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(ROMANIAN AUTOMOTIVE REGISTER)
PRODUCTS CERTIFICATION BODY

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RAR

PACKERS LICENSING
Code AA – 00, issue 2, review 0

OCP

Counterpart no.

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1 GOAL

The goal of this document is to describe the licensing process of the activity of partitioning and packing the exploitation materials, performed by RAR, by means of RAR-OCP , for the economic operators, other than the manufacturers or their representatives, holders of the licenses / RAR-OCP conformity certificates.

2 SCOPE

2.1 The provisions of this document shall be applied by the RAR-OCP and by the licensing applicants which perform activities of partitioning and packing the exploitation materials, certified or approved by RAR.

2.2 The provisions of this documents are corroborated with the applicable provisions of the RAR-OCP procedures concerning the specific activities performed within the licensing process, upon the licensing request, license extension, license scope limitation, re-licensing and upon the reassessment of the license holder, performed on the occasion of the supervision or when dealing with the claims / contestations.

2.3 The groups of exploitation materials which are subject to the licensing process are:

- engine oil;
- drive oil;
- hydraulic oils;
- lubricants;
- antifreeze fluids;
- brake fluids;
- windshield washing solutions.

3 REFERENCE DOCUMENTS AND RELATED DOCUMENTS

- 3.1 Law no. 375 / 2005 Law for the approval of the Government Ordinance no. 34/2005 for the amendment and supplement of the Government Ordinance no. 80/2000 regarding the certification or approval of the equipment, spare parts and exploitation materials used for road vehicles and their marketing and use conditions.
- 3.2 OMTCT - Order of the Minister of Transports, Constructions and Tourism no. 2135 / 2005 for the approval of the Regulations regarding the approval and certification of the products and exploitation materials used for road vehicles, as well as the their marketing conditions – RNTR 4.
- 3.3 Government Ordinance no. 34 / 2005 for the amendment and supplement of the Government Ordinance no. 80/2000 regarding the certification or approval of the equipment, spare parts and exploitation materials used for road vehicles and their marketing and use conditions.
- 3.4 Government Emergency Ordinance no. 200 / 2000 regarding the classification, labelling and packing the hazardous chemical substances and preparations.
- 3.5 Law no. 451 / 2001 for the approval of the Government Emergency Ordinance no. 200 / 2000 regarding the classification, labelling and packing the hazardous chemical substances and preparations.
- 3.6 Law no. 324 / 2005 for the amendment and supplement of the Government Emergency

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- Ordinance no. 200 / 2000 regarding the classification, labelling and packing the hazardous chemical substances and preparations.
- 3.7 Law no. 360 / 2003 regarding the regime of the hazardous chemical substances and preparations.
- 3.8 Law no. 263 / 2005 for the amendment and supplement of the Law no. 360/2003 regarding the regime of the hazardous chemical substances and preparations.
- 3.9 GD no. 92 / 2003 for the approval of the Methodological norms regarding the classification, labelling and packing the hazardous chemical preparations.
- 3.10 GD no. 530 / 2001 (R 2004) for the approval of the Legal Metrology Instructions (LMI) IML 8-01 “Pre-packing certain products according to the weight or volume”.
- 3.11 GD no. 662 / 2001 regarding the used oils management.
- 3.12 SR EN 45011:2001 General requirements for the bodies applying product certification systems.
- 3.13 SR EN ISO/CEI 17020:2005 General criteria for the operation of different types of bodies performing inspections.
- 3.14 SR EN ISO/CEI 17025:2005 General criteria for the competence of the testing and calibration laboratories.
- 3.15 SR EN ISO 9000:2006 Quality management systems. General principles and vocabulary.
- 3.16 SR EN ISO 9001:2001 Quality management systems. Requirements.

4 DEFINITIONS AND ABBREVIATIONS

4.1 Definitions

For the purpose of this document, the following definitions are available, as well as other relevant definitions in the documents mentioned under item 3:

4.1.1 **Licensing** - legal approval for the performance of the service of partitioning and packing the exploitation materials used for road vehicles.

4.1.2 **License** – document by which RAR-OCP grants to an economic agent the right to perform, under normal conditions, in certain premises, the service (activity) of partitioning and packing certain products / groups (families) of products certified by RAR-OCP.

