

## **Implementing Regulations for the award and use of the Quality Mark for Products made of Mineral Wool**

### **1. Quality basis**

The quality basis for the quality mark consists of the Quality and Testing Regulations for products made of mineral wool. It is supplemented and further developed in line with technical progress.

### **2. Award**

- 2.1** The Quality Association for Mineral Wool (Gütegemeinschaft Mineralwolle e.V. - hereinafter referred to as the Quality Association) grants manufacturers of mineral wool products the right to use the quality mark of the Quality Association upon application.
- 2.2** The application must be sent in writing to the office of the Gütegemeinschaft Mineralwolle e.V., Zum Wiesenrain 3, 04519 Rackwitz. The application must be accompanied by a legally binding signed letter of undertaking (template 1).
- 2.3** The application is examined by the Quality Control Committee. The Quality Control Committee inspects the applicant's products unannounced in accordance with the Quality and Testing Regulations. It may visit the applicant's premises, inspect the applicant's products for compliance with the Quality and Testing Regulations and request and inspect the documents referred to in the quality specifications. It issues a certificate on the test result, which it sends to the applicant and the Board of the Quality Association. The Quality Control Committee may entrust these tasks to suitable experts or to a state-recognised inspection body. The person entrusted with the inspection must identify himself before commencing his inspection duties. The testing costs are borne by the applicant.
- 2.4** If the result of the inspection is positive, the Board of the Quality Association awards the quality mark to the applicant on the recommendation of the Quality Control Committee. The award is certified (template 2). If the result of the test is negative, the Board of the Quality Association rejects the application. It must give reasons for the rejection in writing.

### **3. Usage**

- 3.1** Users of the quality mark may only use the quality mark to identify products which comply with the Quality and Testing Regulations.

- 3.2** The Quality Association alone is authorised to have means of identification of the quality mark (metal embossing, embossing stamps, printed material, seals, rubber stamps, etc.) produced and to issue them or have them issued to the users of the quality mark and to specify the type of use in more detail.
- 3.3** The Board of the Quality Association may issue special regulations for the use of the quality mark in advertising and in joint advertising in order to safeguard fair competition and prevent misuse of the quality mark. Individual advertising must not be hindered by this. The same principle of fair competition shall apply to such advertising.
- 3.4** If the right to use the quality mark has been legally withdrawn, the award certificate and all means of identification of the quality mark must be returned; there is no entitlement to reimbursement. The same applies if the right to use the quality mark has otherwise expired.

#### **4. Monitoring**

- 4.1** The Quality Control Committee is entitled and obliged to monitor the use of the quality mark and compliance with the Quality and Testing Regulations. The continuity of monitoring must be demonstrated to the Quality Association by each user of the quality mark by means of a monitoring contract with a neutral sampling institute and analysis institute. The Quality Association shall name to RAL the neutral institutes who work for the Quality Association within the framework of the proof of conformity.
- 4.2** Every user of the quality mark is responsible for ensuring that he complies with the Quality and Testing Regulations. He is obliged to carry out continuous quality control. He must carefully record the self-monitoring. The Quality Control Committee or its representatives may inspect the records at any time. The user of the quality mark subjects his quality-assured products to external monitoring by the testing institutes or testing representatives in accordance with Section 4.1, to the extent and at the frequency specified in the relevant requirements of the Quality and Testing Regulations. He bears the inspection costs.
- 4.3** The sampling institutes according to section 4.1 may request or take samples at the premises of the user of the quality mark at any time. They may also take samples in the trade or at the customer's premises. Requested samples shall be provided without delay. They may inspect the premises at any time during operating hours.
- 4.4** If the analysis is carried out on the finished product, it must be ensured that there is no falsification of the chemical analysis by additives in the product. If this cannot be guaranteed, a sample of the melt or of the unprocessed fibre shall be taken.

