

INTERNATIONAL ELECTROTECHNICAL COMMISSION IEC SYSTEM FOR CERTIFICATION TO STANDARDS RELATING TO EQUIPMENT FOR USE IN EXPLOSIVE ATMOSPHERES (IECEX SYSTEM)

TITLE: Report from the IECEx Marks Committee, ExMarkCo

Circulation to: Members of the IECEx Management Committee, ExMC

INTRODUCTION

This document (based on ExMarkCo/058/R) contains a report from the IECEx Marks Committee (ExMarkCo) following their May 2020 Meeting plus follow up activities, in support of the ExMC 2019 Dubai Meeting **Decision 2019/35** to accept the recommendations detailed in ExMC/1521/CD.

This report and the following recommendations are submitted for discussion at the 2020 ExMC meeting.

This report includes:

1. A **RECOMMENDATION** for **ExMC** to approve the following draft Revisions
 - a. ExMC/1620/DV – Draft Rev IECEx 04, IECEx Mark Scheme Rules
 - b. ExMC/1621/DV – Draft Rev OD 422, IECEx Mark Procedures
 - c. ExMC/1623/DV – Draft Rev OD 023, Terms and Conditions, to be OD 423
 - d. ExMC/1624/DV – Draft Rev IECEx 04A, Rules and Guide for use as a Mark
 - e. ExMC/1625/DV – Draft Rev IECEx 01B, Guide for use as a Logo
2. A **RECOMMENDATION** to the **ExMC** that IECEx OD 025 be revised to include a requirement for audit processes to include a review of promotional material with respect to use (authorised or otherwise) of IECEx Marks and logos.

and it is requested that the ExMC endorse these recommendations.

IECEX Secretariat

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**INTERNATIONAL ELECTROTECHNICAL COMMISSION SYSTEM FOR
 CERTIFICATION TO STANDARDS RELATING TO EQUIPMENT FOR USE
 IN EXPLOSIVE ATMOSPHERES (IECEX System)**

MEETING AGENDA & REPORT

Meeting #13 of the IECEx Mark Committee (ExMarkCo)

**Held Remotely via Web conference Facilities
 on Wednesday 13th May 2020
 Session Time 1500 – 1800 (Time Zone UTC)**

AGENDA & REPORT

Refer Annex A for Attendance

SUBJECT										
<p>1. OPENING OF THE MEETING at 1500 UTC The Meeting was opened and chaired by Mr Timothy Duffy.</p>										
<p>2. APOLOGIES Members to <u>note</u> the apologies provided prior to or at this meeting.</p> <p>The Secretariat advised of the apologies received prior to the meeting and confirmed the attendance via displaying the attendance sheet.</p>										
<p>3. APPROVAL OF THE AGENDA Members <u>approved</u> the agenda with no changes or additions.</p>										
<p>4. CONSTITUTION & MEMBERSHIP 4.1 ExMarkCo Membership Members noted current membership of the ExMarkCo as circulated and noted that a revised version ExMarkCo/01R/Inf is under development to reflect a number of changes and most significantly the change of ExTAG Secretary role to ExTAG Deputy Chair (with incumbent to be advised) as well as showing Mr Meanwell as “IECEX Chair” and Dr Arnhold as “IECEX Immediate Past Chair”, in addition to the updates from the 2019 ExMC Dubai meeting, re representation by Mr Roger Jones.</p> <p>Members were <u>reminded</u> to forward nominations for membership vacancies of the ExMarkCo to the Secretariat.</p> <p>Members also <u>noted</u> the ExMarkCo dedicated webpage on the IECEx site at https://www.iecex.com/members-area/documents/exmarkco/</p>										
<p>5. Ex CERTIFICATION BODIES (EXCBS) FOR THE IECEX CONFORMITY MARK LICENSING SYSTEM 5.1 List Of Currently Authorised ExCBs As Per OD 001 Members noted this list is available on-line http://www.iecex.com/members-area/od001/ (members area) and at http://www.iecex.com/information/excbs/conformity-mark/ (Public area)</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Australia</td> <td>TestSafe, SIMTARS</td> </tr> <tr> <td>Finland</td> <td>VTT (now known as Eurofins Expert Services)</td> </tr> <tr> <td>France</td> <td>LCIE, INERIS</td> </tr> <tr> <td>Germany</td> <td>TUV SUD PS, PTB</td> </tr> <tr> <td>Hungary</td> <td>BKI</td> </tr> </table>	Australia	TestSafe, SIMTARS	Finland	VTT (now known as Eurofins Expert Services)	France	LCIE, INERIS	Germany	TUV SUD PS, PTB	Hungary	BKI
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SUBJECT	
Netherlands	DEKRA KEMA, KIWA
Norway	Presafe
United Kingdom	SGS Baseefa, ITS, SIRA, CML
USA	UL LLC

The meeting noted that there were no changes from last year.

