

The Use of Supplier's Declaration of Conformity

A Supplier's Declaration of Conformity (SDOC; also sometimes called Self Declaration of Conformity) is one way to show that a product, process or service conforms to a standard or technical regulation, in which a supplier provides written assurance of conformity to the specified requirements. The declaration normally has the form of a separate document. The supplier makes such a declaration based on: (1) the manufacturer's confidence in the quality control system, or (2) the results of testing or inspection the manufacturer undertakes or authorizes others to undertake on his/her behalf. The manufacturer has the option of using an accredited laboratory or inspection body and indicating this on the declaration; this is not a requirement. The choice of where to test is left to the manufacturer. For regulatory purposes, authorities can ensure that the integrity of a supplier's declaration of conformity is maintained by establishing requirements for who signs the declaration of conformity, requiring access to the declaration and/or compliance records, etc.

Reliance upon an SDOC is considered to be a trade friendly approach to conformity assurance. From a manufacturer's perspective, the SDOC allows flexibility in the choice of location to have a product tested, reduces the uncertainty associated with mandatory testing by designated laboratories based in foreign countries as well as associated costs. This approach allows manufacturers to use laboratories in whom they have confidence and which are most conveniently located in relation to where the product is produced, reducing the cost and time associated with testing. Reliance on an SDOC can also be a cost-saving and efficient tool for regulators to meet their legitimate policy objectives, such as ensuring protection of the environment and the health and safety of consumers. The SDOC is also beneficial in that there is no discrimination on the basis of the geographic location of a testing or other conformity assessment body -- conformity is, in short, the responsibility of the supplier. Under such a system, the question of "portability" of conformity assessment, or of the need to negotiate political agreements on mutual recognition, become moot.

In the United States, some regulatory agencies promote the use of SDOC for certain, but not all, equipment. For example, the U.S. Federal Communications Commission (FCC) has adopted a rule that permits recognition of Supplier's Declaration of Conformity (SDOC; also sometimes called Self Declaration of Conformity) for certain digital devices. For other equipment, such as personal computers and attachments thereto, the FCC allows the equipment declared compliant by the supplier, under a process called Declaration of Conformity, provided supporting test results are obtained from an accredited laboratory. This program benefits manufacturers in two ways, reducing costs and time to market while maintaining a high level of protection of health and safety.

Other U.S. regulatory agencies rely upon SDOC for technical regulations. The U.S. Department of Transportation, for example, accepts SDOC from manufacturers or importers of motor vehicles and motor vehicle equipment. Under U.S. law, manufacturers are required to certify that their products comply with all applicable Federal Motor Vehicle Safety Standards (FMVSS). This certification is in the form of a permanent label affixed to the product. This label is required for all vehicles and equipment covered by the FMVSS, and must be present if a vehicle or equipment covered by the FMVSS is to enter the United States. A manufacturer outside the United States who offers its product for importation into the U.S. must submit itself to the jurisdiction of Federal courts in the US by designating an agent in the United States who will receive legal papers on behalf of the manufacturer.

While the SDOC can save costs, such an approach to conformity assurance may not always be appropriate, particularly where technical infrastructure is lacking or it would compromise health, safety or environmental protections.