

**LAW
OF THE RUSSIAN FEDERATION
NO. 5151-1 OF JUNE 10, 1993
ON CERTIFICATION OF PRODUCTS AND SERVICES
(with the Additions and Amendments of December 27, 1995, March 2,
July 31, 1998)**

Federal Law No. 154-FZ of July 31, 1998 amended this Law
See the previous text of the Law

<u>Section I. General Provisions</u>	<u>(Articles 1 - 6)</u>
<u>Section II. Obligatory Certification</u>	<u>(Articles 7 - 16)</u>
<u>Section III. Voluntary Certification</u>	<u>(Articles 17 - 19)</u>
<u>Section IV. Responsibility for Violating this Law</u>	<u>(Article 20)</u>

Resolution of the Supreme Soviet of the RF No. 5152-1 of June 10, 1993 on the Repeated Consideration of the Law of RF on Certification of Products and Services

Resolution of the Supreme Soviet of the RF No. 5153-1 of June 10, 1993 on Carrying into Effect the Law of the RF on Certification of Products and Services

The present Law establishes the legal principles of obligatory and voluntary certification of products, services and other objects (hereinafter referred to as products) in the Russian Federation, and also the rights, duties and responsibility of certification participants.

Section I. GENERAL PROVISIONS

Article 1. The Concept of Certification

The certification of products (hereinafter referred to as "certification") is a procedure of the proving conformity whereby an organization independent of the manufacturer (seller, contractor) and consumer (buyer) confirms in writing that the product is in compliance with established specifications.

Certification shall be carried out for the following purposes:

- creating conditions for the performance of organizations and entrepreneurs on a single commodity market in the Russian Federation, and also for the participation in international economic, scientific and technical cooperation and international trade;
- assisting consumers in a competent choice of products;
- protecting consumers against the unfair manufacturer (seller or participating body);
- controlling the safety of products for the environment, human life and health, and property;
- acknowledging the quality indicators of products stated by the manufacturer.

Certification may have an obligatory or voluntary character.

Article 2. The legislation of the Russian Federation on Certification

Relations in the sphere of certification shall be regulated by the present Law and the legislative acts of the Russian Federation adopted in accordance with this Law.

Article 3. International agreements

If the respective international agreement of the Russian Federation provides for any rules other than those contained in the legislation of the Russian Federation on certification, the rules of the international agreement shall be applicable.

Article 4. The Powers of the Federal Body of Executive Power Specially Empowered in the Sphere of Certification

The federal body of executive power specially authorized in the sphere of certification under the present Law:

- forms and implements state policy in the sphere of certification, introduces general rules and recommendations for certification in the territory of the Russian Federation and publishes official information about them;

Rules on Carrying Out the Certification in the Russian Federation were approved by Decision of the State Committee for Standards, Metrology and Certification of the Russian Federation No. 26 of May 10, 2000

Decision of the State Standardization Committee of the Russian Federation No. 44 of August 23, 1999 approved the Certification Rules for the Payment of the Works of Certifying Products and Services

Decision of the State Standardization Committee of the Russian Federation No. 12 of May 26, 1994 approved the Rules for the Issue of Licenses for Obligatory Certification and the Application of the Mark of Compliance

Regulations for Certification in the Russian Federation was approved by Decision of the State Committee for Standards of the Russian Federation No. 3 of February 16, 1994

Decision of the State Committee for Standards and Certification of the Russian Federation No. 17 of August 5, 1997 approved the Rules for the Certification of Works and Services in the Russian Federation

- carries out state registration of the systems of certification and the marks of compliance that are effective in the Russian Federation;

See the Rules for the State Registration of Certification Systems and Compliance Marks Operating in the Russian Federation approved by Decision of the State Committee for Standardization and Metrology of the Russian Federation No. 18 of April 22, 1999

- publishes official information about the systems of certification and the marks of compliance that are effective in the Russian Federation and submits this information in a statutory manner to international (regional) organizations on certification;

- prepares in a statutory manner proposals on accession to international (regional) systems of certification, and also may conclude in a statutory manner agreements with international (regional) organizations on the mutual recognition of certification results;

- represents in a statutory manner the Russian Federation in international (regional) organizations dealing with certification as the national organ of Russia on certification.

