



ASSOCIATION POUR LA CERTIFICATION DES MATERIAUX ISOLANTS

Registered ASSOCIATION (LAW OF 1ST JULY 1901) REGISTERED CERTIFYING BODY (LAW 94-442 OF 3RD JUNE 1994)

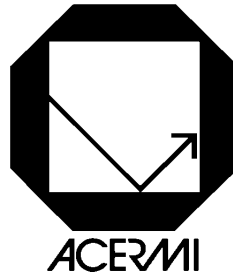
CSTB - LNE

CERTIFICATE FOR MATERIALS AND PRODUCTS INTENDED FOR THE THERMAL INSULATION OF BUILDINGS

GENERAL RULES

1 - OVERVIEW AND FIELD OF APPLICATION

The ACERMI Certificate is a product certificate according to law 94-442 of 3 June 1994. The ACERMI brand is registered as a collective certification mark with the Institut National de la Propriété Industrielle (*INPI, French National Industrial Property Rights Institute*) in accordance with legislation on trademarks or service marks, based on the following template:



- 1.1 The following may be covered by a certificate:
- insulation products manufactured in factories as sheets, panels or rolls
 - insulation products manufactured in factories as bulk products
 - reflective products made of one or more reflective films
 - manufactured products that help improve the thermal performance of a project
 - and products that include one or more intermediate layers
- that meet the criteria of the applicable Product Guideline
- 1.2 A Certificate may be requested by any manufacturer who continuously produces, in France or abroad, insulation within the field of application defined in 1.1 and who subjects this product to the production controls specified in the Guideline for the certification of thermal insulation products (known as the General Guideline) and the applicable Product Guidelines.
- The Certificate may also be issued to anyone designated by the manufacturer, in accordance with the specific terms and conditions set out in 6.1.
- 1.3 The certificate is applicable to a product that might be manufactured in several different plants, referred to by a specific retail product name, corresponding to a base material and to specific characteristics, that can be marketed under different thicknesses, with or without facing.

2 - PURPOSE AND CONTENT OF THE CERTIFICATE

2.1. - Purpose

For a given insulation product, the Certificate recognises one or more of the characteristics specified in the General Guideline and in the applicable Product Guidelines.

4, avenue du Recteur-Poincaré, 75782 Paris Cedex 16 – Tel. 33 (0)1.64.68.84.97 – Fax. 33 (0)1.64.68.83.45

2.2 - Content

The decision to award the Certificate takes into account the identification of the product, the indication of the certified characteristics and the validity date of the Certificate.

3 - MARKING OF CERTIFIED PRODUCTS

Marking includes the certification mark and the text specified by the technical specifications relating to the marking rules for the certificate, by the General Guidelines and the applicable Product Guidelines.

It also includes a sign indicating the origin of the product, the batch and the manufacturing date.

4 - USE OF THE CERTIFICATE AND PUBLICATION

Reference to the Certificate on the manufacturer's sales documents must not create ambiguity in terms of the Certificate's scope and, in particular, vis à vis non-certified products.

Issuance of the Certificate, as well as the marks and labels for products certified in accordance with these Rules, does not in any case substitute the Association's guarantee for the one legally incumbent, according to current laws and regulations, upon the manufacturers of industrial products.

5 - MANAGEMENT OF THE CERTIFICATE

5.1 - General structure

The Association pour la certification des matériaux isolants (ACERMI, hereinafter referred to as the Association), the certifying body, is responsible for the operation of the Certification in accordance with these Rules.

Acting on a mandate from the Association, CSTB and LNE, members of the Association, carry out the operations leading up to certification and are designated as "lead members" in this document.

The Association issues, suspends or withdraws Certificates after consultation with a Certification Committee in accordance with the conditions specified in the general guidelines.

5.2 - Composition of the Certification Committee

A Certification Committee has been set up under the auspices of the Association's Board of Directors. The Committee is made up of representatives of the partners interested in the Certification of the products covered by these General Rules.

Thus, the certification committee is made up of 2 boards, as follows:

- the Manufacturers board
- the Users-Specifiers-Administrations and technical bodies board

The Manufacturers board is made up of 9 representatives as follows:

- 3 representatives of manufactured mineral wool insulation producers
- 3 representatives of producers who make manufactured insulation moulded or extracted from cellular plastics

- 1 representative of producers who make manufactured insulation using hard mineral materials
- 1 representative of reflective product manufacturers
- 1 representative of producers who make insulation from animal or plant materials

The members of the Certification Committee Manufacturers board are either manufacturers who hold ACERMI certification, or representatives of professional organisations authorised to represent certificate holders.

