



TERMS AND CONDITIONS OF USE OF HQC HALAL LOGO AND MARK

1. HQC Logo :

HQC logo is the logo used by Halal Quality Control (HQC) to identify itself, and is a registered Trade Mark whose rights have been owned by Halal Quality Control .



2. HQC Mark :

HQC Mark issued by the HQC to be used by the certified companies to indicate their acceptance .



Certificate Number : xxxx



Certificate Number : xxxx



3. General rules and guidelines for using the (Mark):

- a. The Halal mark may be printed clearly on all certified Halal products and labelled on each box/package.
- b. Companies may print the colored mark suitable to its packaging as long as it does not change the original specification(s) of the mark.
- c. All certified companies by HQC are bound by the status specified in the agreement.
- d. The HQC Mark is displayed and used as appropriate, color and location as agreed.
- e. certified companies have the right to magnify, if necessary, provided that the original ratio between height and width of the Mark is maintained and the Mark is readable.
- l. The minimum reproduction size of the Mark printed on each box/package is:
 - 1- box: width 25 mm and height 25 mm.
 - 2. package : 12 mm width and 12 mm, while the web size is 100 pixels.
- m. The certificate number should be printed under the HQC Mark.

4. THE BENEFICIARY OF HALAL LOGO OF HQC/Mark

The Logo/Mark of HQC is a certification mark that provides an endorsement to the buyers and users of the product bearing the logo that the product meets a defined standard of the goods as certified by HQC Halal Compliant Certification.

HQC being the legal owner of the above-mentioned logo/Mark shall permit only a holder of a valid HQC Halal Compliant Certificate to use the said logo/Mark subject to related terms and conditions of certification.

5. FUNCTIONS OF HQC HALAL LOGO/Mark

The presence of HQC Halal Logo/Mark in a product serves:

- a. To identify the product as being Halal compliant certified by HQC.
- b. To enable the product owner to distinguish the product from other products
- c. To help the product owner to reach the halal conscious consumers.
- d. To facilitate the consumer to make the choice with ease.

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6. USE OF HQC HALAL LOGO/ Mark

- a. HQC is the sole owner of all intellectual property rights associated with the HQC Halal logos /Mark. Authorized users of the HQC Halal logo/Mark acknowledge that the ownership of the logo/Mark is with HQC.
- b. HQC reserves the right to take action against any use of the logo/Mark that does not conform to any of the conditions herein, or that infringes any intellectual property or other rights of HQC or violates applicable law. All use of or goodwill associated with the logo/Mark shall convey to the benefit of HQC, please see Annex (1).
- c. Use of HQC Halal logo /Mark does not indicate or create any endorsement, approval, sponsorship or affiliation of or with the product owner by HQC.
- d. The HQC Halal logo/Mark is provided without warranties of any kind, express or implied, including without limitation, warranties of title of non-infringement. Use of the logo / Mark is solely at the own risk of the product manufacturer/owner.

N. The HQC Halal Logo/ Mark cannot be reproduced from any other source other than from the originals provided on compact disk by HQC.

k. The HQC Halal logo /Mark shall be reproduced in mono or full colour only with the prior approval and permission of HQC in writing.

l. The specifications relating to size, color etc. of HQC Halal logo /Mark :

l.1 The HQC Mark may be reproduced in black and white or in color.

l.2 The minimum reproduction size of the logo /Mark printed label is:

l.2.1- box: width 25 mm and height 25 mm.

l.2.2-. Package: 12 mm width and 12 mm, while the web size is 100 pixels.

7. HQC hereby grants the product owners permission to use HQC Halal logos, subject to agreement with the following:

- The logo/Mark shall be used solely for conveying to discerning consumers that the product is Halal compliant certified by HQC.
- The logo/ Mark Probably be displayed on products that are manufactured/produced during the validity period of the HQC Halal compliance certificate.
- The logo/Mark shall always stand-alone, easily distinguishable and shall not be combined with any other graphical elements.