5.2 LIST OF CANDIDATE ExCBs and STATUS
Members noted that there were no Applicant ExCBs for the IECEX Conformity Mark as at 1 May 2020.

6. ACTION ITEMS REFERRED TO THE IECEX ExMARKCo FOR CONSIDERATION:
Members received a report on progress with updating of IECEX Rules and Documents in light of the ExMC Decision 2019/35 as repeated below for reference:

[Decision 2019/35](#) {Extract from ExMC/1546/DL – Confirmed ExMC Dubai 2019 Decisions}
The meeting considered the content of the discussion paper circulated as ExMC/1521/CD- Concepts of New Approach for the IECEX Logo/ Trademark and IECEX Conformity Mark plus better integration with the IECEX Certified Equipment Scheme and supported Proposal Items 1, 2, 3, 4 and 5 outlined in ExMC/1521/CD and further requests ExMarkCo to continue its work towards streamlining access to the IECEX Conformity Mark and its practical use eg. shading, laser etc and use with small products.

and discussed the details of **ExMC/1521/CD** with the outcome that the following was agreed:

1. There is a need to mandate (perhaps in IECEX 02) the inclusion of the IECEX logo in product marking (noting that this is in addition to the current marking requirements of IEC 60079-0)
2. There is a need to permit use of the logo in black only or monochrome and without shading
3. There is a need to specify maximum and minimum size of the logo when used as a marking
4. A conformity mark must not be mandatory for manufacturers and therefore must be a voluntary option that should be available from all accepted IECEX ExCBs (as participants in the revised IECEX Conformity Mark Scheme)
5. That licensing conditions regarding a permission to use a logo should not include additional auditing requirements (and associated additional costs) on the manufacturer (noting that there may be legal limitations on the ability to remove such additional requirements)
6. That when taking decisions on the matters assigned to the ExMarkCo consideration be given to providing future opportunities to add features that would make the use of the IECEX mark more attractive to manufacturers.
7. Ensure clear separation between uses as Conformity Mark and Logo thereby restricting use as a conformity mark to the IECEX 02 certified Equipment Scheme.

Documents noted

- **ExMC/1521/CD** – Proposed concepts for future direction of IECEX Conformity Mark
- **ExMC/1567A/RM** - Confirmed mins and Decisions of the September 2019 ExMC meeting

8. IECEX Conformity Mark License System Publications - Revisions
8.1 IECEX 04 IECEX Mark Regulations
Members reviewed a Draft Revision of IECEX 04 as circulated as **ExMarkCo/055/CD** with the aim of finalising the draft for consideration by ExMC and proposed a number of edits (refer to the updated draft prepared during this meeting).

ACTION #1: Secretariat to conduct an additional review to use License Holder to replace other identities such as authorised user, licensed user, manufacturer etc that appear to be referring to the same entity. Same action applies to the flowchart.

ACTION #2: Secretariat to seek legal advice on highlighted text in the updated draft



SUBJECT

8.2 IECEX OD 422 IECEX Mark Procedures

Members reviewed a Draft Revision of IECEX OD 422 as circulated as **ExMarkCo/053/CD** with the aim of finalising the draft for consideration by ExMC and proposed a number of edits (refer to the updated draft prepared during this meeting), noting the following specific agreed items/actions.

ACTION #3: Need to consider inclusion of some form of ‘feedback mechanism’ to operate between the manufacturer and a Certificate’s original issuing ExCB if they are not the QAR issuing ExCB (eg. in the scenario of a need to change marking details on the CoC after a Mark License has been granted). Such a mechanism must ensure that the manufacturer does not incur additional costs or effort arising from the processes of the CoC issuing ExCB (refer Step 6 in the updated draft for a proposed solution)

ACTION #4: Need to include / expand details of requirements or guidance for ongoing maintenance processes.