4.1.3 **Pre-packed** – the combination between a product and its individual packaging.

4.2 Abbreviations

- | | | |
|-------|---------|---|
| 4.2.1 | RAR | Registrul Auto Român (Romanian Automotive Register) |
| 4.2.2 | RAR-OCP | Products Certification Body of the RAR |
| 4.2.3 | GD | Romanian Government Decision |
| 4.2.4 | OM | Order of the Minister |
| 4.2.5 | AP | Packers Licensing |
| 4.2.6 | AF | Licensing Form |
| 4.2.7 | GF | General Form |
| 4.2.8 | GD | General Document |

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5 LICENSING PROCESS PERFORMANCE

5.1 Licensing initiation

5.1.1 The licensing applicant shall purchase from the Technical Secretariat of the RAR-OCP , for a price, the set of documents required for the licensing, consisting of:

- a) The Packers Licensing, code AA-00;
- b) The Packers licensing application, code FA-01;
- c) The Self-assessment questionnaire, code FA-02;

5.1.2 The licensing applicant shall send to the Technical Secretariat of the RAR-OCP the Packers licensing application, code FA-01, with all the cases filled in legibly, whereto the following document shall be enclosed:

- a) a copy of the proof for having paid the cost of the set of documents, upon the submission of the first licensing application;
- b) a copy of the proof for having paid the tax for the application analysis;
- c) a copy of the self-assessment questionnaire, code FA-02, with all the cases filled-in;
- d) a copy of the document proving the registration under the conditions of the law of the activities for which the license is requested;
- e) a copy of the partitioning agreement concluded with the license holder;
- f) a copy of the conformity or approval certificate issued by RAR for the exploitation material / partitioned and packed exploitation materials;
- g) a copy of the normative technical documentation to which the conformity or approval certificate issued by RAR refers to;
- h) drafts of the statement of conformity and of the certificate of guarantee, issued in order to market the partitioned and packed exploitation material;
- i) draft of label which is applied on the packaging of the partitioned and packed exploitation materials.

5.1.3 The licensing application must comply with the following requirements:

- a) to be dated, to be signed by the legal representatives of the licensing applicant and stamped, indicating the person nominated for the RAR-OCP relation. These persons must comply with the integrity requirement;
- b) in the licensing application should be mentioned:

- the applicant's name and address;
- the license scope, namely:
 - identifying the exploitation materials / exploitation material group which shall be partitioned and packed;
 - the license holder(s);
 - the number of the conformity or approval certificate(s);
 - the office address where the partitioning and packing shall take place.

- c) a licensing application shall refer only to products which are a part of the same exploitation material group, as established under item 2.3.

5.1.4 In case the licensing applicant fails to comply with the requirements under paragraphs 5.1.2 and 5.1.3, it shall be notified by the RAR-OCP by correspondence form, code FG-01-18, of the deficiencies regarding the form and content of the licensing application and, if applicable, of the lack of enclosed documentation.

The licensing applicant must solve the deficiencies regarding the licensing application and the documentation within 30 days as of the notification receipt date.

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In case the licensing applicant fails to solve the deficiencies regarding the licensing application and the enclosed documentation, within the established term, it shall be notified by the RAR-OCP of the rejection of the Licensing Application, on the form of Communication regarding the licensing application analysis, code FA-03;

5.1.5 In case the requirements under paragraphs 5.1.2 and 5.1.3 are complied with, the licensing applicant shall be notified by the person appointed within the RAR-OCP, on the form of Communication regarding the licensing application analysis, code FA-03, of the admittance of the licensing application, of the number of the Licensing file afferent to the admitted Licensing application, as well as on the name of the appointed person and of the methods of communication during the licensing process.

Also, the licensing applicant is notified of the continuation of the licensing process and of the costs of the documentation analysis activity which shall be performed;

5.1.6 The certification applicant shall receive the Licensing convention, code FA-04, in two counterparts, with a view of signing them and returning to the RAR-OCP one counterpart signed by the legal representatives of the licensing applicant.

The licensing applicant must pay for the costs of the documentation analysis activity and send the payment proof to the RAR-OCP.

5.2 Assessment of the partitioning and packing activity

5.2.1 Documentation analysis

5.2.1.1 Subsequent to receiving the evidence of payment of the documentation analysis activity, the Designated person shall perform the documentation analysis activity.

