IAF Informative Document

IAF Informative Document on Risk Policy for Counterfeit Certificates

Issue 1

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The International Accreditation Forum, Inc. (IAF) facilitates trade and supports industry and regulators by operating a worldwide mutual recognition arrangement among Accreditation Bodies (ABs) in order that the results issued by Conformity Assessment Bodies (CABs) accredited by IAF members can be accepted globally.

Accreditation reduces risk for business and its customers by assuring them that accredited CABs are competent to carry out the work they undertake within their scope of accreditation. ABs that are members of IAF and their accredited CABs are required to comply with appropriate international standards and IAF mandatory documents for the consistent application of those standards.

ABs that are signatories to the IAF Multilateral Recognition Arrangement (MLA) are evaluated regularly by an appointed team of peers to provide confidence in the operation of their accreditation programs. The structure of the IAF MLA is detailed in IAF PL 3 - Policies and Procedures on the IAF MLA Structure and for Expansion of the Scope of the IAF MLA. The scope of the IAF MLA is detailed in the IAF MLA Status document.

The IAF MLA is structured in five levels: Level 1 specifies mandatory criteria that apply to all ABs, ISO/IEC 17011. The combination of a Level 2 activity(ies) and the corresponding Level 3 normative document(s) is called the main scope of the MLA, and the combination of Level 4 (if applicable) and Level 5 relevant normative documents is called a sub-scope of the MLA.

- The main scope of the MLA includes activities e.g. product certification and associated mandated standards e.g. ISO/IEC 17065. The attestations made by CABs at the main scope level are considered to be equally reliable.

- The sub scope of the MLA includes conformity assessment requirements e.g. ISO 9001 and scheme specific requirements, where applicable, e.g. ISO 22003-1. The attestations made by CABs at the sub scope level are considered to be equivalent.

The IAF MLA delivers the confidence needed for market acceptance of conformity assessment outcomes. An attestation issued, within the scope of the IAF MLA, by a body that is accredited by an IAF MLA signatory AB can be recognized worldwide, thereby facilitating international trade.

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Introduction to IAF Informative Documents

This IAF Informative Document reflects the consensus of IAF members on this subject and is intended to support the consistent application of requirements. However, being a document for information purposes only, IAF Accreditation Body Members, and the Conformity Assessment Bodies they accredit, are not under any obligation to use or comply with anything in this document.

IAF INFORMATIVE DOCUMENT ON RISK POLICY FOR COUNTERFEIT CERTIFICATES

1 INTRODUCTION

This document serves as an informative guide aimed at harmonizing the risk policies of International Accreditation Forum (IAF) members. Its primary objective is to provide a framework for establishing robust risk policies within member organizations. Additionally, this document is intended to serve as a reference for guiding IAF's own risk management initiatives.

Recognizing the importance of standardizing risk management practices across member organizations, this document offers guidance and best practices to ensure consistency and effectiveness in addressing risks related to accreditation, validation and verification and certification processes. By adopting the principles outlined herein, IAF members can enhance their risk management capabilities and contribute to the overall integrity and reliability of accreditation, validation and verification and certification systems worldwide.

The document is following the components of the risk management process for counterfeit certificates, as follows:

ISO 31000 risk management process	Chapter
Scope, Context and Criteria	**3- Definitions** **4- Types of Counterfeit Certificates**
Risk assessment: - Risk identification - Risk analysis - Risk evaluation	**5- Modes and Processes of Counterfeiting** 5.1- Risk Identification: Main Modes 5.2- Risk Analysis and Evaluation: Impact of Counterfeiting
Risk treatment	**6- Risk Treatment: Proactive Anti-counterfeiting Risk Policy**
Recording and reporting	**8- Recording and Reporting**
Monitoring and review	**7- Implementation and Monitoring** **9- Monitoring and Review**
Communication and consultation	**10- Communication and Consultation**

2 SCOPE

This informative document is applicable for all scopes of accreditation.

