

TIC Council

Anti-Counterfeiting Committee

Falsified: Test Reports & Certificates

Identification and Impact of Counterfeit Test
Reports and Certificates in the Global Marketplace



Table of Contents

Introduction	2
Identifying the Problem	3
Consequences	5
The Testing, Inspection, & Certification Industry and Regulatory Authorities	6
Impact of Problem.....	8
Identifying a Fraudulent Report / Certificate.....	9
Resources.....	12
About the TIC Council.....	13
Certification Marks.....	14
The Unique Case of the CE Marking	15

Introduction

E-commerce, trade and information sharing have made the world more inter-connected than ever before and have generally led to lower prices, improved product selection and increased competition. It has also resulted in a more complex ecosystem of supply chains and regulation. Increased complexity creates challenges for manufacturers to control their quality and production and it burdens the authorities who monitor and enforce a country or region's product regulations. Unfortunately, this has opened the window of opportunity for rogue operators to take advantage of these complexities and circulate counterfeited or pirated products.

The total number of counterfeited products is estimated to be 3,3% internationally (6,8% in the EU), or approximately USD 509 Billion (with the EU at EUR 121 billion) annually (data provided from [Trends in Trade in Counterfeit and Pirated Goods](#), OECD/EUIPO, 2019). Additionally, the risk posed by counterfeited products is significant as these products may be ineffective or have the potential to cause harm or even death.

How can the risk be lowered? Are there ways to better identify counterfeited products? Who is responsible? What can be done once they are identified?

This paper focuses on those products which have falsified certification or testing documents. In short, this means that the product attempting to be sold has not met the proper testing or certification requirements set forth by a country or region to enter the market. The paper also explores the cause of the problem, the players, who it affects, how counterfeit documents can be identified and how to resolve the problem.

Definitions

Rogue operators – Individuals and organizations taking advantage of the system and falsifying test reports or certification documents

Certified product – A product that has been tested and certified by an accredited organization.

Compliance – What a product or system shows when it meets applicable regulatory requirements.

Conformity documents – Documents from an accredited organization or self-declared by the manufacturer (where applicable) showing a compliance to the applicable standards. This may include test reports and certificates.

Counterfeit marked product – Product which bears a certification mark, but that has not been certified by an accredited TIC organization

End user – The person who uses the product; typically, the product's consumer.

Manufacturers – The organization who assembles and distributes the final product.

Regulation Authorities – Individuals or agencies responsible for ensuring products have been appropriately tested and certified.

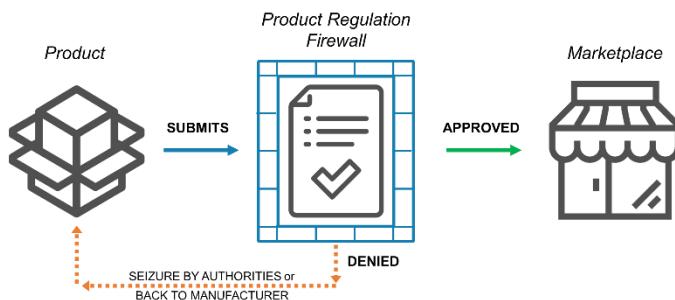
Regulatory Requirements – Rules and guidelines applied to different consumer and commercial products developed to minimize harm.

Identifying the Problem

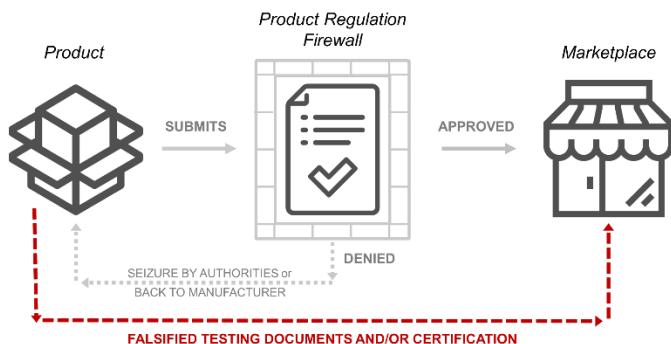
From One Country to the Next

When product manufacturers expand into international markets and move their products across borders, they become subject to that country's requirements for product compliance. While many countries have similar regulatory requirements for the same products, depending on the product and its application, the nuances in the standards from country-to-country may allow for it to be sold in one location, but not the other. If the manufacturer is not willing to make product adjustments or simply cannot afford the investment to comply with a country's standards, they then cannot sell into that market. The inability to access a market because of product non-compliance can restrict an organization's growth, market share, or demands made by their stakeholders.