5.2.1.2 The Statement of Conformity and the Certificate of Guarantee of the exploitation material, issued by the license holder must:

- a) refer to all the types / variants of exploitation material in the requested licensing scope;
- b) contain all the information provided for by the legislation into force, and they must be written legibly, explicitly and without ambiguities;
- c) be signed and stamped by the issuer.

5.2.1.3 The Certificate of conformity or approval of the exploitation material, issued by RAR, must refer to all the types / variants of exploitation material in the requested license scope, and be within the validity term.

5.2.1.4 The label model which is applied on the exploitation material packaging must include the following information in Romanian:

- a) the name and type of the exploitation material;
- b) the trade mark or the factory mark of the exploitation material;
- c) the identification – the mark / name and address of the manufacturer;
- d) the identification – the mark / name and address of the packing license holder;
- e) the production date / year, month or code;
- f) the batch number;
- g) the validity term (the one established by the producer in relation to the production date);
- h) the nominal quantity of the pre-packed content – the nominal volume and the mark provided for marking the “e” volume;
- i) the identification of the reference normative document of the exploitation material;
- j) the identification - the mark / name and address of the license holder;
- k) the number of the certificate of conformity or approval by RAR, as well as of the packing license or section provided for this number, when the marking manner allows the addition of such information after the performance of the licensing procedure;
- l) the legal warnings regarding the composition, the additives, the used ingredients, etc.;

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m) the manner of use, handling storage, protection and transport of the exploitation material, warning messages, contraindications, in compliance with the standards and regulations applicable to the exploitation material.

Note: The label model shall contain the same information as the Label model of the license holder, being filled in with the information concerning the packer under letters d) and k) (The packer shall not modify the exploitation material name, type and mark).

5.2.1.5 The convention / agreement concluded between the holder of the Certificate of conformity / approval and the packer must include clauses regarding the responsibilities of the license holder and of the holder of the Certificate of conformity / approval concerning maintaining the conformity of the certified or approved exploitation material during the handling, partitioning, packing, labelling, storage, transport, delivery, term of validity / guarantee and use of the exploitation material.

5.2.1.6 In case the documentation complies with the requirements regarding the documents requested according to paragraphs 5.2.1.1-5.2.16, the licensing applicant shall receive the Plan of assessment of the partitioning and packing activity, code FA-05.

5.2.1.7 In case the documentation fails to comply with the requirements regarding the requested documents, the licensing applicant shall be notified by the designated person within RAR-OCP, on the correspondence form FG-01-18, on the deficiencies regarding the submitted documentation and their settlement term, which shall not exceed 30 days.

The licensing applicant must settle, within the mentioned term, the deficiencies regarding the documentation.

5.2.1.8 If the licensing applicant fails to settle the deficiencies regarding the documentation, within the set term, it shall be notified of the cessation of the licensing process, by the designated person, on the correspondence form, code FG-01-18.

5.2.2 Planning the activities of assessment of the partitioning and packing activity

5.2.2.1 The licensing applicant shall receive with a view to the approval, the Plan of assessment of the partitioning and packing activity, code FA-05, where mention is made of the activities which are to be performed by the RAR-OCP, as well as dates regarding the sampling procedure.

5.2.2.2 The licensing applicant shall receive, if applicable, with a view to the approval, the Audit Plan, code DG-01-02, where mention is made of the audit purpose and scope, the date / period for the audit performance and the composition of the auditing team.

5.2.2.3 In case of observations regarding planning the assessment activity planning, including the contestation, for justified reasons of the auditing team, the RAR-OCP and the licensing applicant shall proceed to amicably settling the divergences and to agreeing upon the alternatives.

5.2.2.4 In case of approval of the Plan of assessment of the partitioning and packing activity, code FA-05 and of the Audit Plan, code DG-01-02, the licensing applicant shall be informed by the designated person of the assessment activities which are to be performed.

5.2.2.5 The licensing applicant must pay, before the performance of the respective activities, their value and send the payment evidence to RAR-OCP.