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- The logo/ Mark shall not be altered in any manner including its size, proportions, font, design, arrangement, colors or elements or animated, morphed or otherwise distorted in perspective or appearance.
- The logo/ Mark shall not appear more prominently than name and brand signage of the product or its owner.
- The logo/Mark shall be displayed in a positive manner and shall not be used in any way to cause harm, disrepute, and adversely affect the name and image of HQC.
- The logo /Mark shall not appear along with or by the side of any other image/objects, which HQC finds in its sole discretion to be objectionable or which includes obscene, pornographic, violent, intolerant, tasteless, denigrating or sexually oriented content or materials.
- The logo /Mark shall not create or give the appearance of creating an endorsement, approval, sponsorship, affiliation or recommendation of any product by HQC, except the fact the product complies with HQC standards of Halal compliance.
- The HQC Halal logo / Mark shall not be used or displayed in any way that disparages HQC; infringes any intellectual property or other rights of HQC; violates any national or international law, or diminishes or otherwise damages the goodwill and reputation of HQC.

Annex (1)

Incorrect use of license, certificates and marks of conformity :

The property rights of our logos and conformity marks are regulated within the certification programs. The application of the rights by the clients is listed in the service agreement. The application is examined annually within the audit and after audit. The deviations are treated according to the regulations of the certification program.

The basis is the Work Instruction „ Incorrect use/handling of license, certificates and marks of conformity “. The Work Instruction regulates the deceptive application of the approvals, certificates and marks, indicating, that the product is certified. The publications are included.

1 Conditions under which corrective action is taken

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- 1.1 HQC requires a misuser to take corrective action whenever the mark of conformity has been affixed to a product that is hazardous, or is not authorized to bear the mark of conformity, e.g. because there is no record of the product in question having been certified; or does not comply with the applicable certification requirements to the extent that the integrity of the mark of conformity is jeopardized, or bears an unauthorized form of mark of conformity (e.g. counterfeit certification label), or is in violation of the certification agreement.
- 1.2 When either a report of misuse of a mark of conformity or of a hazard involved with a product bearing a mark of conformity is received by the certifying body, the validity of the report should be investigated. Where it is established that misuse has occurred, HQC will determine the scope of misuse, including products, modal number, serial numbers, factory production facilities, production runs and quantities involved.

2 Types of corrective action

Corrective action could be one or more of the following :

- a) notification by the certification body of parties authorized and responsible for instituting a recall when, in the opinion of the body, such recall is necessary to protect the public, and to permit implementation of action;
- b) removing the mark of conformity from the product. (This is normally done only at the factory or other central location so that the product in question is removed from the stockroom, marketplace, distribution sites or user's possession. Alternatively, the mark of conformity could be removed from the product on the site, provided such removal is in collaboration with the involved regulatory authorities who would then proceed to accept or reject the product.);
- c) rebuilding the product so that it complies with the governing certification requirements. (is preferred that the rebuilding be done at the factory; however, when it is not practicable to recall some of the units in question to the factory, e.g. electric switchgear or large furnaces, rebuilding may be authorized to be done in the field.);
- d) scrapping or suitably replacing a returned product because it is not practicable either to remove the mark of conformity or to rebuild the product so that it complies with the governing certification requirements;
- e) Where a hazardous condition exists and it is not practical to implement a), b), c) or d), a notice to the general public about the hazard should be issued or action taken consistent with other national legislation.

NOTE - Where a "POSH¹" is involved the certification body should itself take corrective action to take the initiative to have the standard requirements upgraded to eliminate the hazard and to take such action as to ensure that products involving the same hazard do not bear the mark of conformity.

3 Choice of action against the misuser

¹ **producer of a subsequently hazardous product (POSH)** : Any person, organization or other corporate body that has been complying with all requirements of the certification body, has properly applied the mark of conformity of that body to the product(s) involved but has learned that the product(s) has (have) been found to be "hazardous".

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- 3.1 The type of corrective action to be taken will be influenced by the nature of the misuse and its subsequent consequences.
- 3.2 When the mark of conformity has been used but not under contract or not in compliance with the contract, legal proceedings might result in a court of law deciding what the corrective action will be.

4 Timing of corrective action

- 4.1 When the facts indicating a need for corrective action are conclusive, the certification body will initiate corrective action immediately provided there is a misuser to be held responsible for such action or a POSHP.
- 4.2 When the facts are conclusive and corrective action is indicated but there is no misuser or POSHP to be held responsible (e.g. the company is bankrupt), or the product in question has not been produced for a number of years and is no longer available in the marketplace, the certification body should obtain advice from legal counsel and notify appropriate governmental, regulatory and public bodies.

