

**On Adoption Of Main Provisions Of Ecological Certification Of Products And Productions
In The Republic Of Belarus**

**The Ministry Of Natural Resources And Environment Protection Of The Republic Of
Belarus And State Committee On Standardization, Metrology And Certification Of The
Republic Of Belarus
Order**

Nº 179/130 of June 15, 1998

For the purposes to organize work on introduction of voluntary ecological certification of products and productions in the Republic of Belarus and in compliance with the Laws of the Republic of Belarus "On Environment Protection", "On Consumers' Right Protection", "On Certification of Products, Works and Services", Resolutions of the Council of Ministers of the Republic of Belarus Nº 475 of May 13, 1997 "On Adoption of Regulation about the Ministry of Natural Resources and Environment Protection of the Republic of Belarus" and Nº 321 of April 11, 1997 "On Adoption of Regulations about the State Committee on Standardization, Metrology and Certification of the Republic of Belarus", and also the Standard of the Republic of Belarus STB 5.1.01-96 "The National System of Certification of the Republic of Belarus. Main Provisions" we order:

1. To create a subsystem of ecology certification of products and productions in the Republic of Belarus within the National system of certification of the Republic of Belarus.

2. To approve attached:

- Regulation on ecological certification of products and productions in the Republic of Belarus;
- form of ecological certificate;
- technical requirements, form and dimensions of the Mark of ecologically pure product.

3. The state enterprise "The Center on Preparation and Realization of Investment Projects "Ecologyinvest" by the Ministry of Natural Resources and Environment Protection shall:

- create in the established order a Central body of the subsystem of ecological certification of products and productions within the National system of certification of the Republic of Belarus until December 29, 1998;

- until July 1, 1999 elaborate organization & methodical documents of the Central body on ecological certification of products and productions and present to the State Committee on Standardization, Metrology and Certification of the Republic of Belarus for carrying out accreditation in order established by the legislation;

- introduce proposals on financing the activities and works on ecological norms connected with ecological certification (elaboration of ecological rules, norms, standards and other governing documents) from the special budget fund of environment protection on the second half year of 1998 and successive years and from the state budget;

- until December 29, 1998 elaborate the order of registration of documents of the subsystem of ecological certification of products and productions of the Republic of Belarus.

The Minister of Natural Resources and Environmental Protection

M.I. Rusyi

The Chief of State Committee on Standardization, Metrology and Certification

V.N. Koreshkov

Approved
by the Order of the
Ministry of Natural Resources
and Environment Protection
and the State Committee
on Standardization, Metrology
and Certification of the
Republic of Belarus

June 15, 1998 № 179/130

1. The present Regulation establishes main aims, tasks and objects and requirements to the ecological certification of products and productions in the Republic of Belarus in the framework of subsystem of the National system of certification of the Republic of Belarus, define main principles and rules of work organization, organizational structure, functions of bodies, and shall be applied at voluntary ecological certification of products and productions.

2. The Regulations are obligatory for all legal and natural persons taking part in activities on ecological certification of products and productions in the territory of the Republic of Belarus.

Terminology

3. The main terms and definitions are given in the State Standards of the Republic of Belarus STB 5.1.01-96 – 5.1.07.96.

4. For the purposes of the present document:

Ecological certification – activities on proving conformity of the object of certification with environment protection requirements established by the legislation of the Republic of Belarus and other normative documents including interstate and national documents of other countries brought into effect in the territory of the Republic of Belarus in established order (further – the normative legal acts).

Ecological standard – a document of established form, which proves conformity of object of certification to the requirements of normative legal acts.

Mark of ecologically pure product – a mark registered in an established order that under the procedure of ecological certification proves the conformity of marked products with the requirements of normative legal acts on environment protection and other ecological requirements.

General Provisions

5. The participants of ecological certification of products and productions shall be:

- the state specially authorized body in the field of environment protection (the Ministry of Natural Resources and Environment Protection of the Republic of Belarus);
- the Republican Body on Certification of the National system of certification of the Republic of Belarus (the State Committee on Standardization, Metrology and Certification of the Republic of Belarus);
- the Central body on ecological certification of products and productions;
- accredited bodies on ecological certification of products;
- accredited bodies on ecological certification of productions including systems of environment quality management;
- accredited testing laboratories including departments of analytical control of the Ministry's of Natural Resources and Environment Protection of the Republic of Belarus system;
- holders of ecological certificates and Marks of ecologically pure product;

6. General management of the subsystem of ecological certification in the Republic of Belarus, organization and coordination work on realization of aims and tasks of ecological certification shall be carried out by the Central body on ecological certification of products and productions functioning under supervision of the Republican body on certification (the State Committee on Standardization, Metrology and Certification of the Republic of Belarus).

7. The voluntary ecological certification shall be carried out due to initiative of legal or natural persons on the basis of contract made between the applicant and the body on certification of products and productions. The voluntary ecological certification shall be carried out for revealing the conformity with the requirements of legislation on environment protection, and also the requirements presented by the applicant and agreed with the Central body on ecological certification.

