accountancy, auditing or finance; or a scope of application – internal, product-specific or profession-wide. However, for our purposes, we can distinguish certification types of developed ISO standards with requirements for bodies providing certification, for example, of management systems (ISO / IEC 17021 Conformity assessment - Requirements for bodies providing audit and certification of management systems), of products, processes and services (ISO / IEC 17065 - Conformity assessment - Requirements for bodies certifying products, processes and services) and of personnel (ISO / IEC 17024 - Conformity assessment - General requirements for bodies operating certification of persons).

Certification of management systems is a third-party conformity assessment activity. ISO/IEC 17021:2011 contains principles and requirements for the competence, consistency and impartiality of the audit and certification of management systems of all types (e.g. quality management systems or environmental management systems) and for bodies providing these activities. Certification bodies operating to ISO/IEC 17021:2011 need not offer all types of management system certification.

The reason for certifying products, processes or services is to give confidence to all interested parties that a product, process or service fulfills specified requirements. The value of certification is the degree of confidence and trust that is established by an impartial and competent demonstration of fulfillment of specified requirements by a third party. Parties that have an interest in certification include, but are not limited to:

a) The clients of the certification bodies;

- b) The customers of the organizations whose products, processes or services are certified;
- c) Governmental authorities;
- d) Non-governmental organizations; and
- e) Consumers and other members of the public.

Interested parties can expect or require the certification body to meet all the requirements of ISO / IEC 17065 as well as when relevant, those of the certification scheme.

Certification of products, processes or services is a means of providing assurance that they comply with specified requirements in standards and other normative documents. Some product, process or service certification schemes may include initial testing or inspection and assessment of its suppliers' quality management systems, followed by surveillance that takes into account the quality management system and the testing or inspection of samples from the production and the open market. Other schemes rely on initial testing and surveillance testing, while still others comprise type testing only.

ISO/IEC 17024:2012 contains principles and requirements for a body certifying persons against specific requirements, and includes the development and maintenance of a certification scheme for persons.

LABELS, TRADEMARKS AND CERTIFICATION, BY THE ACP-EU-TBT PROGRAMME

Display of information about a product on its container, packaging or the product itself is known as labelling. Labels may contain trademarks - type of shorthand symbol used to indicate the origin and specific characteristics of goods. The benefits of using such symbols as opposed to the full details of the maker or manufacturer are obvious. A mark is easier to remember and recognise, and more practical to physically apply to the product.

It is important to distinguish which types of trademarks are used: ordinary, collective, certification or guarantee trademarks. In relation to certification trademarks it should be underlined that they require that the holder controls the users of the mark and ensures that they comply with certain pre-defined standards. A *certification mark* used on the labels does not distinguish between producers, but certifies the nature or origin of the goods or services to which it has been applied. A number of certification trademarks are also referred as labels of certification – such as “Certified Organic”, “Certified Cradle to Cradle” or “Certified Green” – these are labels used for various national, regional or international certification schemes.

International Organization for Standardization owns the registered trademarks for its short name and logo "ISO". GLOBALGAP is the owner of the trademarks “EUREPGAP” and “GLOBALG.A.P.” and their respective logos “GLOBALGAP (EUREPGAP) Trademark”. Another example of certification trademarks in Europe is the CE mark that indicates that a product complies with safety, health or environmental requirements set by the European Commission (however, it is not a label of certification to follow some specific scheme).



CASE STUDY: WHAT IS CE MARKING?

CE marking is a key indicator of a product's compliance with EU legislation and enables the free movement of products within the European market. By affixing the CE marking on a product, a manufacturer is declaring, on his sole responsibility, conformity with all of the legal requirements to achieve CE marking and therefore ensuring validity for that product to be sold throughout the European Economic Area (EEA, the 27 Member States of the EU and EFTA countries Iceland, Norway, Liechtenstein), as well as Turkey. This also applies to products made in third countries which are sold in the EEA and Turkey. However, not all products must bear the CE marking. Only those product categories subject to specific directives that provide for the CE marking are required to be CE marked.

CE marking does not indicate that a product was made in the EEA, but merely states that the product is assessed before being placed on the market and thus satisfies the legislative requirements (e.g. a harmonised level of safety) to be sold there. It means that the manufacturer has verified that the product complies with all relevant essential requirements (e.g. health and safety requirements) of the applicable directive(s) – or, if stipulated in the directive(s), had it examined by a notified conformity assessment body. It is the manufacturer's responsibility to carry out the conformity assessment, to set up the technical file, to issue the EC declaration of conformity and to affix CE marking on a product. Distributors must verify the presence of both the CE marking and the necessary supporting documentation.

If the product is being imported from a third country, the importer has to verify that the manufacturer outside the EU has undertaken the necessary steps and that the documentation is available upon request.