Simplified: Introducing a product into another country



Proper: Before a product can enter a country, it must go through a Product Regulation Firewall enforced by customs and market surveillance before being accepted. Additionally, there are other legal and political restrictions, but for this example, we are focusing only on product regulations. If the product meets the applicable regulatory requirements and can show proof of meeting them, the product can then be released through its normal distribution channels. Verification of compliance with applicable standards may be demonstrated by either a self-declaration by the manufacturer supported by applicable testing or certification by an independent third party in the TIC industry. For products requiring testing and/or certification that do not meet the proper conditions, the manufacturer must then reconfigure the product until it is able to meet proper requirements.



Improper: There are some manufacturers (i.e. rogue operators) who try to bypass the proper channel of the Product Regulation Firewall and instead counterfeit the testing documentation and/or the certification mark(s). With the complexities inherent in a multi-channel system, these rogue operators will often get their products into the desired region, potentially putting the consumer at risk for bodily harm or even death.

Choices made

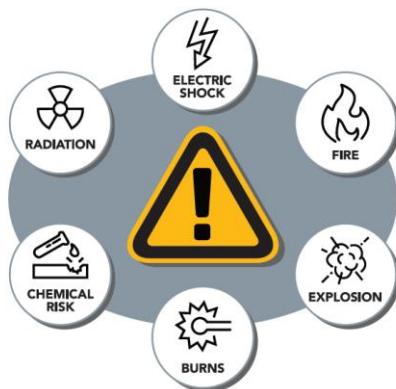
When a product enters a marketplace for distribution, it has to meet the requirements of that country or region. Assuring the product meets these requirements involves both an understanding of and adherence to the requirements and a choice to do business the right way.

Brands and manufacturers who are conscientious of these needs will allocate resources to have their products evaluated to confirm compliance to the governing regulation or standards. This may mean that the product complies as it is or it may require additional design changes to comply with the requirements.

Unfortunately others—including manufacturers, importers, and other distributors—choose an alternative path and become rogue operators, intentionally bypassing the proper verification channels, counterfeit testing documentation, a certificate of conformity and/or include a fraudulent certification mark on the product label or packaging. Often this is done to save money and time in getting their products to market. These rogue operators take advantage of the system's complexity or hope their products simply make it through customs un-noticed and therefore without penalty.

The Dangers of Counterfeited Testing Documents and Certification

The development of a country or regions' standards, codes and regulations is often a long process and evolves over time. As new products or technology enters a market, government officials, industry associations and consumer advocates typically collaborate to set forth the regulatory requirements. While the process may be perceived as slow and frustrating, the result typically lends to products that pose less risk to people, property and the environment.



The Dangers and Risks of Counterfeiting

Counterfeiting a product's certification mark or falsifying a test report or certificate can pose serious dangers to the end user as well as their environment. When products are tested and certified, it is typically to prevent harm from electrical shock, fire, exposure, burns, chemical risk, electromagnetic or ionizing radiation, or personal injury, which may include death. Manufacturers and distributors who bypass the proper testing and certification requirements, put users of their products at risk.

When a manufacturer makes an intentional effort to counterfeit testing documentation and/or certification marks in order to save the money and time it takes to bypass the required process, they put the safety and welfare of people at risk. From stuffed animal toys to consumer electronics to pharmaceutical products, almost every type of product can put people at risk through the counterfeiting of the certification or testing documentation.

Consequences

To place a product with a counterfeit certification mark or with counterfeited test documentation is often considered a crime in countries if the mandatory legal requirements are not met. Additionally, unauthorized use of the testing documentation and/or certification mark of a certification body is an infringement of the trademark rights of the certification body.

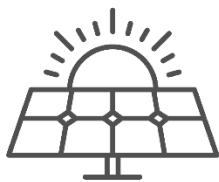
Examples:

The below are examples of the effects of products with counterfeited certification or testing reports.



