QPS Evaluation Services Inc.

Testing, Certification and Field Evaluation Body
Accredited in Canada, the USA and internationally

THE FACTS ABOUT
PRODUCT APPROVAL IN NORTH AMERICA
(October, 2014)

North America is one of, if not the largest and most lucrative markets for electrical and electronic equipment. Therefore, it is vitally important to have a full and clear understanding of the regulations governing the North American product approval process, and the various options available to manufacturers and exporters of electrical equipment. For instance, **did you know that UL certification is NOT mandatory in the USA; and CSA certification is NOT required in Canada?**

This Q&A document aims to shed light on the North American regulatory scene and demystify the product approval process so that manufacturers of electrical equipment can make intelligent and well-informed decisions that **get their products to the market faster and save money!!!**

Q: Is product certification in North America mandatory?

A: Yes! … here is a brief outline of the regulations:
In the USA, regulations pertaining to approval of electrical products consist of:
- Workplace safety laws of the Occupational Safety and Health Administration **(OSHA)**, and
- Installation requirements specified in the National Electrical Code **(NFPA 70)** and the local laws of individual municipalities.

OSHA's Regulations are federal law. They stipulate that all electrical equipment (used in the workplace) must be approved/certified by a Nationally Recognized Testing Laboratory **(NRTL)** accredited by OSHA.
Similarly, the NEC requires that all electrical equipment be either "approved" by the Authority Having Jurisdiction (AHJ) or "Listed", or "Labeled" by an **NRTL**.

In Canada, electrical safety is under the Jurisdiction of Provincial Governments. Typically, Provincial Regulations stipulate that **"…**no person may manufacture, install, offer for sale, or otherwise dispose of electrical equipment unless the equipment displays a label or mark of a certification organization accredited by the Standards Council of Canada (SCC).

Consequently, the Law across North America is clear: Electrical/electronic equipment must be approved by a Certification Body accredited in the USA and Canada.

Q: Many manufacturers and exporters outside of North America believe that equipment destined for North America must be certified by UL and/or CSA. Is this true?

A: Not True – In fact, this is a fallacy that is carried over from the past, and is one of the most misleading and most damaging misconceptions about certification for North America.

The law in the USA and Canada allows manufacturers to choose from a number of alternative NRTLs/certification bodies that are equally recognized. As a consequence, in the USA, products bearing the mark of any "NRTL" (**like QPS**) satisfy both local and federal regulations. In Canada, a product bearing the mark of any Certification Body accredited by SCC (**such as QPS**) is acceptable to all local regulatory authorities.

Q: Some North American end users request "CSA and/or UL Certification". What does this mean?

A: This is a typical example that "old habits die hard". The statement is rooted in the old days of monopoly enjoyed in the past by UL and CSA when manufacturers had no other choice but to use those two certification bodies. It is also perpetuated by the fact that UL and CSA also publish most of the electrical safety national standards.

The truth is that when your customer tells you they require "CSA and/or UL Certification", they in fact mean that the product must be tested and approved by an accredited Certification Body to the applicable CSA and/or UL standards.

Bottom line is: There are no regulations or codes that require equipment to be certified only by CSA, or only by UL.

Q: Given that UL and CSA develop standards in their respective countries, doesn't this mean that manufacturers must use the UL and CSA marks?

A: No, this is another fallacy based in the past and caused by a misunderstanding of the North American regulations and/or standards writing process. While UL and CSA are also engaged in the development of standards, this activity is totally different from product approval. The fact is that all NRTL/Certification Bodies must meet the same national accreditation criteria, and they all must test/certify the products to the same ANSI/UL or ANSI/ISA standards (in the USA) and the CAN/CSA standards (in Canada).

Q: Our products are CE marked, is that sufficient for North America?

A: No!...it's not sufficient to have your product CE marked. First of all, the product must comply with the applicable National standards of the USA and Canada. Secondly, while a manufacturer's self-declaration is legally sufficient in Europe, a product must be tested and certified by an independent third-party accredited in North America. Thirdly, the factory where the product is manufactured must be subjected to a formal on-going surveillance program

Q: In Europe the member states conduct market surveillance to enforce the regulation, how is this done in North America?

A: In the USA, OSHA and local state/municipal inspectors inspect the work place and building installations. As part of these inspections they check if the electric/electronic equipment involved bears the Certification Mark or Label of a Certification Body accredited in the USA.
Similarly, the same verification function is carried out in Canada by the local Provincial inspectors who look for the Certification Mark/Label of a Certification Body accredited in Canada.

This Q&A document contains only basic information. Please contact us if you need additional information, or have other questions.

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