Article 5. The System of Certification

1. The system of certification is set up by the federal bodies of executive power, organizations, and it represents the totality of certification participants who carry out certification according to the rules introduced in this system in accordance with the present Law.

The system of certification may cover organizations at all types, and also public associations.

The system of certification may include several systems of certification of homogeneous products.

2. Systems of certification shall be subject to state registration by the federal body of executive power specially empowered in the sphere of certification in the established order.

See the [Rules](#) of the Certification of oil Products, approved by [Decision](#) of the State Standardisation Committee of the Russian Federation No. 75 of August 23, 2001

See the [Rules](#) of Certification of the Services of Road Passenger Carriage endorsed by [Decision](#) of the State Committee for Standards and Metrology of the Russian Federation No. 62 of July 3, 2001

See [Regulations](#) on the Communication Facilities Certification System for the Interlaced Communication Network of the Russian Federation endorsed by [Order](#) of the Ministry of Communications and Information Technologies of the Russian Federation No. 118 of April 10, 2001

See the [Rules](#) for the Certification of Services Involved in the Technical Servicing and the Repairs of Motor Transport Facilities approved by [Decision](#) of the State Committee for Standards, Metrology and Certification of the Russian Federation No. 33 of April 6, 2001

See the [Rules](#) for the State Registration of Certification Systems and Compliance Marks Operating in the Russian Federation approved by [Decision](#) of the State Committee for Standardization and Metrology of the Russian Federation No. 18 of April 22, 1999

[Regulations](#) on the Certification System GOST R were endorsed by [Decision](#) of the State Committee for Standards, Metrology and Certification of the Russian Federation No. 11 of March 17, 1998

See the [Rules](#) for Performing the Works in the System of Certification of Mechanical Vehicles and of Trailers approved by the [Decision](#) of the State Standards Committee of the Russian Federation No. 19 of April 1, 1998

[Regulations](#) for the System of the Certification of Geodesy, Topographic and Cartography Products were approved by [Order](#) of the Federal Service of Geodesy and Cartography of Russia No. 99-pr of August 4, 2000

Article 6. Certificate and Mark of Compliance

1. The certificate of compliance (hereinafter referred to as certificate) is a document issued according to the rules of the system of certification to confirm the compliance of certified products with statutory requirements.

[Federal Law](#) No. 211-FZ of December 27, 1995 supplemented Item 1 of Article 6 of this Law with the following paragraphs: The addition shall come into force on the [date of the official publication](#)

The fire safety certificate shall be necessarily included in the conformity certificate.

The procedure for the organization and conduct of the certification of products and services in the sphere of fire safety shall be determined by the State Fire-fighting Service of the federal body of executive power in charge of internal affairs by agreement with the federal body of executive power specially empowered in the sphere of certification

[Rules](#) and [Procedure](#) for the certification of products and services in the sphere of fire prevention approved by [Order](#) of the Ministry of Internal Affairs of the Russian Federation No. 10 of March 28, 1996

2. The mark of compliance is a sign registered in a statutory manner, which according to the rules established in the given system of certification confirms the compliance of marked products

with the stipulated requirements.

See the [List](#) of the First Group of Goods and Products That Shall Be Subject to Obligatory marking with Forgery-proof Conformity Marks approved by [Decision](#) of the Government of the Russian Federation No. 601 of May 17, 1997

The order of state registration of the marks of compliance shall be established by the federal body of executive power specially empowered in the sphere of certification.

On the Procedure for the Marking with Forgery-Protected Conformity Signs with Accounting Information Thereto of Goods and Products Being Realized on the Territory of the Russian Federation and the Accounting of Their Movement see [Instructions](#) approved by the State Standards Committee of the Russian Federation No. 30 of December 29, 1998 and the Ministry of Trade of the Russian Federation No. 200 of December 30, 1998

3. The regulations for applying the marks of compliance shall be introduced by a concrete system of certification in keeping with the rules prescribed by the federal body of executive power specially empowered in the sphere of certification.