5.2.3 Assessment of the quality management system

5.2.3.1 The Assessment of the quality management system consists of:

- the audit if the applicant is at the first licensing for the packing activity with the respective partitioning and packing installation, or
- the consideration of the Audit Report afferent to the initial licensing if the audit scope is identical from the point of view of the location and of the partitioning and packing installation, and if the initial license is valid.

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5.2.3.2 Subsequent to receiving the evidence of the payment of the audit activity costs, the respective activity shall be performed at the office of the licensing applicant.

5.2.3.3 On the occasion of the audit at the office of the licensing applicant it shall be checked if it can insure the essential conditions for the quality control of the packed exploitation materials:

- a) For all the inspected activities, documents are available establishing the stages and the correct performance manner, the responsible persons, the succession, the technical conditions, the acceptance criteria, the used forms, the check manner;
- b) For each process influencing the quality of the packed exploitation material, records shall be kept to prove the compliance with the provisions in the documents mentioned in the precedent paragraph;
- c) The economic operator has an updated list of the used procedures and forms;
- d) The economic operator has a list of the work tools and of the measurement and control devices, highlighting the appropriate technical checks and the validity of these checks;
- e) The normative technical documents applicable to the exploitation material and to the processes, as well as the applicable legislation are available, known and updated;
- f) The exploitation materials / the packed exploitation materials / the noncompliant packages are clearly identified by storage in separate places and warnings against unintentional use;
- g) The personnel is trained on all the technical and organizational conditions which can influence the activity result;
- h) In the work places having special conditions and qualification requirements, only appropriate qualified personnel shall be used;
- i) Any activity subcontracted to another economic operator shall be based on contractual documents containing clear assessment criteria of the subcontracted activity results. The collaboration results are checked by the own means of the licensing applicant;
- j) Appropriate ways of detecting, eliminating and preventing the repetition of the nonconformities concerning the exploitation material or the processes shall be pre-established and followed.
- k) The issue manner of the documents certifying the quality of the exploitation materials put for sale shall be strictly held under control. Evidences of their delivery together with the delivered exploitation materials shall be kept;
- l) Measures shall be taken so that the satisfaction of the exploitation material users or theirs claims be known and the appropriate measures for settling the received petitions shall be taken within a reasonable term;

5.2.3.4 The licensing applicant shall receive a counterpart of the Audit Report, code DG-01-05, within the set term, usually no more than 30 days as of the audit conclusion, and a counterpart shall be kept by the designated person in the Licensing File.

5.2.3.5 In case of nonconformities, the licensing applicant must establish and communicate to the RAR-OCF, within a maximum of 10 days as of receiving the audit report, the corrective measures and the terms applied to them.

5.2.4 Sampling

a) The licensing applicant must take all the necessary measures so that, upon the agreed date, the RAR-OCF representative may take the sample number established in the Plan of assessment of the partitioning and packing activity, code FA-04.

b) The sampling shall be performed as of the end of the partitioning and packing process, from the warehouse of finished products or from the market.

c) The taken samples are appropriately identified by the inspection team of RAR-OCF, by mentioning the batch, by different means, such as, by labelling or inscription or by other appropriate means.

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d) The applicant representative shall sign the Sampling Written Report, code FG-01-04, prepared by the RAR-OCF representative in two counterparts: one counterpart shall be kept by the designated person, in the Licensing File, and one counterpart shall be handed to the licensing applicant representative.

e) The transport to the RAR-OCF office of the taken samples, required for the performance of the laboratory tests and for being kept as control samples by the test laboratory and by RAR-OCF, shall be provided by the licensing applicant and/or by RAR-OCF, as applicable. The sample transport can be provided by third parties, under the condition of insuring traceability during the transport.

5.2.5 Assessment of the partitioning and packing activity by inspection

5.2.5.1 The licensing applicant must take all the necessary measures for insuring the conditions of performance, upon the agreed date, of the inspections provided for in the Plan of assessment of the partitioning and packing activity, code FA-04.

