

LETTER OF AGREEMENT

Between:

Company A: _____

(Original Equipment Manufacturer (OEM) - Supplier)

Address: _____

and

Company B: _____

(Own Brand Labeler (OBL) - Purchaser)

Address: _____

Whereas:

- The products **Company A** manufactures the following gas appliances:

Product category: (eg.: cooking appliances) _____

- **Company A** has obtained CE Type Examination Certification of the above appliances under Directive 2009/142/EC and/or 92/42/EEC on the basis of the procedure in Annex II.1 and/or Annex III, module B, for verification of which it has identified the Notified Body IMQ S.p.A.
- **Company A** has adopted the following procedure for certification of conformity of production of the above-mentioned appliances under Directive 2009/142/EC and/or 92/42/EEC:

Directive 2009/142/EC

- Annex II.2, module C
- Annex II.3, module D
- Annex II.4, module E
- Annex II.5, module F

Directive 92/42/EEC

- Annex IV, module C
- Annex IV, module D
- Annex IV, module E

for verification of which it has identified as Notified Body IMQ S.p.A.

- **Company B** purchases from **Company A** the appliance of the same category and commercialise them under its own name/s with the following trade name/s:

Ref. trade name/s: _____

- **Company A** meets all legal requirements under the terms of Directive 2009/142/EC and/or 92/42/EEC, applicable in its capacity as manufacturer of the appliance, and will keep all records and technical information on file as required by the Directive.

All the above having been stated and considered, it is hereby agreed that:

- 1) **Company B** accepts legal responsibility as the products manufacturer in conformity with the terms of Directive 2009/142/EC and/or 92/42/EEC.
- 2) **Company B** agrees not to make any technical/documentation changes to the appliances supplied by the **company A**. The user manual and nameplate are customized to company B.
- 3) The appliances are supplied from **Company A** to **Company B**:
 - already labelled and packed
 - to be labelled and packaged

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- 4) **Company A** shall be responsible for maintaining its EC Type Examination Certificate issued by the Notified Body; **Company B** shall be responsible for maintaining its own.
- 5) **Company A** authorizes IMQ S.p.A. to use its technical documentation of the products and / or its documentation of the quality system of production / product aimed for certification of the product of the **company B**.
- 6) **Company A** authorizes IMQ S.p.A. to use their own results of the checks / tests / audits aimed for certification of the products and / or the quality system of the **company B**.
- 7) **Company A** agrees to keep the product's technical specifications and Technical File on its own premises.
- 8) **Company A** agrees to notify **Company B** immediately in writing of the results of surveillance performed by the Notified Body which issued EC certification to ensure that the required conditions are being maintained.
- 9) **Company A** also agrees to notify **Company B** in writing of any important projects for adaptation of its quality system or modification of the assessment procedures it applies, and of the result of checks conducted by the Notifying Body of the modifications introduced insofar as they pertain to **Company B**'s appliances assessment procedures.
- 10) **Company A** also agrees to notify **Company B** of any significant changes made to products or their productive process and the outcome of the verification of the Notified Body insofar as they pertain to **Company B**'s appliances assessment procedures.
- 11) The parties acknowledge to one another that the appliances made by **Company A** under this agreement are the appliances identified in the attached correspondence table and that they may be commercialised under the trade name of either **Company A** or **Company B**.
- 12) **Company B** shall be required to check supplies from **Company A** by checking the documentation supplied and the appliances in the condition supplied.
- 13) If **Company B** labels the appliances, it will do so in absolute conformity with **Company A**'s technical file.

Date: yyyy/mm/dd

Company A

Company B

Enclosures:

Table of correspondence of the appliances produced by **Company A** and also commercialised under **Company B**'s trade name.