

## 1. Purpose 目的

This procedure defines the measures to be carried out in the event of misuse of a certificate, an incorrect use of the DEKRA Seal. Misuse of certificates can be detected both during the performance of audits and after certificate withdrawals (see chapter 2.3).

Responsibilities Appropriate utilization of certificates, DEKRA Seals shall be regularly verified by the auditor within the framework of surveillance and recertification audits.

If the auditor detects a misuse of the DEKRA certificate, the DEKRA seal or a DEKRA mark, this must be documented accordingly in the audit checklist or in the nonconformity documentation for the affected standard point. If misuse is detected during an audit, this must be recorded as a nonconformity and this nonconformity must be forwarded to the Quality Management team / MSR together with the audit documentation.

On the basis of evidence presented by the team leader or the responsible business field manager, the Quality Management Team / MSR decides whether a case of misuse exists or not and establishes the measures to be initiated (see 2.2 Approach or Complaint management). The Quality Management team / MSR analyses the incident using complaint form F-013-01. If there is a serious violation of the rights of use, this is forwarded to the DEKRA Legal Department for further action, if necessary.

本程序规定了证书被滥用、DEKRA 标志使用不当情况下应采取的措施。证书滥用情况既可能在审核过程中发现，也可能在证书撤销后发现（见第 2.3 章）。

职责 审核员应在监督审核和再认证审核过程中定期核实证书、DEKRA 标志的适当使用情况。若审核员发现 DEKRA 证书、DEKRA 标志或 DEKRA 标识被滥用，必须在审核检查表或不符合项记录中相应地予以记录。若在审核过程中发现滥用情况，必须将其记录为不符合项，并连同审核文件一起转交质量管理部门/管理者代表。基于团队负责人或业务领域经理提供的证据，质量管理团队/管理者代表决定是否存在滥用情况，并确定要采取的措施（参见 2.2 方法或投诉管理规定）。质量管理团队/管理者代表使用投诉表对事件进行分析。如果存在严重违反使用权利的情况，将转交 DEKRA 法律部门采取进一步行动，如有必要。

## 2. Process description 过程描述

### 2.1. Information 信息

Should it become known within the supervision of certificate holders or through any other channel that a holder of a certificate is making improper use of the certificate, DEKRA Seal, DEKRA Certification shall initiate appropriate action (see 2.2 Approach).


如果在对证书持有者的监督过程中或通过任何其他渠道得知证书持有者对证书、DEKRA 标志的使用不当，DEKRA 认证将采取适当措施（见 2.2 节方法）。

**Misuse in the field of management system certification exists particularly in the following cases:** 管理体系认证领域中的不当使用尤其存在于以下情况：

- Incomplete or untrue information relating to the management system given during auditing and certification.

在审核和认证过程中提供的管理体系相关信息不完整或不真实

- Utilization of the certificate beyond the defined scope of validity (e.g. for the entire company although the certification covers only a certain division/business unit).  
超出规定的有效范围使用证书（例如，整个公司使用，而认证仅涵盖某个部门/业务单位）。
- Further utilization of a certificate which has been invalidated (e.g. after withdrawal of the certificate or after expiration of validity of the certificate).  
继续使用已被作废的证书（例如，在证书被撤回或有效期届满后）
- Certificate holders who fail to meet their payment obligations.  
未履行付款义务的证书持有者
- Utilization of DEKRA Seal is not in conformity with the following table:  
使用 DEKRA 标志不符合以下表格的规定

Utilization of the DEKRA Seal :使用 DEKRA 标签 	On the product (*1) 在产品上使用（注 1）	On (large) packages used for the transport of products (*2) 在用于运输产品的包装上使用（注 2）	On letterheads and company's brochures 在公司信函和产品手册上使用
Without any statement 无任何声明	Not permissible 不允许	Not permissible 不允许	Permissible (*4) 允许（注 4）
With a statement (*3) 带声明（注 3）	Not permissible 不允许	Permissible (*4) 允许（注 4）	Permissible (*4) 允许（注 4）

(\*1)= This can either be a tangible product or the individual package of a product.  
In the case of testing or analysis services, the test or analysis report represents the products (e.g. lab testing reports, calibration certificates, inspection reports, etc.).

这既可以是实物产品，也可以是产品的单独包装。  
对于测试或分析服务而言，测试或分析报告即代表产品（例如实验室测试报告、校准证书、检验报告等）。

(\*2)= These could be wrappings/outer packings out of cardboard or other materials, which do not reach the end-consumer.

这些可能是由纸板或其他材料制成的包装/外包装，不会到达终端消费者手中。

(\*3)= This could be a clear statement declaring that „this product has been manufacture in a company whose Quality Management System has been certified to ISO9001/ DIN EN ISO 9001“.

这可以是一个明确的声明，表明“该产品是在一家其质量管理体系已通过 ISO9001/ DIN EN ISO 9001 认证的公司生产的”。

(\*4)= When using symbols and seals attention shall be paid to points 8.3 cont. of ISO/IEC 17021:2015 in order to preclude any violation.