Glucose Patch (Medical Device)

In 2012, Hong Kong custom authorities were able to stop a shipment of over 112,000 counterfeit glucose patches with falsified certification marks. The patches, vital to helping diabetics monitor blood sugar levels, were found to be ineffective and would have seriously compromised the health of those who rely on them.



Solar Panels (Electrical / Electronical Device)

In 2013, a container loaded with solar panels was discovered to have unauthorized certification marks on its way to Australia. The panels were found to have dangerous electrical components and would have caused shock or fire leading to serious injury, loss of property, or even death.



Stuffed Teddies (Toys)

In 2018, UK authorities discovered more than one thousand children's stuffed teddy bears with incorrect labeling coming in from outside the country. The lack of testing did not ensure that the toys met the proper standards putting all children who played with the toys at a choking risk and possibly even death.



Face Masks (Medical)

In 2020, since the beginning of the coronavirus outbreak, UK officials seized millions of sub-standard face masks and thousands of fake hand sanitizers at Heathrow Airport. The face masks, worn by many per guidelines of medical officials, could have put millions at risk of contracting or spreading the virus.

These are just a few of thousands of stories of officials discovering falsified reports or counterfeit certifications. These cases demonstrate how consumers' health, well-being, lives, and property are put at risk and why it is paramount to increase awareness of the problem and continue to search for products with falsified certification or testing reports. Identifying these products and their producers helps keep people safe and discourages future rogue operators from participating in such activities.

Next, we look at the different stakeholders involved with combating the problem and their roles.

The Testing, Inspection, & Certification Industry and Regulatory Authorities

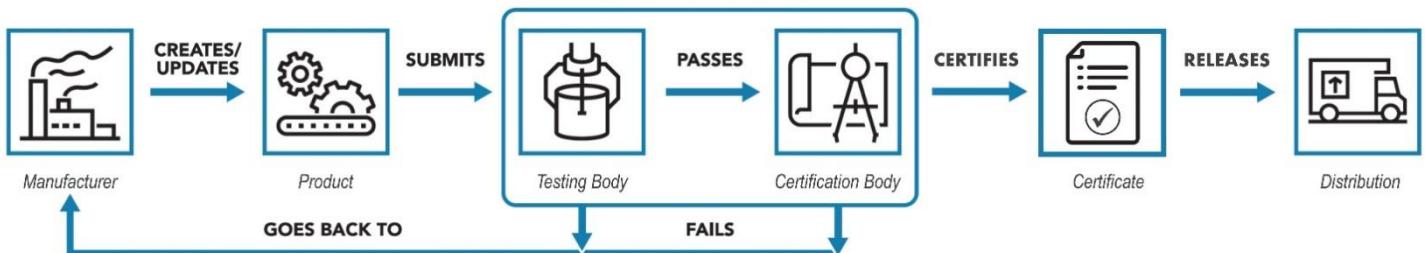
Overview of the TIC Industry

The Testing, Inspection and Certification (TIC) industry provides independent third-party conformity assessment services and uses industry experts to carry out impartial evaluations, audits and inspections on products, systems, or personnel against various private, national and international standards and regulations. TIC companies provide regulatory authorities, manufacturers, distributors and consumers' confidence that a product, process, system, or person meet a set of specified requirements. Almost every industry—ranging from agriculture, medical, electrical, building products, automotive and more—are supported by TIC companies. Government agencies, manufacturers, distributors and transporters all rely on and partner with the TIC industry to ensure products through the supply chain to the end user meet their quality, safety, industry standards and performance expectations. The TIC industry represents around a million employees worldwide with annual sales of approximately USD 200 billion.

While each part of the world is unique, companies in the TIC industry typically have undergone some sort of accreditation by an accreditation body that qualifies them to evaluate and perform the necessary testing, inspection, or certification against regulatory requirements. These accreditation bodies perform regular audits on their TIC organizations ensuring they have the proper processes, personnel and procedures necessary to maintain their accreditation to test to the different standards and regulations.

Countries around the world have different requirements for which must test and certify products. For example, some countries allow the manufacturer to self-declare their products' compliance after performing their own conformity assessment against the regulatory requirements. This means a third party organization is not necessary to show compliance and it is incumbent on the manufacturer to show proof they have met the necessary regulatory requirements. In other countries, products must be tested and certified by an independent third party (see illustration below) to show compliance.