3 DEFINITIONS

3.1 Counterfeit Certificate

A counterfeit certificate is a fraudulent document that falsely represents the object of conformity assessment (e.g. a claim, a product, a person, a service, company etc.) as certified, validated, verified, accredited, or possessing a specific level of assurance when, in reality, it does not meet the necessary criteria. These deceptive documents/information are created with the intent to mislead or deceive end users. Examples of counterfeit certificates include instances where:

i) A product or company is falsely claimed to be certified.

ii) A certificate is issued by a Certification Body (CB) that has not actually conducted the necessary audits.

iii) An Accreditation Body (AB) falsely accredits a CB.

iv) A certificate is portrayed as valid when it has actually expired.

v) The stated scope of a certificate is inaccurately expanded beyond its actual parameters.

Note: Throughout this document, the term *"fraudulent or counterfeit certificate"* is used to denote a range of deceptive outputs. Unless otherwise specified, it is understood that this terminology equally applies to fraudulent or counterfeit **statements, reports, or any other deliverables** resulting from accreditation or conformity assessment activities.

3.2 Counterfeit Certificates Risk Management Process

The counterfeit certificates risk management process refers to the systematic approach adopted by organizations, particularly ABs, validation and verification bodies (VVBs) and CBs, to identify, assess, mitigate, and monitor risks associated with counterfeit certificates within their respective domains. This process involves implementing policies, procedures, and controls to detect and prevent the issuance or misuse of counterfeit certificates, thereby safeguarding the integrity and credibility of certification, validation and verification and accreditation systems.

Key components of the counterfeit certificates risk management process may include: Risk Identification, Risk Assessment, Risk Mitigation, Monitoring and Review, Documentation and Reporting.