The Users-Specifiers-Administrations and technical bodies board has nine members, mostly representatives of distributors, consumers and project managers, LNE and CSTB.

The members are nominated by the President and Secretary of the Association, after consultation with the partners involved and based on suggestions from the professional organisations represented. They serve for a 3-year renewable term. A member may designate a substitute to participate in meetings only when the member is absent.

A member may not transfer his or her duties. Appointed members and substitutes are bound by professional secrecy.

Experts who are bound by the same confidentially commitments may be called upon.

The Presidency and Secretariat of the Certification Committee are carried out by the Association's current President and Secretary or their deputy.

5.3 - The Certification Committee's Responsibilities

The certification committee issues an opinion on the policies and principles relating to impartiality, on any tendency to allow commercial or other considerations to hinder the objective and reliable certification service and the elements likely to influence impartiality and trust in certification, in particular, transparency.

To this end, the Certification Committee defines the operating guidelines and action principles for the ACERMI Certificate. It monitors their implementation.

It meets at the initiative of the President, at least once a year. It can also meet upon request from at least one-third of its members.

It gives its opinion on marking methods.

It approves the Technical Regulations for the Certificate and its modifications.

It gives its opinion on awarding, suspending and withdrawing Certificates.

It is also consulted on market requirements.

It constitutes the Advisory Board specified in Article 20 of the Association's bylaws.

5.4 - Carrying out control operations

Operations for Certificate admission and follow-up are carried out by CSTB and LNE or entrusted by these 2 entities to subcontractor bodies that have the necessary qualities of independence and expertise, and that have the means required to carry out the measures and verifications, in accordance with applicable standards.

Applicants are notified in advance of the third-party body responsible for subcontracted operations.

5.5 - Confidentiality

All parties involved in the certification process, particularly:

- the members of the Association's Certification Committee
- the members of the Association's Coordination Committee
- CSTB and LNE employees responsible for examining certificate applications
- auditors
- test laboratory staff, including staff at subcontractor laboratories

agree to keep confidential all information, in any form and of any type whatsoever, to which they have had access due to the issuance of the Certificates, for the entire term of the contract and for five years after it expires or is withdrawn.

However, members representing a professional body can seek the position of said body on the content of these rules, guidelines or any other document setting out the provisions for issuing certificates without disclosing to third parties external to the bodies they represent, subject to approval from the Certification Committee.

Moreover, without it constituting a violation of the confidentiality requirement, the Association may need to disclose all or some of the documents provided by the Applicant when submitting an application, when such disclosure is required by virtue of applicable legislation or regulations or a court ruling.

6 - APPLICATION FOR A CERTIFICATE

6.1 - Submission of the application

All applicants for an ACERMI Certificate must prove that the product in question is manufactured and marketed in accordance with the requirements of the relevant General Guidelines and the Product Guidelines.

Applications are drawn up on Company letterhead and must include the Certification application technical file, created in accordance with paragraph 2.2 of the General Guidelines and paragraph 2 of the applicable Product Guidelines.

The application is to be sent to the Association headquarters. For the application to be considered, the fees specified in Article 13 of these rules must be paid in advance.

The application must cover one or more specific production unit(s).

Upon receipt of the application, CSTB and LNE come to an agreement on which body, henceforth referred to as a lead member, is responsible for the procedure leading up to Certification. The confirmation of receipt will notify the applicant which body is evaluating the application.

Applications are only accepted if the manufacturing controls specified in Article 8.1 of these rules have been carried out regularly for at least three months.

To support their application, manufacturers can report the results of tests carried out by a laboratory of their choice. These results are taken into account if they have been obtained in accordance with the conditions set out in the relevant General Guidelines and Product Guidelines.