Simplified: The 3rd Party Testing & Certification Process



The general process for a product to achieve proper conformity testing and/or certification when using a 3rd party: Manufacturers take their product to a 3rd party to be tested and certified. If the product does not meet or pass the applicable test requirements, the manufacturer then must take actions to update the product and resubmit it to the testing and certification process. Products that meet the necessary applicable requirements are approved by the certification body and receive the corresponding testing documentation and/or certificates. The product then can be legally distributed into the given market. Products that are certified can then be labeled with the appropriate certification mark and are listed in the certification body's Directory of Listed Products.

Defined: Testing, Inspection, & Certification

Which combination of the three regulatory requirements (testing, inspection and certification) that a product must adhere to varies depending on the market where it will be placed and its application. Below provides a description of the three elements.



Testing – A series of procedures and measures that check the product's characteristics of conformity (i.e., performance and/or safety). Most countries and regions require that products pass some sort of regulatory testing and they must show proof of the test via a test report or certificate of conformity.

Inspection – A product's design, process, or installation may need to be examined either prior to or after being released into the market to ensure conformity. This means the manufacturer's factory, supply chain, or process may be inspected as well. Inspections may be a requirement of, or independent from, product certification.



Certification – Verification from a third party accredited organization providing evidence and assurance that the product complies with the specified requirements of a standard or regulation.

Choosing a TIC Company

Manufacturers often have the choice of the TIC organization they partner with to meet the regulatory requirements. They do this based on a variety of factors, varying from their geography to their market. Some of these factors include location, specialty, industry reputation, speed of service delivery and customer service amongst others. Like other industries, TIC companies compete against one another trying to position themselves to win potential client's business. This level of competition combined with maintaining the requirements to meet accreditation, drives innovation and creates new processes to help meet their clients' needs and provides high levels of customer service.

Manufacturers can choose the TIC organizations they partner with and do so based off factors like location, specialty, industry reputation, speed of service delivery and customer service amongst others

Regardless of which TIC company is chosen, they must remain independent and impartial to the outcome of a manufacturer's results and strictly adhere to the rules of their accreditation and the necessary regulatory requirements. The accreditation bodies that oversee the TIC companies perform regular audits to ensure compliance. This system of oversight maintains that TIC companies are held to equal standards.

Regulatory Authorities

Regulatory Authorities are called a variety of names around the world. Depending on where you are, they may be referred to as “Authorities Having Jurisdictions (AHJ)” or “Law Enforcement Agencies (LEA),” but most serve the same purpose: to ensure that products and systems available to the public provide the least amount of risk to people, property and the environment. They do this by making sure products are being used and installed correctly in public and private spaces.

Unfortunately, regulatory authorities, law enforcement and TIC companies cannot stop all rogue operators from falsifying documents or producing counterfeit certificates. The supply chain and distribution networks simply move too quickly. To stop the rogue operators from succeeding, it takes a combined effort from all stakeholders along the supply and distribution chains all the way to the end consumer.

Impact of Problem

While the general public’s safety and health is the most important, products with counterfeited certification or falsified testing reports have a negative impact to more than just the end users. Below are just some of the ways that this problem affects different people throughout the product’s value chain.



Consumer

Consumers of all types can be impacted, but particularly vulnerable consumers such as children, the elderly, or disabled may be more susceptible or affected.



Public Safety

Security of energy supplies, transportation and other goods can be affected and have a significant effect on consumers, businesses, public services, local governments, and the local or regional economy.



Manufacturers

Even manufacturers who comply by the rules are impacted through adverse impact to their reputation, increased costs and delayed time to market.



Retailers

As a final distributor of products, retailers can incur a significant amount of time, money and effort dealing with the repercussions of rogue operators.



TIC Industry

It is common for rogue operators to try to replicate test reports, certificates, or certification marks of common TIC companies. This misleads officials, misrepresents the company’s quality and effort and endangers the reputation of the TIC companies.

Identifying a Fraudulent Report / Certificate

The task of identifying fraudulent reports and certificates is on-going. Over time, rogue operators' efforts to counterfeit reports and certifications have continued to evolve making them increasingly difficult to identify. Therefore, it is imperative that everyone throughout the supply and value chains are diligent in their efforts to search, identify, research and report any products that may be fraudulent.