5.2.5.2 Within the inspection at the office of the licensing applicant, performed by the Inspection Team / Inspector checks will be made of:

- a) The identification of the exploitation material packaging, respectively the mention in the applicant documentation of the packaging type and material, the nominal capacity (the packaging capacity / volume), as well as mention of the state, including the packaging water tightness, manners of checking them by the packers;
- b) The label applied on the exploitation material package, respectively the label content, including the check of the manufacturer, the certification or approval holder, the label status, the legibility and the durability of the applied inscriptions;
- c) The pre-packed exploitation material, sampled at random, by measuring / checking the real content (real volume) of the pre-packed material;
- d) The manner of handling, partitioning, packing, labelling, storage, protection and transport of the exploitation material, by assistance at the performance of the respective activities and/or by examining the evidences regarding the performance by the licensing applicant of the checks of the pre-packed exploitation material batches, according to the methods of check mentioned in the documentation of handling, partitioning, packing, labelling, storage, protection and transport of the exploitation material;
- e) The manner of delivery of the exploitation material and its accompanying documents, by examining the statement of conformity and the certificate of guarantee of the exploitation material issued by the holder of the certificate of conformity / approval, as well as of the certificate of conformity or approval issued by the RAR;
- f) The existence and validity of the contractual document concluded between the licence holder and the licensing applicant;

5.2.5.3 Subsequent to the inspection performance, the Inspection Team / Inspector shall prepare the Inspection Report, code FG-06/01-01, in two counterparts: one counterpart shall be kept by the designated person, in the Licensing File, and one counterpart shall be sent to the licensing applicant.

5.2.6 Assessment of the partitioning and packing activity by testing

5.2.6.1 Subsequent to receiving the evidence of payment of the expense estimate for the test performance, the designated person within the RAR-OCF shall subcontract the test laboratory selected from the List of test laboratories registered with RAR-OCF, which shall perform, according to their own procedures, the conformity tests mentioned in the Order, code DG-03-02, on the samples delivered by the Designated Person, based on the Delivery Written Report, code FG-01-05.

5.2.6.2 One counterpart of the Test Report issued by the subcontracted test laboratory shall be received and kept at the Licensing File by the person designated within RAR-OCF, and one counterpart shall be sent to the licensing applicant.

5.2.6.3 The test laboratories must be accredited or assessed by RAR.

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5.2.6.4 Upon the initial licensing, as well as within the supervision activities, the check of the following physical-chemical characteristics shall be performed of one product type in each product group for which the license was requested, respectively, for which the license was obtained:

a) engine oils

- viscosity at 100°C
- flow point
- ignition point

b) drive oils

- viscosity at 100°C
- flow point
- ignition point

c) hydraulic oils

- viscosity at 100°C
- flow point
- ignition point

d) antifreeze fluids

- freezing point
- boiling point
- pH

e) brake fluids

- boiling point
- wet boiling point
- viscosity at 100°C and at -40°C
- pH

f) consistent lubricants

- drop point
- penetration

g) windshield washing solutions

- boiling point
- freezing point
- effect on the rubber

5.3 Assessment of the licensing activity results

5.3.1 The licensing applicant shall be notified by the RAR-OCP, on the correspondence form, code FG-01-18 on the costs of the assessment activities of the licensing activities and for the issuance of the final documents;

5.3.2 The licensing applicant must pay, before the performance of the respective activities, their counter value and send the payment evidence to RAR-OCP;

5.3.3 The RAR-OCP assessor, nominated by the RAR-OCP Executive Manager and uninvolved in the activities presented under item 5.1-5.2, shall perform the evaluation of the assessment results of the conformity of the partitioning and packing activity, based on the analysis of the Licensing File and he/she/it shall propose the license granting, the license non-granting or the additional assessment, with a view to taking the decision regarding the licensing by the RAR-OCP Executive Manager, and he/she/it shall fill in the Assessment Report, code FA-06.

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5.4 The decision regarding the licensing and the issue of the licensing documents

5.4.1 The Executive Manager of RAR-OCF shall decide as regards the licensing, and the designated person shall notify the applicant on the decision regarding the licensing, by the Communication regarding the decision taken following the licensing file analysis, code FA-10, within five calendar days as of taking the decision, as follows:

- a) to grant the license – in case it is established that the tested product conformity and the applicant's capacity to insure the conformity of the partitioning and packing activity are maintained;
- b) to not grant the license – in case the tested product non-conformity in relation to the reference normative document or the applicant's incapacity to insure the conformity of the partitioning and packing activity are established;
- c) additional assessment.