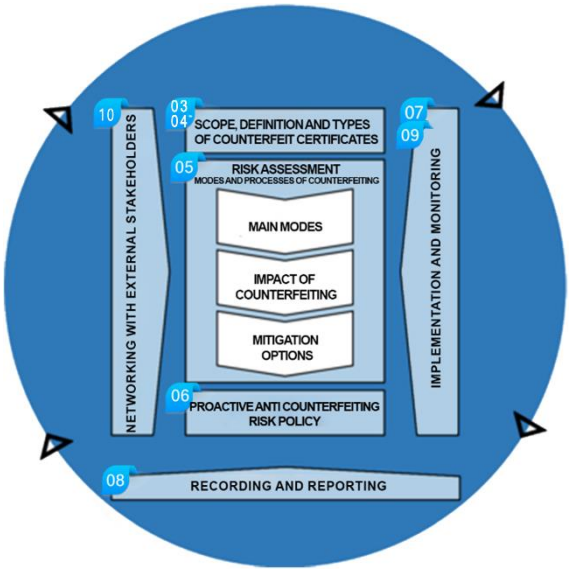

Figure 1: Counterfeit certificates risk management process

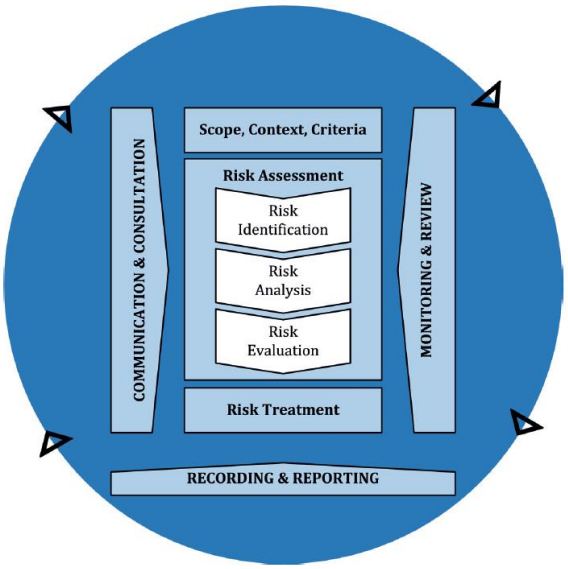

Figure 2: ISO 31000 - Figure 4 — Process

4 TYPES OF COUNTERFEIT CERTIFICATES

Counterfeit certificates pose a significant threat to the integrity of certification and accreditation processes, undermining trust and credibility in the global marketplace. Understanding the various types of counterfeit certificates is crucial for CBs, VVBs and ABs to effectively mitigate these risks and uphold the integrity of their operations. This chapter explores different categories of counterfeit certificates, ranging from basic counterfeiting techniques to more sophisticated methods employed by perpetrators. By identifying and addressing these types of counterfeit certificates, organizations can implement targeted strategies to combat fraudulent activities and safeguard the reliability and trustworthiness of certification, validation and verification and accreditation processes.

Types of Counterfeit Certificates:

1. **Parallel Systems to IAF/ILAC:** Counterfeit certificates may originate from parallel systems that operate outside the recognized frameworks of IAF or the International Laboratory Accreditation Cooperation (ILAC) and claim ILAC or IAF recognition or use ILAC and IAF similar misleading names, marks and logos.

2. **Certificates with Modified Expiry Dates:** Perpetrators of counterfeit activities may alter expiry dates on certificates to prolong their apparent validity, deceiving stakeholders into believing that certifications remain current when they have, in fact, expired. This manipulation undermines the reliability of certification records and misleads stakeholders regarding the compliance status of products or organizations.
3. **Certificates and Statements Claiming Equivalent Value (Unknown CBs/ABs):** Counterfeit certificates may falsely claim equivalence to certifications issued by reputable certification bodies, validation and verification bodies or accreditation bodies. Perpetrators exploit the lack of awareness regarding lesser-known entities, misleading stakeholders into accepting certifications of dubious authenticity and value.
4. **More Sophisticated Counterfeit Certificates - Websites, Validation Services:** Advanced counterfeiters utilize sophisticated methods, such as counterfeit websites and validation services, to create the illusion of legitimacy. These deceptive platforms mimic legitimate certification processes, leading stakeholders to trust counterfeit certificates without proper verification.
5. **Basic Counterfeiting (Copies, Duplicates with Tampered Data):** Basic counterfeiting techniques involve the replication of genuine certificates with tampered data or the creation of fraudulent duplicates. Despite their simplicity, these counterfeit certificates can deceive stakeholders who fail to conduct thorough verification checks.

By understanding the nuances of these counterfeit certificate types, CBs, VVBs and ABs can implement targeted measures to detect, prevent, and mitigate the risks associated with counterfeit activities. Through proactive vigilance and collaboration with stakeholders, organizations can uphold the integrity of certification, validation and verification and accreditation processes, thereby preserving trust and confidence in the quality and reliability of certified products and services.

5 RISK ASSESSMENT: MODES AND PROCESSES OF COUNTERFEITING

5.1 Risk Identification: Main Modes

Counterfeiting certificates involves various deceptive practices aimed at misrepresenting the authenticity and legitimacy of certifications. The modes and processes of counterfeiting certificates can include:

- **Fake/Fraudulent Certificates/Marks:** These certificates mimic legitimate certificates but contain fabricated or misleading information.

- **Misuse of Accreditation Logos/Symbols/Marks:** Unauthorized use of accreditation logos or marks without proper authorization.
- **Reports/Certificates Issued without Conformity Assessment:** Issuance of certificates without conducting proper assessments for compliance with relevant standards.
- **Similar Names/Logos:** Usage of names or logos resembling those of legitimate certifying bodies to deceive customers.
- **False Claims of Accreditation/Scope of Accreditation:** Falsely asserting accreditation status or the scope of accreditation.
- **Fake/Similar Websites:** Creation of deceptive websites resembling those of legitimate certifying bodies to mislead customers.
- **Unfair Competition (Accredited vs. Unaccredited):** Engaging in unfair competition by falsely claiming accreditation or unauthorized usage of another entity's accreditation.
- **Registering in Different Countries:** Registering products or services under different names or logos across various countries to deceive customers.
- **Misleading Information in Certificates:** Inclusion of false or misleading information in certificates to deceive customers.
- **Misleading Advertising:** Use of deceptive advertising to promote uncertified or improperly accredited products or services.