8. Forms, dimensions and technical requirements to the Mark of ecologically pure product and rules of marking shall be established by joint order of the Ministry of Natural Resources and Environment Protection of the Republic of Belarus and the State Committee on Standardization, Metrology and Certification of the Republic of Belarus.

9. Ecological certificate and Mark of ecologically pure product used in the subsystem of ecological certification shall not be used by other systems and subsystems of certification.

Main Aims, Tasks and Principles of Ecological Certification

10. Main aims and tasks of ecological expertise shall be the following:
- protection of consumers from purchasing (using) goods, works and services including imported which are dangerous for environment;
 - prevention of environment pollution at production, use and liquidation (utilization, reprocessing) of all types of products;
 - securing ecological safety of equipment, technological processes, productions and products;
 - implementation of ecologically safe technological processes, equipment and productions;
 - prevention of importing to Belarus ecologically hazardous products and technologies;
 - integration of the country's economy to the international market;
 - promotion of export and improvement of competitive abilities of native products;
 - fulfillment of international obligations of the Republic of Belarus in the field of environment protection;
 - realization of inspective control over certified objects.
11. The ecological certification shall be based on the following main principles:
- independence – the exclusion of any legal or natural persons' influence on the results of accreditation and certification;
 - objectivity – exclusion of granting advantages to any enterprises, organizations, legal and natural persons;
 - competence – participants of the procedure of ecological certification shall have necessary qualification, means and authorities for fulfilling tasks assigned;
 - openness – the absence of limitations on access to participation in works under the ecological certification procedure and to information on its activities.
12. At carrying out ecological certification the confidentiality of information being a commercial secret shall be secured. The principle of confidentiality of information obtained in result of certification participants' interaction shall not cover cases, when products or productions are hazardous for life and health of people, theirs property and environment.
13. The subsystem of ecological certification shall not have gaining the profit as the main aim of its activities.
14. Belarusian and (or) Russian shall be official languages of the subsystem of ecological certification. All documents shall be made at one of the said languages. At the applicant's request and at his expense the documents could be made on other languages.
15. Main conditions of conducting works on ecological certification are the following:
- existence of environment protection requirements, approved in an established order, the certification shall be carried out in accordance with;
 - existence of certification bodies, laboratories (centers), bodies of attestation accredited in accordance with normative documents of the subsystem of ecological certification, and specialists attested in the established order.
16. An applicant and the holder of ecological certificate have the right to give notice of appeal in the case of disagreement with results of accreditation of bodies, attestation of specialists, certification of products and productions, and inspection control to the Central body on ecological certification.
17. The holder of ecological certificate on products has the right to mark them as well as containers (package), service documentation and documentation attached to products with the Mark of ecologically pure product.
18. The holder of ecological certificate has the right to advertise his products (productions) in mass media as ecologically pure (safe) using the issued certificate and |or the Mark of ecologically pure product.
19. The subsystem of ecological certification provides the following division of responsibility between the certification participants:
- an applicant is responsible for compliance of the certification objects with the requirements of environment protection legislation to be controlled at certification;
 - the Central body and bodies on ecological certification are responsible for organization and carrying out certification, accuracy of certificate issuing, deciding on ecological safety of products, license to mark objects of certification with the Mark of ecologically pure product;
 - accredited laboratory (center, department of analytical control) that participates in the procedure of ecological certification is responsible for accuracy and completeness of certification tests made on compliance with environment protection legislation, objectiveness and reliability of

testing results;

- the holder of ecological certificate is responsible for compliance of the object of certification with environment protection requirements of normative legal acts to be controlled at certification, and for accuracy of using the Mark of ecological pure product.

20. Expenses on conducting works on ecological certification shall be borne by applicant on contractual basis.

Objects of Ecological Certification

21. The objects of the ecological certification are the following:

- productions, including systems of environment quality management of industrial, experimental and other objects, enterprises and organizations;

- products, including products that can have harmful influence on environment, public health and biological resources.

The present list of certification objects may be amended with other certification objects by the State specially authorized body in the field of environment protection.

Organizational Structure of the Subsystem of Ecological Certification

22. The organizational structure of the subsystem of ecological certification consists of:

- the Central body on ecological certification of products and productions;

- bodies on ecological certification of products;

- bodies on ecological certification of productions, including systems of environment quality management of industrial, experimental objects and organizations.

Functions of Ecological Certification Bodies

23. The Central body on ecological certification products and productions shall be created by joint order of the Ministry of Natural Resources and Environment Protection of the Republic of Belarus and the State Committee on Standardization, Metrology and Certification of the Republic of Belarus.