Notes:

- 1) The establishment of the licensing applicant's capacity to insure the conformity of the partitioning and packing activity for the audited product implies the settlement of all the major nonconformities concerning the partitioning and packing process;
- 2) The decision regarding granting the license is taken by the Executive Manager of the RAR-OCF, in the event of the settlement, by the licensing applicant, within the set term, of up to 90 days as of receiving the Audit Report, of the major nonconformities and of the check, by the RAR-OCF, of the efficacy of the established corrective action implementation.

5.4.2 In the event of the decision to grant the license, the licensing applicant shall receive, enclosed to the Communication regarding the decision taken following the licensing file analysis, code FA-10, the Supervision Convention, code FA-08 and the Supervision Plan, code FA-09, in two counterparts each, in order to sign them and return one signed counterpart to RAR-OCF.

After the certification applicant signs the Supervision Convention, code FA-08 and the Supervision Plan, code FA-09, RAR-OCF shall issue to the license holder the original copy of the License, code FA-07.

5.4.3 In the event of the decision to not grant the license or to have an additional assessment of the partitioning and packing activity in the Communication regarding the decision taken following the licensing file analysis, code FA-10, mention is made of the required and sufficient arguments for founding the decision or, as applicable, the additional assessment activities of the partitioning and packing activity to be performed.

6 RULES REGARDING THE LICENSE MAINTENANCE

6.1 The license holder must maintain the conformity of the packed exploitation material with the requirements of the technical documentation which was at the basis of the certification granting, during the validity period of the License.

6.2 The license holder must inform the RAR-OCF, within 10 calendar days, on the significant changes which it has the intention of performing on the process of partitioning, packing and labelling the exploitation material, on the changes to the license holder's structure or management, if relevant, as well as on any aspects which may influence the exploitation material conformity.

The license holder must not provide packed exploitation materials, resulting from the announced changes, without a written agreement from the RAR.

6.3 The license holder must keep the records of all the claims received as regards the conformity of the partitioned and packed product and make them available to RAR-OCF, upon request. Also, the license holder must take the appropriate measures for the settlement of these claims and of any deficiencies found in the products which affect the conformity with the licensing requirements and document the measures taken and their efficacy.

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6.4 The license holder must insure the unconditioned access of the RAR-OCP representatives to the packing premises on the occasion of the scheduled supervision activities or on the occasion of the unscheduled supervision activities.

6.5 During the license validity period, 2 scheduled supervisions shall be performed. The supervision consists of the performance of the following activities:

- sampling according to item 5.2.4;
- the assessment of the partitioning and packing activity by inspection according to item 5.2.5 and
- the assessment of the partitioning and packing activity by testing according to item 5.2.6.

6.6 The unscheduled supervision shall be performed in the situation of claims concerning the conformity of the partitioned and packed exploitation material, when additional investigations are required due to the changes in the partitioning and packing activity announced by the license holder or, in justified cases, generated by suspicions regarding the conformity of the partitioned and packed exploitation material.

6.7 The activities, in the case of the unscheduled supervision, are established by the Executive Manager of the RAR-OCP and may consist of: the assessment of the quality management system by audit according to item 5.2.3 and/or the sampling according to item 5.2.4 and/or the assessment of the partitioning and packing activity by inspection according to item 5.2.5 and/or the assessment of the partitioning and packing activity by testing according to item 5.2.6.

6.8 Subsequent to the performance of the supervision activities, the designated person shall prepare the Supervision Report, code FA-11, the Executive Manager of RAR-OCP shall decide upon the maintenance, the suspension, the withdrawal of the license or the need to perform an additional assessment. The taken decision is communicated by the designed person to the license holder on the Communication regarding the decision passed as a result of the supervision activity analysis, code FA-12.

7 RULES REGARDING THE LICENSE EXTENSION

7.1 During the validity period of the license issued according to the provisions under item 5, the license holder can request the RAR-OCP to extend the license, respectively the licensing scope mentioned in the initial License, as it follows:

- a) for other types of exploitation material;
- b) for other partitioning and packing premises.

7.2 In the cases under item 5.7.1 a) the provisions under item 5 shall apply, except for subitem 5.2.3 Assessment of the quality management system.

7.3 In the cases under item 5.7.1 b) all the provisions under item 5 shall apply.

7.4 The new License issued in the case of license extension shall constitute an amendment to the initial License, shall include the entire licensing scope and shall be valid up to the expiry date of the initial license.