There are various signs to look for when determining the authenticity of a TIC organization's test report or certificate. Often just a visual scan of the test document, certification papers, or labeling mechanism can give a pretty good indication. Accredited TIC organizations typically utilize specific and consistent formats for their test and certification reports. Additionally, they go to great efforts to work with manufacturers to ensure that labeling with certification marks are done correctly. These efforts are intended to increase the difficulty of falsifying documentation by rogue operators. Being familiar with a TIC company's official documents helps identify when there is a deviation.

The below list provides a few key warning flags that the product may have falsified documentation.

Changes in Font – The same font and font size is typically used throughout with variations only in areas on the document where it makes sense or is logical.

Changes in Language – Typically the language is consistent throughout the document. Abrupt changes in the language without a logical explanation should be considered suspicious.

Deviation of Normal Branding – Most TIC company's test and certification documents look professional and are in-line with their overall brand. Anything that appears to deviate from this is suspicious.

Distorted/Wrong Logos – Often documents that are falsified will use a logo that is distorted, the wrong color, obsolete, or incorrect.

Inconsistent Information – Information presented in a product's document(s) should match the product and be consistent throughout. Inconsistencies in the information are red flags of falsified documents.

Mis-formatted Documentation – TIC companies put effort to ensure their documentation is properly formatted. Documentation that looks sloppy or is not in a professional-looking format is suspicious.

Misspelling of Common Words – Simple mistakes like the misspelling of common words are good indicators that the documentation was not done by an accredited organization.

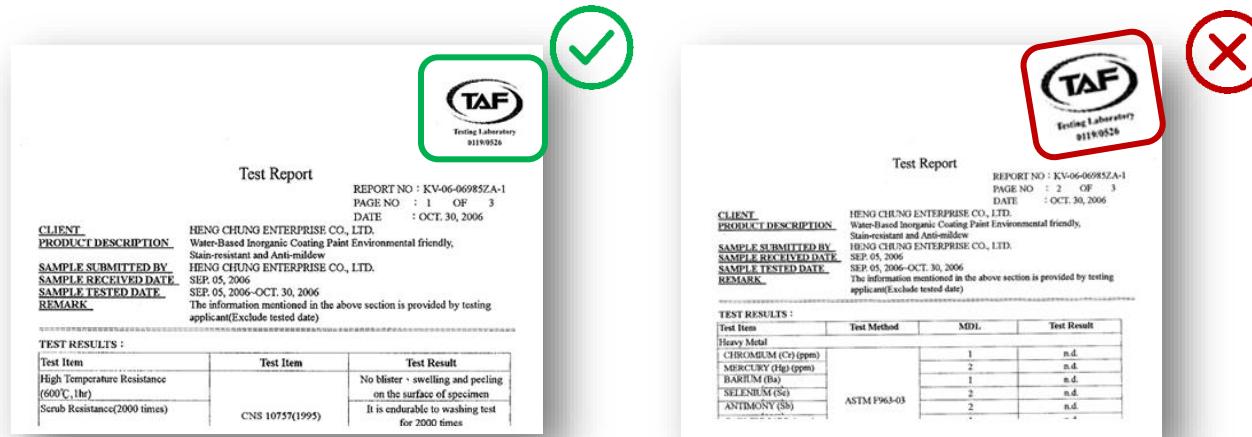
Poor Grammar – Improper use of the language and poor grammar is an indication that the reports were done by rogue operators.

Wrong Colors – Colors that are inconsistent with the normal brand colors of the TIC organization are a quick indicator of falsified documentation.

Examples of Falsified Report Documentation

Example A – Misaligned Logo

On this report, the logo is clearly misaligned making the report un-professional and out of template.



Example B – General Appearance of Document

The appearance of this report is suspicious given the misalignment, change in font and formatting.

Kofpi
TEST REPORT

Request Receipt No.: 2014-2400 (2014-2187)

Products: Wood pellet (6mm) Inconsistency in line spacing, alignment and font size.

Test Method: Standards test method for wood products(Korea Forestry Promotion Institute).