5 initiating corrective action with misuser

- 5.1 When there is conclusive proof that a product is hazardous or is involved in misuse of the remark of conformity, corrective action should be initiated by the body that certified the product. In such instances, the misuse of the mark and, where appropriate, the regulatory authorities shall be notified immediately by telephone or telex of the problem, and authorization to apply the mark of conformity to the involved product shall be suspended.
- 5.2 Also in the case of a hazardous product bearing the mark of conformity, the certification body should inform the misuse of the need to take appropriate user notification action, advising of the hazard and the action to be taken.
- 5.3 The initial notification to the misuser should always be confirmed in writing by registered (or equivalent) letter with copies to the appropriate regulatory authorities and/or other bodies when relevant. (This letter is written to suit the particular circumstances, e.g. depending on whether or not it is practicable for the product in question to be recalled to the factory.) In either case it would normally contain : the reason(s) for corrective action, any hazardous conditions that may exist, the actions to be taken by the misuser to resolve the problem and a statement covering the action to be taken to ensure that the mark of conformity is not applied to ineligible products.

6 Completing a successful corrective action with a misuser who has an agreement with the certification body

When the corrective action has been resolved to the satisfaction of the certification body, the following should be undertaken :

- a) All recipients of the letter which called for corrective action should be sent a second letter which states the suspension imposed upon the misuser has been lifted and that

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authorization to use the mark of conformity has been reinstated; summarizes the corrective action taken by the misuser; when applicable, describes the new marking required to distinguish the product in its corrected state from its previous unacceptable condition.

- b) Certification records should be revised to include any modifications necessitated by the corrective action.

HQC also carry out an audit of its own approval and surveillance duties to determine whether part of the misuse is due to a weakness in its own organization; its procedures to determine the means whereby the approval and surveillance responsibilities of the certifying body, or its laboratory, can be altered to ensure so far as realistic to do so that such a misuse of the mark cannot be repeated.

7 Degree of corrective action to be achieved

- 7.1 The certification body desires the corrective action to be taken on one hundred percent of the particular product involved. This, of course, frequently is not possible, especially if the product has been on the market for a considerable time. Normally the certification body considers that corrective action as appropriate has been carried out satisfactorily if :

- a) the misuser has made a proper public announcement when asked to do so;
- b) the products in the marketplace and distribution sites have been recalled, rebuilt, replaced or destroyed under supervision, or other corrections thereto made as required to the maximum degree feasible;
- c) the misuser has agreed to continue the required corrective action on units which are in the possession of the user until HQC is satisfied that the maximum practical result has been achieved, and
- d) such necessary steps have been instituted in the manufacturing process to obviate the production of products which will again require similar corrective action,

8 Refusal to take corrective action

- 8.1 When a misuser refuses to take corrective action, the following steps should be taken by the certification body :

- a) cancellation of appropriate certification contracts with the misuser may be processed;
- b) regulatory authorities involved and/or other bodies, when relevant, shall be informed that the misuser has refused to take corrective action and that certification contracts in the name of the misuser have been cancelled, where the severity of the case warranted such action;
- c) legal counsel shall be obtained as to other action that may be taken (e.g. court injunctions, a press release by the certification body prosecution).



- 8.2 A "POSHP" would probably take corrective action voluntarily upon learning that his product contained a hazard even thou conforming to the applicable standard(s).
- 8.3 In the unlikely event that the POSHP² refused to take corrective action, discussions with concerned regulatory authorities a legal counsel should be held to decide upon a course of action. In addition to action that regulatory authorities might take, so possible courses of action open to the certification body would include
- obtaining rapid revision of the standard to eliminate the hazard and requiring all certified products of the type involved to move the new criteria at an early date following publication of the revision to the standard, and
 - notifying the public of the discovered hazard via the most appropriate news media.

8 Tracing of the contractual use of the certificate and Logo

Tracing of the contractual use of the HQC's certificate and halal logo is carried out by:

- periodic verification within the framework of the carried out certification and control audits,
- sporadic review of certified products offered in sales
- sporadic internet research after the use of the certificate
- Inquiries for the certification of the certificate by third parties to the certified company and to customers of the company

² POSHP = producer of a subsequently hazardous product (POSHP) : Any person, organization or other corporate body that has been complying with all requirements of the certification body, has properly applied the mark of conformity of that body to the product(s) involved but has learned that the product(s) has (have) been found to be "hazardous".

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