ACTION #5: Suggest to ExAG that IECEX OD 025 need to be revised to include a requirement for audit processes to include a review of promotional material with respect to use (authorised or otherwise) of IECEX Marks and logos.

ACTION #6: Secretariat to conduct editorial review to replace use of “Regulation”

ACTION #7: ExCB representatives on ExMarkCo to provide specific feedback on Annex A “Agreement template” content noting that the current draft reflects changes included by the IEC Lawyers, with members to report back any major concerns to the ExMarkCo Secretary before **31 May 2020**

Due to time limitations, the meeting recorded the following decision to deal with remaining items of this agenda

ACTION #8: the following agenda items 8.3, 8.4 and 8.5 are to be addressed by members submitting comments (as Track changes and suggested edits) to the Secretariat by no later than 31 May 2020. Depending on the comments received, additional remote meetings may be organised prior to July 2020

8.3 IECEX OD 023 IECEX Mark Standard Terms and Conditions

Members to review **ExMarkCo/054/CD** in line with ACTION #8 above, noting the renumbering of OD 023 to OD 423 to align with numbering convention.

ACTION by members required

8.4 IECEX Guide 04A

Members to review **ExMarkCo/056/CD** in line with ACTION #8 above, noting the meeting decision to retitle /reformat this Guide as a mandatory requirement (eg. Rules)

ACTION by members required

8.5 IECEX Guide 01B

Members to review **ExMarkCo/052/CD** in line with ACTION #8 above, noting the meeting decision to retitle /reformat this Guide as a mandatory requirement (eg. Rules)

ACTION by members required

9. USE AND MIS-USE OF IECEX MARK AND LOGO – Report from Secretariat

Members received a verbal report from the Secretariat noting that the Secretariat proactively monitors the market and takes action concerning misuse of IECEX logo, brand advising of a current example involving a Training Body that is being investigated.



SUBJECT
<p>10. CAB ISSUES CONCERNING IECEX CONFORMITY MARK The Secretary reminded Members of the task assigned to ExMarkCo by both CAB and ExMC to monitor any misuse with Members requested to raise any matters of concern or examples of misuse that warrant raising with the CAB. None were raised.</p>
<p>11. IECEX MARK LICENCE AGREEMENT RENEWALS Members noted a verbal report from the Secretary on matters arising from License renewals between ExCBs and IEC, noting that a number of them are due for renewal within the next 12 months, noting the importance to finalise the new Mark licensing documents and IEC/ExCB Agreement as soon as possible..</p>
<p>12. PROMOTIONAL ACTIVITIES AND MARKETING OF THE IECEX MARK: Members agreed to discuss this matter once documents have been finalised.</p>
<p>13. OTHER BUSINESS No other business was raised.</p>
<p>14. NEXT MEETING The meeting agreed to plan for the next face to face meeting as part of next IECEX Operational Meetings in Dubai 2021 on date and time to be determined but remain available for a follow up remote meeting if needed. To be decided by the ExMarkCo Chair.</p>
<p>15. CLOSE The Chair closed the meeting @ 1835 UTC thanking all members and the Secretariat for an effective meeting.</p>



ANNEX A – ATTENDANCE

Country		Name	Organisation
AU		Jim Munro	Jim Munro Int. Compliance Pty Ltd
AU		Geoff Barnier	SIMTARS
CA		Marty Cole	Hubbell Canada LP
CN		Xu Jianping	NEPSI
DE		Thorsten Arnhold	R. STAHL Schaltgerate GmbH
DE		Ulrich Jacobs	TUV SUD Product Service GmbH
FR		Thierry Houeix	INERIS
GB		Ron Sinclair	SGS Baseefa
GB		John Allen	Sheppard Engineering Limited
GB		Roger Jones	NOV
IEC		Chris Agius	IECEX
IEC		Mark Amos	IECEX
NL		Marco Erdhuizen	Royal PBNA
US		Katy Holdrege	UL LLC (USA)
US		Evans Massey	ABB Motors and Mechanical Inc.
US		Timothy Duffy	ExMarkCo Chair (Rockwell Automation)
ZA		Paul Meanwell	IECEX Chair (Komatsu Mining Corp. Group)
US	Obs	Lucy Frieders	UL LLC