Product Properties									
Test Subject	Size (mm)		Durability (%)	Fines (%)	Bulk Density (kg/m³)	Moisture Content (%)	Ash Content (%)	Calorific Value (dry basis, kcal/kg)	Sulphur (%)
	D.	L.							
Result	6	18	98.4	0.1	667	5.7	0.4	4,729	0.01

Test Subject	Chlorine (%)	Nitrogen (%)	Heavy metal (mg/kg)						
			As	Cd	Cr	Cu	Pb	Hg	Ni
Result	0.01	0.2	N.D.	0.4	1	3	1	N.D.	N.D.

Korea Forestry Promotion Institute reports the test result subject to Clause 3 of Article 29 of the Act on Promotion of Forestry and Mountain Village.

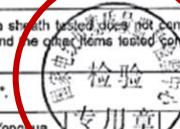
Korea Forestry Promotion Institute
[Signature]
Date: September 5, 2014

Formatting of the table is not similar to the font and its size used in the rest of the document

Inconsistency in the font style

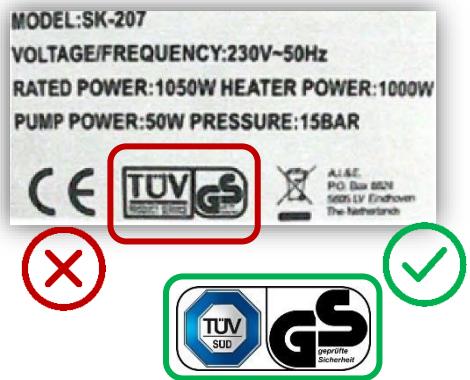
Example C – Unprofessional Organization of Testing Document

The appearance of this report is suspicious given the misalignment, change in font and formatting.

   China National Centre for Quality Supervision and Test of Electric Wire and Cable Test Report CNAS L0207				Name of laboratory	
2009000369Z 2009年认证认可(053) Test Report Page 1 of 5					
Type and size	1.0MM ²		Reference No.	CT12-3962	
Name of sample	SINGLE-CORE NON-SHEATHED CABLE WITH RIGID				
Kind of test	Commission Test				
Consigner	Name	JIAXING TOKEN ELECTRON CO.,LTD			
	Address	NO 2 EAST GANGNAN ROAD, SHENDANG TOWN, HAIYAN COUNTY, ZHEJIANG PROVINCE			
	Tel.	/	Fax.	/	
Manufacturer	Name	JIAXING TOKEN ELECTRON CO.,LTD			
	Address	/			
	Tel.	/	Fax.	/	
Test standard	Reference of IEC 60502-2:2005 Power cables with extruded insulation and their accessories for rated voltages from 1kV(Um=1.2kV) up to 30kV (Um=36kV) Part 2: Cables for rated voltages from 6kV (Um=7.2kV) up to 30kV(Um=36kV)				
Date of test	From December 1, 2012 To December 15, 2012				
Conclusion	The minimum thickness of separation shield tested does not comply with the requirements of IEC 60502-2:2005, and the other items tested comply with the requirements of IEC 60502-2:2005. 				
Note	The reference rated voltage is 6/10kV.				
Tested by	Li Ji 	Checked by	Zhu Yonghua 	Approved by	Ma Xing 
Date	2012.12.15	Date	2012.12.15	Date	2012.12.15

Example D – Incorrect Marks or Wording

Incorrect use of marks or wording on the products or packaging is a way to spot fraudulent products.



Incorrect Flushmount

A green circular icon containing a white checkmark, indicating a correct or successful action.

Resources

Accredited TIC companies are generally happy to help regulatory authorities, distributors and even end users verify the authenticity of a test report or certification in their name. Doing so, not only can prevent harm to the consumer, but also helps to protect their brand(s) and reputation. If you should come across a report or certificate or a test mark on a product that is causing you suspicion, the best place to check is the TIC company's website. There you will find databases where you can confirm or deny the authenticity of the certification or be put in contact with someone who can.