8 RULES REGARDING THE LICENSE LIMITATION

8.1 In the validity period of the license issued according to the provisions under item 5, the license holder can request the RAR-OCP to limit the license, respectively the licensing scope mentioned in the initial License, for certain types of exploitation materials, for certain license holders or for certain partitioning and packing premises.

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8.2 The license holder shall be notified of the decision of initial license limitation, for the types of exploitation materials, for the license holders or for the partitioning and packing premises mentioned in the License limitation application.

8.3 The new License issued in the case of licensing limitation shall replace the initial License and shall be valid until the expiry date of the initial license.

9 RULES REGARDING THE RE-LICENSING

9.1 During the validity period of the license issued according to the provisions under item 5, the license holder can request the RAR-OCP to re-license the partitioning and packing activity. The re-licensing may also include the license extension or limitation.

9.2 For the re-licensing, the provisions under item 5 shall apply, with the mention that the audit scope and depth shall be established according to the changes in the partitioning and packing activity, highlighted in the sent documentation, in relation to the documentation presented upon the initial licensing or upon the licensing extension.

9.3 The new License, issued in the case of re-licensing, shall be valid for a period of two years.

10 RULES REGARDING THE LICENSE SUSPENSION

10.1 RAR-OCP can suspend the license for certain product/product group, for a period of up to 90 days, under the following circumstances:

a) the identification of minor nonconformities which do not affect the product quality, or the inefficacy of the measures taken as a result of the previous audit, notices on the occasion of the actions of supervising the partitioning and packing activity conformity or of any other actions of reassessment of the partitioning and packing activity conformity with the purpose of dealing with the contestations or claims concerning the partitioned and packed product;

b) the non-compliance by the license holder with the provisions of the Supervision Convention, code FA-08;

c) the non-compliance by the license holder with the terms for the settlement of the minor nonconformities noticed during the previous audit;

Also, the License can be suspended for a period of up to 12 months in the case of the ceasing the partitioning and packing of the considered product/product group.

10.2 The license holder shall be officially notified by the RAR-OCP on the license suspension within five calendar days as of taking the decision, mentioning the conditions for the suspension termination, respectively the measures which must be taken by the license holder, as applicable, for example:

a) the withdrawal of the licensed products, which may be noncompliant, from the users, from the sale market or from the distribution places, and their return to the partitioning and packing premises or to other acceptable premises for performing the corrective actions;

b) the revocation or the cancelling of the incorrect referrals upon the licensing, made in the catalogues, advertisements, etc.

During the period of license suspension, the license holder shall not identify as being licensed the products partitioned and packed subsequently to the date of license suspension notification, shall not make references to the licensing;

10.3 The license holder must notify to the RAR-OCP the conclusion of the corrective actions with a view to the RAR-OCP check of their implementation and of other performed actions, such as, for the prevention of the partitioning and packing of products which might subsequently require similar measures.

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10.4 In the case of implementing the envisaged measures or resuming the product partitioning and packing, within the terms established according to item 9.1, the license holder shall be officially notified of the decision of terminating the license suspension, within five calendar days as of the decision taking.

NOTE: The License suspension period shall not be added to the License validity period.

10.5 In case of non-compliance with the conditions for terminating the license suspension, the license holder shall be officially notified of the decision of withdrawing the license, within five working days as of the decision taking.

11 RULES REGARDING THE LICENSE WITHDRAWAL

11.1 RAR-OCF can withdraw the license within the following circumstances:

- a) the license holder does not wish to maintain the license;
- b) the license holder ceases the product partitioning and packing;
- c) the identification of major non-conformities affecting the product quality, noticed on the occasion of the actions of supervising the partitioning and packing activity conformity within the purpose of dealing with the contestations or claims concerning the partitioned and packed product;
- d) the license holder does not comply with the requirements for the termination of the license suspension upon the term expiry;
- e) the license holder does not comply with the financial obligations towards RAR-OCF;
- f) the license holder does not comply with the provisions of the Supervision Convention, code FA-08;
- g) the license holder can not insure the maintenance of the partitioning and packing activity conformity;
- h) the license holder ceases the product partitioning and packing activity for a period of more than 12 months;
- i) the license holder uses the RAR-OCF License abusively;

11.2 The license holder shall be officially notified by RAR-OCF, on the decision of withdrawing the license, within five calendar days as of the decision taking, mentioning the consequences on the licensed products existing in the license holder's stock and/or on the market, according to the license withdrawal reason and to the nature of the risk involved by these products and by the degree of their affecting the road traffic safety and / or the environment protection.