6.2 - Applicant's commitment

By submitting an application, Applicants agree:

- to continuously comply with the provisions set out in these Rules, the General Guidelines and the Product Guidelines applicable to the products covered by the application or by certification
- to continuously comply with the regulatory requirements applicable to the products covered by the certification. Compliance with these provisions is the exclusive responsibility of the Company
- Not to submit a certification application for products that are the result of counterfeit
- To implement the required changes as a result of modifications to these Rules, the General Guidelines and the Product Guidelines applicable to the products, as notified by the Association
- To facilitate the verification operations carried out by auditors tasked by the lead member, in particular by authorising access to the Site and the production means, by providing access to all necessary work documents, in particular quality documents relating to the product in question, and to provide all necessary safety measures for carrying out the operations listed below:
- To act on the decisions taken by the Association in relation to certification (defining and implementing corrective actions following an observed deviation, a penalty decision, etc.)
- To carry out the internal controls for which they are responsible in order to maintain the Certificate
- If the certification applies to a mass-produced article, make sure that the certified product continues to meet the requirements for that product
- To only use the ACERMI mark for the products covered by the Certificates and to only use the trade name of the product in question for products that comply with these Rules, the General Guidelines and the applicable Product Guidelines
- To make declarations regarding certification in accordance with the scope of certification and to not use certification in a manner that could harm the Association, or could be considered misleading
- To notify the lead member of any modifications made to the initial dossier submitted at the time of application, that affects the compliance of the product or the compliance of the control and tests carried out by the manufacturer, and to notify the lead member if production of the article covered by Certification is temporarily or permanently discontinued.
- To pay the fees in accordance with the provisions set out in Article 13 of these rules
- To ensure, for all participants tasked by the lead member, that all safety measures relating to work, site and equipment conditions comply with the local regulations in force
- To agree to the participation of observers during the audit, if applicable
- To examine and record all complaints from third parties that relate to the Product covered by the Certificate, and:
 - to make these records available to the lead member upon request
 - to take all appropriate action in relation to these complaints and to any imperfections observed in the products that affect their conformity with the certification requirements
 - to document action taken
- If the Certificate is suspended, restricted or withdrawn, to stop using all communication materials that refer to certification, to comply with all requirements provided for in these Rules and to take any other measures requested
- if copies of the certification document have been given to others, to reproduce all of these copies.

7 - CONSIDERATION OF THE APPLICATION AND ISSUANCE OF THE CERTIFICATE

7.1 - Audit of the production unit

The application is considered by the lead member, who verifies that it is admissible and then appoints the auditor tasked with carrying out the production unit audit.

This auditor is bound by professional secrecy.

During the visit, the auditor will carry out the various operations specified in the relevant General Guidelines and Product Guidelines. In particular, the auditor ensures that all the information in the application dossier is consistent with the observations made and the quality system put in place by the applicant is designed to achieve consistent quality for the industrial manufacture of the product for which a Certificate is being sought.

The auditor will take samples of the products needed for admissibility tests.

7.2 - Admissibility tests

The lead member carries out, on the samples taken during the audit and in accordance with the provisions of Article 5.4 of these Rules, the tests provided for in the relevant General Guidelines and Product Guidelines.

7.3 - Issuance of the Certificate

After completing the evaluation, the lead member draws up a report and submits this report to the Certification Committee for review.

The report is a summary of the results of the verifications carried out for admissibility.

After consulting the Certification Committee, the Association will decide to do one of the following:

- award the Certificate
- postpone issuance of the Certificate with a request for additional examination of the application
- deny the Certificate

Certificates awarded by the Association are signed by the lead member on behalf of the Association President and are countersigned by the other member, on behalf of the Association Secretary.

The lead member is responsible for the notification of these decisions.

8 - CONTROLS AND VERIFICATIONS

8.1 - Controls carried out by the manufacturer

The manufacturer is required to put in place a quality management system to ensure that the certified characteristics remain compliant.

The frequency and minimum content for the controls are as determined for the various product categories, in the relevant General Guidelines and Product Guidelines.

The results of the controls are recorded and must be available for presentation to the auditors upon request.

8.2 - Verifications and controls carried out by the Association

8.2.1 - In-factory verification

This is carried out by the lead member or by a qualified subcontractor on the basis of two audits per year.

The auditors responsible for the verifications carry a document for identification purposes and authorising them for this mission. They are bound by professional secrecy.

During the audit, they carry out the operations specified in the relevant General Guidelines and Product Guidelines.

After each audit, a report is drawn up and given to the manufacturer by the relevant lead member.

Additional audits may be deemed necessary under the conditions set out in Article 9. The cost for these is the responsibility of the Certificate Holder. These audits can be scheduled or unannounced.