See [Regulations](#) on Application of the Certification Mark Along With the Mandatory Certification of Products approved by [Decision](#) of the State Committee for Standards of the Russian Federation No. 14 of July 25, 1996

Section II. OBLIGATORY CERTIFICATION

Article 7. Obligatory Certification

1. Obligatory certification shall be carried out in cases provided for by the legislative acts of the Russian Federation.

At mandatory certification the effect of the certificate and that of the conformity mark shall extend to the whole territory of the Russian Federation.

2. The organization and implementation of obligatory certification shall be placed on the federal body of executive power specially empowered in the sphere of certification and in cases, envisaged by the legislative acts of the Russian Federation in respect of certain types of goods, may be placed on other federal bodies of executive power.

Concerning the obligatory certification of certain kinds of products see the [reference](#)

See [Order](#) of Carrying out the Certification of Products in the Russian Federation approved by [Decision](#) of the State Committee for Standards of the Russian Federation No. 15 of September 21, 1994

3. Forms of obligatory certification of products shall be established by the federal body of executive power specially empowered in the sphere of certification or by any other federal bodies of executive power authorized therefor in keeping with the present Article and with due account of international and foreign practice.

4. Conformity may be also confirmed by means of the manufacturer's (seller's, contractor's) issuing a declaration of conformity.

The declaration of conformity is a document whereby the manufacturer (seller, contractor) certifies that the products he deliver (sell) is in conformity with established specifications. The lists of products the conformity of which may be certified by a declaration of conformity, the requirements to the declaration of conformity and the procedure for the issuance thereof shall be endorsed by the Government of the Russian Federation.

The [List](#) of Products Whose Conformance May be Confirmed by the Conformance Declaration,

and of the [Procedure](#) for the Adoption of the Conformance Declaration and Its Registration were approved by [Decision](#) of the Government of the Russian Federation No. 766 of July 7, 1999

The conformance declaration adopted in the established procedure and registered by a certification body shall have legal force on a par with the conformance certificate.

5. The advertising of the products that are subject to obligatory certification shall be carried out in the procedure established by the [legislation](#) of the Russian Federation on Advertising.

Article 8. Obligatory Certification Participants

Participants in obligatory certification include the federal body of executive power specially empowered in the sphere of certification, other federal bodies of executive power which are authorized to carry on the work of obligatory certification, certification agencies, experimental laboratories (centres), manufacturers (sellers or participating bodies) of products, and also the central bodies of certification systems chosen in necessary cases for the organization and coordination of works in the systems of certification of homogeneous products.

Organizations, no matter the organizational and legal forms and the form of ownership thereof, shall be permitted to perform the work of mandatory certification if they are not the manufacturers (sellers, contractors) and consumers (buyers) of the products they certify, provided they are accredited in due course and hold a license for the performance of works of mandatory certification.

[Federal Law No. 128-FZ of August 8, 2001, which shall come into force six months after its official publication](#), does not stipulate licensing the performance of works of mandatory certification

Article 9. The Powers of the Federal Bodies of Executive Power

The federal body of executive power specially empowered in the sphere of certification and other federal bodies of executive power, entrusted with the organization and carrying out of the work of obligatory certification by the legislative acts of the Russian Federation, shall be obliged to discharge the following powers within their terms of reference:

- create systems of certification of homogeneous products and introduce rules of procedure and management for effecting certification in these systems;
- make a choice of methods of confirming the compliance of products with the requirements of normative documents (forms of certification);
- determine the central bodies of certification systems;
- accredit certification bodies and experimental laboratories (centres) and issue to them permits for the right to conduct certain kinds of jobs (licenses for carrying out some kinds of jobs);
- keep a state register of participants and facilities of certification;
- introduce rules for recognizing foreign certificates and marks of compliance and test results;
- establish rules for accreditation and the issue of licenses for jobs involving obligatory certification;
- exercise state control and supervision and establish inspection control over the observance of the rules of certification and certified products;
- consider appeals on certification;

Article 10. The Duties of the Central Body of Certification System

The central body of certification system shall discharge the following duties:

- it shall establish rules of procedure and management in the system of certification it heads;
- it shall consider appeals by applicants regarding the operations of certification bodies and experimental laboratories (centres).