11.3 RAR-OCF shall proceed to withdrawing the license and to informing the competent authorities for taking legal measures, in case the situation imposing the license withdrawal constitutes an infraction or an offence or in case the license holder refuses to take the measures for remedying the found situation.

12 RULES REGARDING DEALING WITH THE CLAIMS AND CONTESTATIONS

12.1 Rules regarding dealing with the claims

12.1.1 RAR-OCF shall deal with the claims officially received from the user of the certified product or from other parties according to its own procedure of dealing with claims, taking into account, when appropriate, the relevant information regarding the claims received and recorded by the licence holder, as well.

12.1.2 The license holder shall be notified of the product which represents the claim subject, respectively of the RAR-OCF decision concerning the manner of dealing with the claim, mentioning, if applicable, the need for corrective and preventive actions.

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12.2 Rules regarding dealing with the contestations

12.2.1 The licensing applicant, in its capacity of claimant, can send to the Technical Secretariat of the RAR-OCF its contestation regarding the RAR-OCF decision of not-granting the license, within 15 days as of the official acknowledgement date of the contested decision.

The license holder, in its capacity of claimant, can send to the Technical Secretariat of the RAR-OCF its contestation regarding the RAR-OCF decision of not-granting the license extension / re-licensing or regarding the decision of withdrawing the license, within 15 days as of the acknowledgement date.

The contestation must contain, at least, the clear identification of the claimant, respectively the name and address, and the contestation subject.

12.2.2 The claimant shall be notified by the Technical Secretariat of the RAR-OCF of the contestation registration or the non-registration, mentioning the reasons for the non-registration, as applicable.

The contestation shall be analyzed by the Executive Manager of the RAR-OCF and the claimant shall be officially notified, within ten calendar days, of the decision of the Executive Manager of RAR-OCF regarding the manner of dealing with the contestation, according to the RAR-OCF procedure, namely:

- a) contestation rejection, for mentioned reasons;
- b) contestation acceptance, with the required justifications;
- c) initiating an action for reassessing the partitioning and packing activity conformity.

12.2.3 Following the reassessment of the partitioning and packing activity conformity, according to item 11.2, the Executive Manager of RAR-OCF shall decide on the contestation rejection or acceptance.

12.2.4 The claimant must pay in advance the costs of the eventual reassessment of the partitioning and packing activity.

12.2.5 In the case of accepting the contestation, according to item 11.2 or 11.3, the claimant shall be officially notified of the RAR-OCF decision, within ten calendar days as of the decision taking, and shall officially receive the new licensing documents.

RAR-OCF shall notify the parties concerned of the new decisions concerning the licensing, by appropriate notifications.

12.2.6 In case of contestation rejection, according to items 11.2 and 11.3, the claimant shall be officially notified of the RAR-OCF decision, within ten calendar days as of the decision taking, mentioning the reasons for rejecting the contestation.

13 INFORMATION REGARDING INSURING THE FINANCIAL RESOURCES OF RAR-OCF AND REGARDING THE LICENSING COSTS

13.1 The financial resources required for the performance by RAR-OCF of the licensing activity are insured and maintained by RAR, for an unlimited period of time and in a manner unconditioned by the licensing activity results.

RAR-OCF is financially independent, having distinct accounting records within RAR.

13.2 The cost of the RAR-PCN Document destined to the licensing applicants, the cost of the analysis of the Licensing Application and the cost of one audit day / one person, as well as the manner of calculating the costs of the different stages of the licensing process are mentioned in **APPENDIX 2**.

14 DOCUMENT DISSEMINATION

14.1 This document is provided to the licensing applicants, after receiving the licensing request by means of the Technical Secretariat of RAR-OCF.

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14.2 The amendments or the new issues of this document shall be made available to the license holders, by means of the Technical Secretariat of RAR-OCP, within five calendar days as of their entrance into force.