8.2.2 - Controls in stores or on worksites

At the request of one or more members of the Certification Committee or at the initiative of the Association, samples of products covered by a Certificate may be taken in stores or at the worksite, for control purposes.

The holder may be invited to be present or to be represented when samples are taken.

When samples are taken at the worksite, they are taken from stock being held for implementation, and will not be taken from products that are already in place.

In both cases, the agent who takes the samples must report the manufacturing date of the product and note the condition of the packaging, the storage conditions and in general, any known circumstances that could have had an effect on the quality of the product since it left the factory.

If these observations result in a failure to comply with the provisions of these Rules or the provisions of the relevant General Guidelines and Product Guidelines, the related costs are the responsibility of the holder.

9 - PENALTIES

9.1 - Types of penalties

The penalties provided for if anomalies or shortcomings are observed during in-factory audits or when samples are taken are as follows:

9.1.1 *One-time warning with notice to cease any anomalies or shortcomings observed within a given period.*

9.1.2 *Warning with an additional audit or verification test at the holder's expense.*

9.1.3 *Suspension of the right to use the Certificate.*

9.1.4 *Withdrawal of the Certificate.*

The penalties come into effect upon notification.

9.2 - Skills

The decisions set out above are taken by the Association after consulting with the Certification Committee on suspensions and withdrawal, and are notified by the lead member.

As a provisional measure, a decision to suspend certification can be made while waiting for the committee to be consulted.

10 - APPEALS

If a penalty or a denial of admission is contested, the holder can ask the Association's Certification Committee, as an initial amicable appeal, for a second reasoned consideration of the holder's case (see Article 13 of the Bylaws).

If the disagreement cannot be resolved, an appeal can be lodged with the Association's President for submission to the Certification Committee for reconsideration and an initial decision, then to the Board of Directors for a ruling.

An appeal shall not suspend the certificate and must be submitted, under penalty of foreclosure, within fifteen days of receiving notification of the sanction.

11 - FRAUD

The following are considered fraudulent:

- a/ Any use of the mark by a person or company that does not hold the right to use the Certificate
- b/ Using or maintaining the mark on products other than those for which it was granted
- c/ Using or maintaining the mark on products which claim to have characteristics that differ from those expressly certified
- d/ Using or maintaining the mark on products that have been modified, without prior authorisation
- e/ Selling or attempting to sell marked products, after being notified that the right to use the Certificate has been withdrawn or temporarily suspended, either as a penalty or as a provisional measure
- f/ Any advertisement that is likely to create confusion between certified and non-certified products
- g/ In general, any act associated with the Certificate that could mislead a third party

12 - LEGAL ACTION

For any fraudulent use of the mark brought to his or her attention, the Association President shall take all measures with a view to compliance with these Rules and the legal provisions to which they refer.

In particular, the Association President can take necessary legal action pursuant to the provisions set out in Law No. 91-7 of 4 January 1991 relating to trademarks or service marks, Articles L. 115-27 to L115-33 and R 115-1 to R115-3 of the French Consumer Code relating to the certification of industrial products and services, Articles L121-1 to L121-7 of the French Consumer Code relating to false advertising and the law of 1 August 1905, modified, on fraud and forgeries relating to products and services.

13 - FEES

The fees for the consideration and management of Certificates and those corresponding to the verification operations are charged according to rates set annually by the Association.

Additional visits and tests are charged separately, as indicated in the rates mentioned above.

For factories located abroad, the additional costs associated with travel are invoiced separately.

14 - PROMOTION OF THE CERTIFICATES

Collective promotion is the Association's responsibility. Specific collective promotion activities are funded by sources other than fees, in accordance with the methods specified by the Association after consultation with representatives of ACERMI Certificate holders.

Advertisements that Certificate holders may use individually must be sent to the Association upon request.

15 - APPROVAL AND MODIFICATION OF THE GENERAL RULES

These rules have been drawn up with the interested economic partners and approved by the Association's Board of Directors.

They can be modified by the Association's Board of Directors based on suggestions from or after consulting with the economic partners represented on the certification committee that forms the Advisory Board specified in Art. 20 of the bylaws.

16 - PUBLICATION OF THE CERTIFICATES

The list of valid Certificates is available on the Association's website www.acermi.com or upon request.