- 4.5 Only analysis institutes with which the Quality Association has signed a framework contract may be contracted to carry out analyses for external monitoring. This contract requires an examination of technical suitability by the Quality Control Committee.
- 4.6 If a test is negative or if a product is rejected, the Quality Control Committee will have the test repeated.
- 4.7 A certificate is to be issued by the appointed analysis institute for each test result. The Quality Control Committee and the user of the quality mark each receive a copy of this. The quality mark user concerned may inspect these documents.
- 4.8 If products are unjustifiably rejected, the costs of examination shall be borne by the objector; if they are justifiably rejected, the costs shall be borne by the user of the quality mark concerned.

## **5. Sanctioning of violations**

- 5.1 If the Quality Control Committee identifies violations of Section 3 or 4 or deficiencies in this respect, it proposes sanctioning measures to the Board of the Quality Association. These are imposed by the Board and may include the following depending on the severity of the infringement:
  - 5.1.1 Additional tasks within the scope of self-monitoring,
  - 5.1.2 Increase external monitoring,
  - 5.1.3 Warning,
  - 5.1.4 Contractual penalty up to an amount of € 10,000,
  - 5.1.5 Withdrawal of the quality mark.
- 5.2 The measures referred to in section 5.1 may be combined.
- 5.3 Quality mark users who repeatedly or seriously infringe Section 3 or 4 will have the quality mark withdrawn temporarily or permanently. The same applies to quality mark users who delay or prevent tests.
- 5.4 The person concerned must be heard before any measures are taken.
- 5.5 In urgent cases, the Chairman of the Quality Association may temporarily withdraw the quality mark with immediate effect. This must be confirmed by the Board of the Quality Association within 14 days.

## **6. Complaint**

- 6.1** Quality mark users can appeal against penalty notices to the Quality Control Committee within 4 weeks after the notification has been delivered.
- 6.2** The Quality Control Committee proposes a decision on the complaint to the Board of the Quality Association. If the Board does not resolve the complaint, the complainant may take legal action in accordance with Section 12 of the Association Statutes of the Gütegemeinschaft Mineralwolle e.V. within 4 weeks after the notification being delivered.

## **7. Re-loan**

If the right to use the quality mark has been withdrawn, it can be re-awarded after three months at the earliest. The procedure is governed by Section 2. However, the Board of the Quality Association may impose additional conditions.

## **8. Changes**

These Implementing Regulations together with models (declaration of obligation, certificate) are recognised by RAL. Amendments, including those of an editorial nature, require the prior written consent of RAL in order to be effective. They come into force within a reasonable period of time after they have been announced by the Board of the Quality Association.

Template 1 of the Implementing Regulations**Declaration of obligation**

1. The undersigned/the undersigned company hereby applies to the Gütegemeinschaft Mineralwolle e.V.
  - admission as a member\*)
  - the granting of the right to use\*) the Quality Mark for Products made of Mineral Wool
  
2. The undersigned/the undersigned company confirms that it has taken note of
  - the Association Statutes of the Gütegemeinschaft Mineralwolle e.V.
  - the Warranty Mark Statutes of the Gütegemeinschaft Mineralwolle e.V.
  - the Implementing Regulations for the award and use of the quality mark for mineral wool products with templates 1 and 2,
  - the Quality and Testing Regulations of the Gütegemeinschaft Mineralwolle e.V. for products made of mineral wool
  - the Contribution Regulations of the Gütegemeinschaft Mineralwolle e.V.
  - the Antitrust Guideline of the Gütegemeinschaft Mineralwolle e.V.

and hereby accepts them as binding without reservation.

.....  
Place and date

.....  
(Stamp and signature of the applicant)

\*) Please mark with a cross where applicable

Template 2 of the Implementing Regulations**Certificate**

Gütegemeinschaft Mineralwolle e.V.  
hereby awards the following on the basis of the  
present audit report

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(the company)

**the Quality Mark for Products made of Mineral Wool**



approved by RAL  
Deutsches Institute für Gütesicherung und Kennzeichnung e.V.  
and protected by registration at the EUIPO as a warranty mark

Rackwitz, \_\_\_\_\_  
Gütegemeinschaft Mineralwolle e.V.

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The Chairman of the Board