24. The Central body on ecological certification products and productions shall realize the following main functions:

- participates in forming and realizing general policy in the field of ecological certification of products and productions;

- elaborates and conducts organizational methodical documents of the subsystem of ecological certification;

- forms a list of indexes to be controlled at ecological certification and introduces it for approval to the Ministry of Natural Resources and Environment Protection of the Republic of Belarus and the State Committee on Standardization, Metrology and Certification of the Republic of Belarus;

- carries out methodical management and coordinates works on ecological certification of products and productions;

- works out proposals on improvement of normative documents used at ecological certification of products and productions;

- cooperates with the Republican body on certification, bodies of state supervision for standards and tools of measurement, bodies on certification of homogeneous products, works, services and systems of quality, on accreditation of testing laboratories by the accredited testing laboratories and public organizations on ecological certification matters;

- participates jointly with the Republican body on certification in accrediting and inspection control over bodies on certification of products, services, systems of quality and personnel in the field of ecological certification.

25. The following shall be the main functions of the body on ecological certification of products:

- elaboration and conducting organizational methodical documents defining rules and procedures of ecological certification of products;

- determining the list of indexes to be proved at ecological certification, and introduction for approval to the Central body on ecological certification;

- organizing and conducting ecological certification of products;

- inspection control over certified products;

- registration of ecological certificates issued by the body, and presentation of information to the Central body on ecological certification;

- conducting works on acknowledgement of ecological certificates;

- realization of cooperation with the Central body on ecological certification, bodies of state

supervision over standards and tools of measurement, bodies on ecological certification of productions and bodies on accreditation of testing laboratories, accredited testing laboratories.

26. The following shall be the main functions of the body on ecological certification including environment quality managing systems:

- elaboration and conducting organizational methodical documents on ecological certification of productions, including environment quality managing systems;
- organizing and conducting ecological certification of productions, including environment quality managing systems;
- inspection control over certified productions, including environment quality managing systems;
- cooperation with the Central body on ecological certification, bodies of state supervision over standards and tools of measurement, bodies on ecological certification of productions and products.

27. The following shall be the main tasks of the accredited testing laboratories (centers, departments of analytical control):

- conducting tests (measurements, analyses) on objects of ecological certification;
- drawing tests conduction protocols;
- presenting the decision on possibility of issuing the ecological certificate to the bodies of ecological certification.

28. Concrete tasks, functions, duties, authorities and responsibility of ecological certification bodies (the Central body on ecological certification, bodies on ecological certification of products, bodies on ecological certification of productions, including environment quality managing systems) shall be defined in Regulations on these bodies and in organizational methodical documents of these bodies.

General Order of Conducting Works on Ecological Certification

29. Conducting works on ecological certification shall be accomplished in accordance with legislation of the Republic of Belarus, documents of the National system of certification, the present Regulations and shall include:

- submission of application for conducting certification works by applicant to the bodies of ecological certification;
- preliminary expertise of the submitted documents and taking a decision on them;
- forwarding the decision on application to the applicant;
- conducting certification;
- taking a decision on possible issuing the ecological certificate, a decision on products safety, a permission to mark object of certification with the Mark of ecologically pure product;
- stamping, issuing and registration of ecological certificate, decision on products safety, permission to mark object of certification with the Mark of ecologically pure product;
- acknowledgement of certificates (marks of conformity) issued by international certification systems and by national certification systems of foreign countries;
- conducting inspection control.

30. The order of conducting works on accreditation, attestation and certification, appeals consideration, acknowledgement of foreign certificates, realization of inspection control, conducting registering documents and forms of documents on organizing, conducting and drawing the results of works shall be established by joint orders of Ministry of Natural Resources and Environment Protection of the Republic of Belarus and the State Committee on Standardization, Metrology and Certification of the Republic of Belarus.

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by the Order of the
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**Form of ecological certificate (not translated)*

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Technical Requirements, Form and Dimensions of the Mark of Ecologically Pure Product

1. The Mark of ecologically pure product is designed for marking ecologically certified products.
2. Producer has the right to apply the Mark of ecologically pure product after reception of the ecological certificate for this product registered in established order under conditions defined by Regulations on ecological certification of products and productions in the Republic of Belarus.
3. The following picture of the Mark of ecologically pure product is established (according to attached diagram 1).
4. The dimensions of the Mark are given at diagram 2.
5. The Mark of ecologically pure product shall be placed at each piece of ecologically certified product near the marking (trademark) of producer and national mark of conformity at a fixed part, and also shall be stamped in service and attached to products documentation.
In the case of inability to place the Mark of ecologically pure product directly on products it shall be placed at the smallest consumer package or label. The place of allocation of the Mark of ecologically pure product at products shall be determined by producer having the right to use it.
6. Dimensions of the Mark of ecologically pure product shall be determined by producer having the right to use it by the way of choosing basic dimensions (diagram2). Dimensions of the Mark shall guarantee its sharpness and legibility.
7. Performance of the Mark of ecologically pure product shall be in one color and contrasting on the product background.
8. Picture of the Mark of ecologically pure product may be created in any technological manner that provides clear and plain image of the Mark during the term of products service.
9. It's banned to use the Mark of ecologically pure product by producer without valid ecological certificate.

* unofficial translation *