使用符号和标签时，应留意 ISO/IEC 17021:2015 中 8.3 节的续节内容，以避免任何违规行为。

### Special hints 特别提示

The quality management system certification mark and certificate information can only be used on the packaging of products that can be separated (referring to packaging that can be removed from the product without causing the product to disintegrate, break or be damaged). It is necessary to use Chinese to indicate that the certified organization has passed the

quality management system certification and the name of the certification body to avoid confusion with product and service certification marks and misleading the public.

质量管理体系认证标志和证书信息，仅可在产品可以分割的包装（指包装可以从产品上移除且不会导致产品分解、碎裂或损坏）上使用，需使用中文注明获证组织通过质量管理体系认证及认证机构名称，以免与产品和服务认证标志混淆而误导公众。

### 2.2. Approach in case of misuse 关于证书误用的处理方式

If information about misuse of certificates, DEKRA Seals comes to the attention of DEKRA Certification the Quality Manager / MSR or the Quality Management Team (see Complaint management) at DEKRA Certification shall request the certificate holder to make a formal statement in writing in order to resolve any possible misunderstandings.

如果 DEKRA 认证得知有关证书、DEKRA 标签被误用的信息，DEKRA 认证的质量经理/管理者代表 或质量管理团队（见投诉管理）应要求证书持有者以书面形式作出正式声明，以解决任何可能的误解。

On the basis of the available documents, the Quality Management Team / MSR at DEKRA Certification decides whether:

基于现有文件，DEKRA 认证的质量管理团队/管理者代表 决定是否：

- A case of misuse is deemed to exist, or the information forming the basis of presumption was incorrect or incomplete, 若存在滥用的情况，或构成推定基础的信息不正确或不完整，
- A written indication to the certificate holder is sufficient. (Pre-formulated letter from the legal department) 向证书持有者出具书面通知即可。（法律部门预先拟定的信函）
- A meeting is to be agreed with the certificate holder. 需与证书持有者商定一次会议。
- The holder's certificate is to be withdrawn or suspended. 应撤销或暂停持有者的证书。
- The entire proceeding is to be submitted to the accreditation body for final decision. 整个程序应提交给认证机构作最终决定

### 2.3. Certificate withdrawal 证书撤销


In this case, the Certification Managers at DEKRA Certification takes into account the principles of commensurability with the gravity of the suspected case of misuse and the reliability of the information received by DEKRA Certification. Prior to any withdrawal of a certificate, the persons responsible at DEKRA Certification may provide for an on-site inspection. In this connection, DEKRA Certification may consult auditors and authorized experts who are familiar with the product or the Management System of the certificate holder.

If certificates and Seals continue to be used or misused despite invalidation by DEKRA Certification, DEKRA Certification reserves the right to publish the invalidation, stating the grounds and the end of the certificate's validity, and will carry out such publication if this legally required. Furthermore, the management of DEKRA Certification shall initiate legal steps, where necessary, to counteract misuse of an invalidated certificate.

在这种情况下，DEKRA 认证的认证经理会考虑与涉嫌滥用情况的严重程度相称的原则以及 DEKRA 认证收到的信息的可靠性。在撤销任何证书之前，DEKRA 认证的负责人可能会安排现场检查。在此过程中，DEKRA 认证可能会咨询熟悉证书持有者管理体系的审核员和授权专家。

如果在 DEKRA 认证宣布证书无效后，证书和印章仍被继续使用或滥用，DEKRA 认证保留公布该证书无效的权利，说明理由和证书有效期的终止，并在法律要求的情况下进行公布。此外，DEKRA 认证的管理层将在必要时采取法律措施，以应对无效证书的滥用行为。

### 3. Definition of terms and abbreviations 术语和缩写定义

Certificate 证书	Designates a document confirming compliance of the customer's System with a specific Standard (e.g. ISO9001/DIN EN ISO 9000). 指定一份确认客户的系统符合特定标准（例如 ISO9001/DIN EN ISO 9000）的文件。
DEKRA Seal DEKRA 标签	<p>The bromide issued to a customer once it has been certified by DEKRA Certification in accordance with a specific Standard. This bromide can be used by the customer, for example to publicise the certification on its letterhead or brochures. 一旦 DEKRA 认证依照特定标准对客户进行认证，便会向其颁发一份认证声明。客户可以使用这份声明，例如将其印在信笺抬头或宣传册上以宣传其认证情况。</p> <p>Example of a template (DEKRA Seal) DEKRA 标签 示例</p> 
Misuse 错误使用	Misuse of the Seal or certificate is deemed to have taken place if a customer advertises, for example in direct connection with its product and the certificate or Seal, in such a way as to give rise to the impression on third parties that the product rather than the Quality Management System has been approved according to the relevant Standard. 如果客户在广告宣传中（例如，直接将其产品与证书或标志联系起来）以某种方式给第三方造成产品而非质量管理体系已根据相关标准获得批准的印象，则视为对标志或证书的滥用。

Improper use of certificates means that the contractual agreement between the customer and DEKRA Certification as well as the obligations arising from the general terms and conditions forming the basis of the agreement are not being adhered to. 证书的不当使用意味着客户与德凯认证之间的合同协议以及构成协议基础的一般条款和条件所规定的义务未得到遵守。