***Source: European Commission - Directorate-General for Enterprise and Industry
www.ec.europa.eu/CEmarking***

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ECOLABELLING PROCESS IN AFRICA: PRESENTATION AND CHALLENGES, BY CHRISTINE KALUI, EXECUTIVE MANAGER OF THE AEM SECRETARIAT

In comparison to the developed continents, the level of awareness and therefore interest and practice in ecolabelling is low in Africa. An overview of ecolabelling and related initiatives in the African region reveals that majority of the ecolabelling schemes operating in Africa are of international origin with very few that are specific to the region or countries within the region. Majority of the ecolabelling schemes tend to be sector specific, mainly in the sectors of agriculture, forestry, fisheries, tourism, textiles and leather – which also happen to be the key economic sectors in Africa. Some of the active ecolabelling schemes within Africa include: the Marine Stewardship Council (fisheries), Forestry Stewardship Council (forestry), Fairtrade, EU flower, and a range of ecotourism (eg. Eco-Tourism Kenya, The Alliance, Eco-tourism Tanzania), organic labelling schemes such as the East African Organic Standard and the West African Cotton initiatives. There are few national ecolabelling schemes currently in operation in Africa, the oldest established one being the Tunisian ecolabelling scheme and some under development or newly established in some countries such as South Africa, Egypt, Morocco, Mauritius. There are a number of national energy-efficiency appliance labelling schemes, detergents focused schemes, eco-tourism schemes and green buildings schemes that have been or are being initiated.

While green labels are now accepted as tools for enhancing SCP, this has been viewed to be either an opportunity or an obstacle for Africa – and this due to the low level of preparedness by the region. With the realisation that the development and marketing of environmentally friendly products is a key tool to support the shift towards sustainable consumption and production patterns, The African Ten Year Framework of Programmes (10-YFP) - which has become the primary framework/strategy for SCP implementation in the region, in 2005, identified the need for operationalization of a green label for Africa. The ecolabelling scheme for this Africa's green label would aim to not only promote awareness and implementation of SCP efforts but also market access for Africa's products. It is with this in mind that the concept of the African Ecolabelling Mechanism (AEM) was birthed and has been established as well as promoted through the synergistic efforts of UNEP, Africa's stakeholders including the African Union Commission (AUC), Regional Economic Communities (RECs), Standards bodies represented by and through ARSO, cleaner production and resource efficiency stakeholders represented by and through African Round Table for Sustainable Consumption and Production (ARSCP), and Africa's development partners including UNECA, UNIDO, BMUB and GIZ – among other stakeholders. The AEM was conceptualised with a view to establishing an ecolabelling scheme that would stimulate appropriate environmental and health related standards within the design and production of African products, promote a better access to markets and marketing of African products in the regional and global markets, and develop a cohesive approach for the region that would stimulate effective consumer information, supportive policies, eco-research and innovations, eco-businesses and entrepreneurs leading to green economic practices and livelihoods.

For ecolabelling to be successful in Africa, certain challenges must be overcome. Awareness on SCP efforts including ecolabelling is low in Africa, the prevalence of poverty and illiteracy is high, majority of the producers/service providers fall under the category of SMEs – such a scheme therefore out to be affordable for Africa, relevant for Africa, acceptable to Africa and be implementable for Africa utilising strategies that will ensure participation of SMEs and the large populace with low literacy levels. These are the challenges that the AEM aims to address: promoting development of Africa relevant standards and conformity assessment criteria;



development of effective communication tools and undertaking the relevant awareness creation and capacity building; establishment and implementation of effective strategies for market access for Africa's sustainably produced goods/services within Africa and internationally; establishment of the necessary networks to ensure regional participation and international support.

In conclusion, despite the level of ecolabelling being low, the potential for the same is enormous in Africa. The African Union recognised Regional Economic Communities (RECs), in recognition of ecolabelling as a system for enhancing SCP, have declared resolves or made decisions to encompass ecolabelling. The Pan African Fisheries Policy document on Reforms and Strategy has identified ecolabelling as a tool for promoting sustainable fisheries resource management and market access. The Regional African Roadmap for the 10 Year Framework of Programmes on Sustainable Consumption and Production (10YFP), currently being finalised has identified ecolabelling and specifically the AEM's scheme and its Eco Mark Africa (EMA) ecolabel as the key tool to promote consumer information on SCP. With the ongoing enhanced awareness on the plight of climate change, environmental degradation and the disasters associated with it, Africa's people are becoming more conscious of the impacts of their actions on the environment and are getting more convinced to uptake efforts that would promote environmental wellness, social and economic responsibility. In awareness creation forums so far undertaken by the AEM, ecolabelling is being appreciated by stakeholders as a tool that would effectively promote responsible resource and environmental management – in addition the ecolabel is being appreciated as a tool that would showcase products and services that are produced/offered through sustainable methods and practices. Africa's Eco Mark Africa (EMA) ecolabel, which is a 'one label for all sectors' and which will be provided through the African Ecolabelling Mechanism (AEM) will eliminate the confusion caused by so many labels, by providing an effective consumer information tool that will speak one simple clear message - that the product is 'Quality, Green and is from Africa'. The process of ecolabelling, towards attainment of the label will ensure credibility and will be implemented in a manner that will promote practices that ingrain sustainability within production and consumption systems in Africa.

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