5.2 Risk Analysis and Evaluation: Impact of Counterfeiting

Counterfeiting certificates can have far-reaching consequences, including:

- **Misleading Users:** End-users may be misled about the authenticity and quality of products or companies, putting them at risk.
- **Loss of Confidence:** Counterfeiting undermines trust in the certification, validation and verification system, tarnishing the reputation of legitimate certifiers, VVBs and certified entities.
- **Harm to Trade/Product Rejection:** Counterfeit certificates may lead to product rejections by buyers, harming trade and causing financial losses.
- **Loss of Business:** Certified companies may lose business as buyers opt for perceived trustworthy alternatives.
- **Low Quality:** Counterfeit certificates may facilitate the sale of substandard products, further eroding confidence in the certification, validation and verification systems.

- **Harm to Users and Businesses:** In some cases, counterfeit certificates can result in harm to users or businesses, particularly regarding safety standards.
- **Unfair Competition:** Legitimate companies may face unfair competition from entities using counterfeit certificates to deceive customers.

6 RISK TREATMENT: PROACTIVE ANTI-COUNTERFEITING RISK POLICY

In the ever-evolving landscape of global trade and commerce, the threat of counterfeit certificates looms large, posing significant risks to organizations and stakeholders. A proactive anti-counterfeiting risk policy is imperative to mitigate these risks effectively. This chapter outlines proactive measures to identify vulnerabilities, implement preventive strategies, and respond swiftly to counterfeiting incidents.

6.1 Vulnerabilities

Identifying vulnerabilities is the first step in developing an effective anti-counterfeiting risk policy. Common vulnerabilities include:

- **Lack of Documented Anti-Counterfeiting Policy:** Organizations may lack a comprehensive policy or fail to effectively implement existing policies.
- **Inadequate Knowledge-Sharing Mechanisms:** Insufficient mechanisms for sharing knowledge and best practices related to intellectual property protection.
- **Weaknesses in Cybersecurity:** Vulnerabilities in website, logo, domain, and network protection, exposing organizations to cyber threats.
- **Inadequate Authentication Solutions:** Lack of robust authentication solutions for certificates, making them susceptible to counterfeiting.
- **Limited Liaison with Law Enforcement:** Ineffective communication and coordination with law enforcement and government agencies in combating counterfeiting.

6.2 Mitigation Measures

To combat counterfeiting, organizations can implement various mitigation strategies, including:

- **Awareness:** Educating stakeholders and the public about the risks of counterfeit certificates and how to identify them.
- **Legal Action:** Pursuing legal measures against counterfeiters, including lawsuits and criminal charges.

- **Blacklisting:** Maintaining a blacklist of known counterfeit certificates and their producers/distributors for reference and prevention.
- **Penal Action:** Imposing penalties and fines on individuals or entities involved in counterfeiting.
- **Establishing Policies and Procedures:** Developing documented policies and procedures to identify and mitigate counterfeit certificate risks while ensuring compliance with laws and regulations.

6.2.1 Proactive Measures

To address vulnerabilities and proactively combat counterfeiting, organizations can implement the following measures:

- **Fit-for-Purpose Policies:** Develop and implement policies and procedures tailored to intellectual property protection.
- **Knowledge-Sharing Mechanisms:** Establish mechanisms for sharing knowledge and best practices with stakeholders and authorities.
- **Incident/Intelligence Platform:** Implement a platform to track and report counterfeit certificate cases and gather intelligence.
- **Cyber Hygiene Alignment:** Align with global cyber alliances to enhance cybersecurity and protect against cyber threats.
- **Due Diligence Strategy:** Develop a due diligence methodology to vet members, affiliates, and subcontractors for involvement in counterfeiting activities.
- **Authentication Solutions:** Implement unique authentication solutions for certificates to enhance transparency and credibility.
- **Monitoring and Visibility:** Maintain visibility of the certification, validation and verification process to detect and address suspicious activities.
- **Collaboration with International Organizations:** Collaborate with international organizations and law enforcement agencies to exchange information and combat counterfeiting on a global scale.