Article 11. The Duties of Certification Bodies

The certification body shall discharge the following duties:

- shall conduct the identification of products presented for certification, in compliance with the rules of the certification system;

- it shall certify products, issue certificates and licenses for the application of the mark of compliance;
- shall perform in accordance with the established procedure inspection of certified products;
- it shall suspend or annul the operation of issued certificates;
- it shall submit the necessary information within its competence to applicants upon their requests.

Article 12. The Duties of Experimental Laboratories (Centres)

The experimental laboratories (centres), accredited in the manner prescribed by the [respective certification system](#), shall carry on tests of specific products and issue test protocols for purposes of certification.

Article 13. The Duties of Manufacturers (Sellers and Participating Bodies)

Manufacturers (sellers and participating bodies) of products subject to obligatory certification and sold in the territory of the Russian Federation shall be obliged to discharge the following duties:

- to sell these products only if given a certificate issued or recognized by the authorized body or a declaration of conformity issued in due course;
- to secure the certified compliance of marketable products with the requirements of normative documents, and to mark the products with the mark of compliance in a statutory manner;
- to pinpoint in the accompanying technical documentation information about certificate or declaration of conformity and normative documents with which products must conform and to bring this information to the notice of consumers (buyers and customers);
- to suspend or terminate the sale of products if they are not in conformity with the specifications provided in the regulatory documents in respect to which it has been certified or proven by a declaration of conformity, upon the expiration of the effective term of a certificate, a declaration of conformity or the "best before" term of products, service life thereof as well as in the case when the certificate is suspended or revoked by a decision of the body in charge of certification;
- to ensure the unhindered discharge of their functions by the officials of agencies carrying out the obligatory certification of products and the officials who exercise control over certified products;
- to inform the respective certification body in a statutory manner about the changes introduced in technical documentation or the technological process of production of certified products.

On the procedure for the confirming the fact of certification of goods see [Letter of the Committee of the Russian Federation for Standardization, Metrology and Certification and the Committee of the Russian Federation for Trade Nos 210-7/268, 1-427/32-19 of April 6, 4, 1995](#)

Article 14. Conditions for the Importation of Products

1. The terms of contracts (agreements), concluded for the delivery to the Russian Federation of products subject to obligatory certification under the legislative acts of Russia, shall provide for the use of certificates and marks of compliance acknowledging their correspondence to statutory requirements. Said certificates and marks of compliance shall be issued or recognized by the federal body of executive power authorized therefor.

2. Certificates of recognition shall be submitted to customs agencies together with the cargo customs declaration. These documents are necessary for obtaining permits for the importation of products to the Russian Federation.

In exceptional cases the Government of the Russian Federation shall be entitled to issue permissions for the imports of products intended for the production needs of a specific organization without certificates or papers for the recognition of certificates being produced to the customs bodies on condition that the products will be certified later on the territory of the Russian Federation.

3. The order of the importing to the Russian Federation of products subject to obligatory certification shall be established by the federal body of executive power in charge of customs and the federal body of executive power specially empowered in the sphere of certification in

accordance with the legislative acts of the Russian Federation.

About lists of goods, liable to obligatory certification when they are imported into the customs territory of the Russian Federation see [Order](#) of the State Customs Committee of the Russian Federation No. 496 of August 14, 1996

Article 15. State Control and Supervision over the Observance of the Rules of Obligatory Certification and over Certified Products

1. State control and supervision over the observance by manufactures (sellers and participating bodies), experimental laboratories (centres), and certification bodies of the rules of obligatory certification and over certified products shall be exercised by the federal body of executive power specially empowered in the sphere of certification and other specially authorized federal bodies of executive power within their terms of reference.

The [Order](#) of the State Committee for Standards, Patents and Measures of the R.F. No. 239 of December 30, 1993 endorsed the [Procedure](#) for carryour state control and supervision by the State Committee for Standards Patents and Measures of the R.F. over observance of obligatory requirements for state standards, rules of obligatory certification and over certified products (works, services)

2. Direct state control and supervision over the observance of the rules of certification and over certified products shall be exercised by the officials who carry out state control and supervise the observance of the obligatory requirements of state standards. Said officials shall exercise state control and supervision over the observance of the rules of certification and over certified products in the order and on the terms prescribed by the [Law](#) of the Russian Federation on Standardization.