TIC Council

counterfeit@tic-council.org

<https://www.tic-council.org/committees/anti-counterfeiting-committee>

<i>TIC Council Member</i>	<i>Verification Database</i>
 CONTROL UNION ControlUnion.com	certifications.controlunion.com/en
 DEKRA Dekra.com	dekra-product-safety.com/en/about-dekra/certified-products
 eurofins Eurofins.com	eurofins.com/certifications-international-approvals
 Total Quality. Assured.	intertek.com/directories
	sgs.com/en/certified-clients-and-products
 TÜVRheinland® Precisely Right.	certipedia.com
	TÜV SÜD Product Service GmbH tuev-sued.de
	UL UL.com

About the TIC Council

Born from the merger of former global TIC industry organizations IFIA and CEOC, the TIC Council brings together more than 90-member companies and organizations active in more than 160 countries, spanning every continent, speaking with one voice worldwide. As the voice of the global independent testing, inspection and certification industry, the TIC Council engages governments and key stakeholders to advocate for effective solutions that protect the public, support innovation and facilitate trade. The TIC Council works with its members to promote best practices in safety, quality, health, ethics and sustainability.

The Anti-Counterfeiting Committee is a TIC Council Committee and committed to stopping the worldwide proliferation of products bearing counterfeit certification marks that may endanger public health and safety. Consumers, retailers, regulators and industries worldwide rely on TIC Council member certification marks to let them know that a product or management system has been certified to the applicable standards. Counterfeit certification marks deceive buyers into purchasing untested products that may cause serious injury, illness and death. The TIC Council Anti-Counterfeiting Committee presents an international, unified front whose combined resources have allied with (law/customs/relevant stakeholders) to help fight counterfeiting on a global level.

Committee

This paper was produced by a working group of the TIC Council Anti-Counterfeiting Committee. The Committee would like to thank the following individuals for their efforts: Laura Martin (TIC Council), Q VanBenschoten (Intertek), Katharina Seidel (TÜV Rheinland), Joachim Krasselt (TÜV SÜD), Hanane Taidi (TIC Council), Zeynep Yildizeli (TIC Council), Michael Kremer (outside consultant) and to all the members of the TIC Council Committee.

Appendix

Certification Marks

With regards to the TIC industry, certification marks are the visual labels that a TIC organization provides to a manufacturer to indicate that a product has met the necessary requirements of a certain standard. For the use of a certification mark a valid license (certificate) is always necessary. Often the certification mark will be accompanied by certain wording such as "certified by," "approved by," "inspected by," or "conforming to," but this is not always necessary and the certification label may be enough depending on the local law.

Certification marks are issued at the discretion of the certification body and although a product may be certified, the manufacturer may choose not to use the certification mark on the product or its packaging. The decision to include the certification mark is usually based on the requirements of the regulation authorities in the destination geography.

Below are some of the more popular certification marks from around the world. Certification Bodies may utilize different certification marks depending on the product, its intended geographical or market distribution and the regulatory requirements.

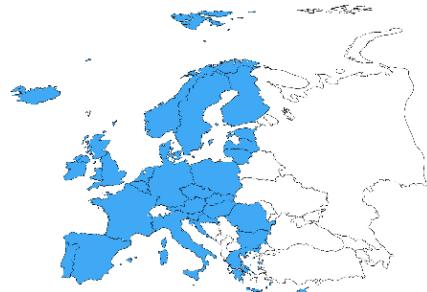


The Unique Case of the CE Marking



One of the more commonly seen but least understood conformity marks is the CE Marking. The CE is an abbreviation of the French “Conformité Européenne,” which translates to European Conformity.

The CE marking is primarily used within the European Economic Area (EEA) and is an indication that the product manufacturer (or importer) has claimed compliance with the appropriate European Union (EU) directives or regulations applicable to the product. The CE Marking is affixed or applied by the manufacturer (or importer) and indicates that the product complies with the applicable EU legislation. In other words, products bearing CE marking may not have been tested by an independent third party.



European Economic Area (EEA)



CE Markings bearing the four-digit identification number of a Notified Body indicate an independent third party carried out applicable conformity assessment activities. A Notified Body is an organization designated by a Member State to assess the conformity of certain products before being placed on the market. Conformity assessment activities are based on the applicable EU directive or regulation which may include assessment of the product or quality management system. The European Commission publishes a list of Notified Bodies.

A detailed description by the European Commission can be found in document C272 [Blue Guide on the Implementation of EU Product Rules](#), in the Official Journal of the European Union.