6.2.2 Reactive Measures

In the event of a counterfeit certificate incident, ABs, VVBs and CBs can take reactive measures to mitigate the impact:

- **Incident Management:** Establish a process for identifying and reporting suspected cases of counterfeit certificates.

- **Evaluation and Investigation:** Investigate reported incidents to determine the validity of counterfeit certificates and gather evidence.
- **Reporting to Authorities:** Share information with law enforcement to support legal action against perpetrators.
- **Intelligence-Led Impact:** Input information into global tools to dismantle large-scale counterfeiting operations.
- **Liaison with Authorities:** Coordinate with law enforcement and authorities to take enforcement actions.
- **Review and Recommendations:** Review incidents to identify areas for improvement in anti-counterfeiting measures.

6.2.3 Measures Under Extraordinary Circumstances

During extraordinary circumstances, organizations may need to implement additional measures to protect against counterfeiting:

- **Special Vulnerability Assessment:** Identify and evaluate specific risks arising from crises or increased threat levels.
- **Extraordinary Pre-emptive Measures:** Deploy additional security measures to mitigate heightened risks.
- **Technological and Organizational Solutions:** Utilize new technologies and processes, such as blockchain authentication systems, to enhance protection.
- **Coordination with Other Organizations:** Collaborate with international organizations and industry partners to share resources and address emerging threats effectively.

By implementing a proactive anti-counterfeiting risk policy and leveraging both preventive and reactive measures, organizations can safeguard their integrity, protect stakeholders, and uphold trust in certification, validation and verification and accreditation processes even in the face of evolving threats.

7 IMPLEMENTATION AND MONITORING

Implementing and monitoring the counterfeit risk policy are crucial steps in ensuring its effectiveness and sustainability. This chapter outlines the implementation plan, monitoring and reporting mechanisms, as well as auditing and compliance measures to uphold the integrity of the policy.

7.1 Implementation Plan

An effective implementation plan is essential for executing the counterfeit risk policy. Key components include:

- **Establishment of a Dedicated Team:** Forming a dedicated team responsible for implementing and monitoring the counterfeit risk policy ensures focused efforts and accountability.
- **Development of Procedures and Guidelines:** Creating clear procedures and guidelines for identifying and reporting counterfeit certificates establishes a structured approach to addressing counterfeit risks.
- **Training:** Providing comprehensive training to staff and stakeholders on the procedures and guidelines enhances awareness and ensures consistent adherence to the policy.
- **Regular Review and Update:** Regularly reviewing and updating the policy and procedures based on feedback and new developments ensures alignment with evolving counterfeit threats and industry standards.

7.2 Auditing and Compliance

Auditing and compliance measures are essential for ensuring the integrity and effectiveness of the counterfeit risk policy. Key actions include:

- **Regular Internal and External Audits:** Conducting regular internal and external audits of the implementation of the policy and procedures verifies compliance and identifies areas for improvement.
- **Compliance Checks:** Conducting regular compliance checks with relevant laws and regulations ensures alignment with legal requirements and industry standards.
- **Reporting of Audit Results:** Reporting the results of audits and compliance checks to relevant authorities and stakeholders promotes accountability and supports continuous improvement efforts.

By diligently implementing monitoring and reporting mechanisms, and maintaining rigorous auditing and compliance standards, organizations can effectively mitigate counterfeit risks and uphold the integrity of certification, validation and verification and accreditation processes.

8 RECORDING AND REPORTING

Recording and reporting are essential components of the anti-counterfeiting risk management process, ensuring transparency, accountability, and continuous improvement. This chapter outlines the importance of documenting and reporting risk management activities and outcomes, as well as considerations for effective reporting.