Article 16. Financing Certification Works and State Control and Supervision

1. The following works shall be subject to obligatory state financing:

- the elaboration of forecasts for the development of certification, the rules and recommendations for its application, the supply of the respective agencies with official information in the sphere of certification;
- the participation in the work of international (regional) organizations dealing with certification and the cooperation with them in the work of certification;
- the drafting and/or participation in the drafting of international (regional) rules and recommendations on certification;
- the drafting of legislation in the sphere of certification;
- the performance of scientific research and other work of certification of general state importance;
- the exercise of state control and supervision over the observance of certification rules and over certified products;
- the keeping of the State Register of certification and accreditation and the storing in archives of materials of state registration of certification systems and marks of compliance;
- other work of obligatory certification defined by the legislation of the Russian Federation.

[Decision](#) of the Constitutional Court of the Russian Federation No. 15-P of November 22, 2001 the provision of Item 2 of Article 16 of the Law of the Russian Federation on the Certification of Products and Services, concerning the remuneration of works involved in obligatory certificaion, in the measure in which it - in accordance with the meaning, rendered to it by the official interpretation and by the existing law-application practices - admits the possibility of the introduction of an obligatory marking of concrete products with the stamps of accounting information, not referred to certification, with the remuneration of the corresponding outlays by the subjects of business activity, as not corresponding to the Constitution of the Russian Federation, in particular, to its Articles 34 (the [first part](#)), 35 (the [first and the second parts](#)) and 55 (the [third part](#))

2. The work of obligatory certification of specific products shall be paid for by the applicant in the order prescribed by the federal body of executive power specially empowered in the sphere of certification and the federal bodies of executive power entrusted with the organization of obligatory certification and its conduction by the legislative acts of the Russian Federation by agreement with the federal body of executive power in charge of finance. The amount of money spent by the applicant on obligatory certification of one's own products shall be attributed to their cost price.

Section III. VOLUNTARY CERTIFICATION

Article 17. Voluntary Certification

1. Voluntary certification shall be conducted on the initiative of applicants (manufacturers, sellers, contractors) as aimed at proving the conformity of products with the requirements of standards, specifications, recipes/formulas and other documents determined by the applicant.

Voluntary certification shall be performed under an agreement between the applicant and the body in charge of certification.

2. The voluntary certification of products subject to mandatory certification shall not be en lieu of the mandatory certification thereof.

Article 18. The Organization of Voluntary Certification

1. Voluntary certification shall be carried on by the voluntary certification bodies incorporated in a voluntary certification system set up by any legal entity that has registered the system and a conformity mark at the federal body of executive power specially empowered in the sphere of certification in due course.

A voluntary certification body may be a legal entity that has set up a voluntary certification system and also a legal entity that has assumed the functions of a voluntary certification body under an agreement with the legal entity that has set up such a system.

Voluntary certification body shall:

carry on the certification of products, issue certificates and also under an agreement with an applicant grant the right to use a conformity mark to the applicant;
suspend or revoke the certificates issued.

2. A legal entity that has set up a voluntary certification system shall establish roles for conducting works within the certification system, a procedure for payment being made for such works and designate participants in the voluntary certification system.

3. Voluntary certification may also be conducted within a mandatory certification system if it is provided in the rules of the mandatory certification system, provided the system has a voluntary certification conformity mark registered in due course.

Article 19. The Rights of the Applicant

When the applicant concludes a contract for certification, he shall have the right to receive from the voluntary certification body the necessary information about the rules of certification of products and also to determine the form of certification.

SECTION IV. RESPONSIBILITY FOR VIOLATING THE PRESENT LAW

Article 20. Criminal, Administrative, and Civil Liability

Legal and natural persons, and also federal bodies of executive power, guilty of violating the rules of obligatory certification, shall bear criminal, administrative, or civil liability in accordance with legislation in force.

President of the Russian Federation

Boris Yeltsin

Moscow, the House of Soviets of Russia
No. 5151-1

June 10, 1993