8.1 Documentation of Risk Management Process

The anti-counterfeiting risk management process and its outcomes should be thoroughly documented to facilitate communication, decision-making, and improvement. Documentation aims to:

- **Communicate Across the Organization:** Documenting risk management activities and outcomes enables effective communication across all levels of the organization, ensuring that relevant stakeholders are informed about counterfeit risks and mitigation efforts.
- **Support Decision-Making:** Comprehensive documentation provides valuable information for decision-making, enabling stakeholders to make informed decisions regarding risk mitigation strategies, resource allocation, and policy adjustments.
- **Improve Risk Management Activities:** By recording lessons learned, best practices, and areas for improvement, organizations can enhance the effectiveness and efficiency of their anti-counterfeiting risk management activities over time.
- **Facilitate Interaction with Stakeholders:** Documented information assists in engaging with stakeholders, including those with responsibility and accountability for risk management activities, fostering collaboration and alignment in combating counterfeit activities.

8.2 Considerations for Recording and Reporting

When recording and reporting anti-counterfeiting risk management activities, organizations should consider various factors to ensure relevance, effectiveness, and efficiency. These factors include:

- **Stakeholder Information Needs:** Tailor reporting to meet the specific information needs and requirements of different stakeholders, ensuring that relevant information is communicated effectively.
- **Cost, Frequency, and Timeliness:** Consider the cost implications, frequency, and timeliness of reporting, striking a balance between providing timely updates and avoiding excessive administrative burden.

- **Method of Reporting:** Choose appropriate methods for reporting, such as written reports, presentations, or digital platforms, to ensure accessibility and engagement among stakeholders.
- **Relevance to Organizational Objectives:** Ensure that reported information is directly relevant to organizational objectives and decision-making processes, focusing on key metrics, trends, and insights that contribute to achieving strategic goals.

8.3 Governance and Oversight

Reporting is integral to the organization's governance framework, supporting top management and oversight bodies in fulfilling their responsibilities. Factors to consider for effective reporting include:

- **Differing Stakeholders:** Recognize the diverse information needs and requirements of different stakeholders, tailoring reporting strategies accordingly to ensure that relevant information is communicated effectively.
- **Quality of Dialogue:** Reporting should enhance the quality of dialogue with stakeholders, fostering transparency, trust, and collaboration in addressing counterfeit risks.
- **Organizational Objectives:** Ensure that reported information aligns with organizational objectives, providing insights and recommendations that enable informed decision-making and strategic planning.

By documenting and reporting anti-counterfeiting risk management activities and outcomes, organizations can enhance transparency, accountability, and effectiveness in combating counterfeit activities, ultimately safeguarding their reputation, integrity, and stakeholder trust.

9 MONITORING AND REVIEW

Monitoring and reporting mechanisms are essential for evaluating the effectiveness of the counterfeit risk policy and addressing emerging threats. Key activities include:

- **Regular Monitoring:** Continuously monitoring the implementation of the policy and procedures to assess compliance and effectiveness in mitigating counterfeit risks.
- **Incident Reporting:** Prompt reporting of any incidents of counterfeiting to the dedicated team and relevant authorities enables timely response and intervention.

- **Data Collection and Analysis:** Collecting and analyzing data on counterfeit certificates and their impact on the industry provides valuable insights for refining the policy and enhancing risk mitigation strategies.
- **Communication of Findings:** Regularly communicating the findings and recommendations to stakeholders and relevant authorities fosters transparency and collaboration in combating counterfeit activities.

10 COMMUNICATION AND CONSULTATION: NETWORKING WITH EXTERNAL STAKEHOLDERS

10.1 Key External Stakeholders

Effective collaboration with external stakeholders is essential in the fight against counterfeit certificates. Below are key stakeholders and their contributions:

- **Interpol:** Interpol serves as a crucial partner in combating transnational crime, including counterfeiting and intellectual property crime. Through its global network of law enforcement agencies, Interpol facilitates information sharing, coordinated investigations, and operational support to dismantle criminal networks involved in counterfeit activities.
- **Europol:** As the European Union's law enforcement agency, Europol plays a pivotal role in combating crime and terrorism within the EU, including counterfeiting and intellectual property crime. Europol supports member states by providing strategic analysis, operational coordination, and intelligence-sharing platforms to disrupt counterfeit operations and apprehend perpetrators.
- **World Customs Organization (WCO):** The WCO promotes cooperation among customs authorities worldwide to enhance border security and facilitate legitimate trade. Through initiatives such as the Intellectual Property Rights (IPR) program, the WCO assists customs administrations in intercepting counterfeit goods at borders, conducting risk analysis, and sharing best practices to strengthen enforcement measures against counterfeiters.
- **World Intellectual Property Organization (WIPO):** WIPO plays a vital role in promoting the protection of intellectual property rights globally. Through the development of international treaties and conventions, WIPO sets standards for intellectual property protection and provides technical assistance to countries to strengthen their legal frameworks and enforcement mechanisms. WIPO also supports capacity-building initiatives and fosters collaboration between stakeholders to combat counterfeiting and piracy effectively.

- **International Anti-Counterfeiting Coalition (IACC) and International Trademark Association (INTA):** These organizations represent the interests of companies and professionals affected by counterfeiting. The IACC and INTA advocate for stronger legal frameworks, raise awareness about the impact of counterfeiting on businesses and consumers, and facilitate collaboration between industry stakeholders, law enforcement agencies, and policymakers to develop comprehensive strategies to combat counterfeit activities.

10.2 Exchange of Information with Partners and Stakeholders

Effective exchange of information with partners and stakeholders is critical in detecting and mitigating counterfeit certificates. Strategies include:

- **Platforms to Check Certificates:** Utilizing platforms such as IAF CertSearch, IECEE, GCC, EU databases, ABs, CBs, VVBs and association databases for verification. These platforms provide stakeholders with access to comprehensive databases and tools to verify the authenticity of certificates and identify counterfeit documents.
- **Representation/Liaisons with Stakeholders:** Establishing formal liaison offices or working groups dedicated to communication and collaboration with key stakeholders. By maintaining regular communication channels, organizations can share intelligence, coordinate joint operations, and address emerging threats effectively.
- **Coordination with Other IAF Committees:** Collaborating with other committees within IAF to enhance networking opportunities and support collective efforts in combating counterfeit certificates. This collaboration may involve joint initiatives, workshops, or knowledge-sharing events to exchange best practices and lessons learned.

Incorporating these strategies will facilitate effective communication and collaboration with external stakeholders, strengthening the collective response to counterfeit activities and safeguarding the integrity of certification, validation and verification and accreditation processes.

11 CONCLUSION

Accreditation, validation and verification and Certification Bodies are pivotal guardians of trust, ensuring the integrity and reliability of products and companies in the market. The implementation of a robust, documented, and effective counterfeit risk policy is paramount in mitigating the threats posed by counterfeit certificates.

By diligently adhering to the measures delineated in this document, ABs, VVBs and CBs can fortify the integrity of their accreditation, validation and verification and certification systems while bolstering the trust of their stakeholders. The commitment to combat counterfeit activities underscores the unwavering dedication to upholding standards, safeguarding consumers, and preserving the credibility of the certification, validation and verification processes.

Moreover, it is imperative to emphasize the importance of ongoing vigilance and adaptability. Regular monitoring and reporting of the policy and procedures serve as vital mechanisms for detecting emerging threats and refining risk mitigation strategies. Furthermore, conducting regular audits and compliance checks ensures that the counterfeit risk policy remains relevant, robust, and compliant with evolving regulatory requirements.

In conclusion, by embracing a proactive stance against counterfeit activities and steadfastly adhering to best practices outlined in this document, ABs, VVBs and CBs can navigate the complex landscape of counterfeit risks with resilience and integrity, thereby fostering a marketplace built on trust, authenticity, and reliability.

End of IAF Informative Document on Risk Policy for Counterfeit Certificates.

Further Information

For further information on this document or other IAF documents, contact any member of IAF or the IAF Secretariat.

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