

BUREAU OF INDIAN STANDARDS
(CENTRAL MARKS DEPARTMENT - I)

Our Ref: CMD-I/2:12:5

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Subject: Guidelines for coding and retesting of sample(s) for the conformity assessment Scheme – I of Schedule – II of BIS (Conformity Assessment) Regulations, 2018

This document stipulates the guidelines for coding of samples drawn by certification officers (or agents on behalf of BIS) and retesting of those samples or counter samples. These are to be read in conjunction with BIS Act 2016 and Rules, Regulations framed thereunder. In particular, the provision for drawal of samples are addressed in paragraph 3(2)(c)(vi) and 3(6) of Scheme-I of Schedule-II of the BIS (Conformity Assessment) Regulations, 2018, as amended from time to time. Any situation, in general, not covered in these guidelines are to be dealt as per the provisions of the Act, Rules and Regulations by the Regional Offices (ROs) and Branch Offices (BOs).

I) Coding of Samples

- 1)** The sample(s) drawn by shall be coded with system generated QR code or in absence of it (where applicable) in the following manner:

Branch Office/Employee No./Sample drawl date/Type of sample/Serial number

1.1 Branch Office refers to jurisdiction under which manufacturer is located.

1.2 Date of drawl of sample in the format YYYYMMDD.

1.3 Type of samples:

Applicant sample (option 1)	AS
Applicant sample (option 2)	VS
Complaint sample	CP
Change of scope sample	IN
Market sample	MS
Factory sample	FS (operative licence sample)
Counter sample	CS
Revocation of suspension sample	RM
Enforcement sample	ES

1.4 Serial number is sequential number of the test request finalised by the concerned certification officer/agent on that date.

1.5 For enforcement operations sample, employee no. of enforcement team leader to be used.

1.6 The system generated QR codes are to be used in the following manner:

- 1.6.1** The certification officer/agent will affix pre-printed QR codes, on sample and/or on packaging as feasible, and scan the same in the mobile app. Sample codes will be auto generated by the system. The certification officer/agent is not required to write any physical code when QR code is used. In case the QR code is unable to get scanned in the app, its unique number is to be filled in the mobile app.
- 1.6.2** Similarly, as above, the certification officer/agent will affix and scan pre-printed QR codes for the counter samples and/or packaging.

II) Packing, sealing, transport and safe custody of samples

2) For the samples drawn from the factory during the inspection visits, as per conditions of licence, it is responsibility of manufacturer to ensure that sample is dispatched to designated office or laboratory. The certification officer (or agent authorised) is responsible to ensure that sample (including counter sample) is duly coded, securely packed and marked with official seal and signature. For samples drawn from the factory including the counter samples, following shall be ensured by the certification officer/agent:

- 2.1** Codes duly signed with date by certification officer/agent and manufacturer's representative shall be pasted on product and/or packaging, as feasible.
- 2.2** In addition to signatures on codes, samples and/or packaging (wherever feasible) shall also be signed with date by both certification officer/agent and manufacturer's representative ensuring durability of ink used.
- 2.3** Wax seal should be applied in such a manner that BIS brass seal number and impression are visible.
- 2.4** Care shall be taken for durability of coding, sealing and marking on samples in a manner to avoid being damaged during transportation.
- 2.5** Counter samples are to be retained in safe custody of the manufacturer.

3) For the samples drawn from the market without any involvement of manufacturer, the certification officer (or agent authorised) has responsibility to ensure that sample is duly coded, securely packed and marked with official seal and signature. Following shall be ensured by the certification officer/agent:

- 3.1** Codes duly signed with date by certification officer/agent shall be pasted on product and/or packaging, as feasible.
- 3.2** In addition to signatures on codes, samples and/or packaging (wherever feasible) shall also be signed with date by certification officer/agent ensuring durability of ink used.

- 3.3 Wax seal should be applied in such a manner that BIS brass seal number and impression are visible.
- 3.4 Care shall also be taken for durability of coding, sealing and marking on samples in a manner to avoid being damaged during transportation.

In-charge of market surveillance cell, working under supervision of Head BO, has the responsibility of timely and safe dispatch of samples to designated laboratory.

III) Capturing multiple views of samples and counter samples in the system

- 4) Multiple photographs of samples (including counter samples) and their packaging shall be captured in a manner to ensure the following:
 - 4.1 The certification officer/agent will take sufficient number of photographs for sealed samples (including counter samples, where applicable) including that of codes pasted with signatures, other markings.
 - 4.2 Photographs of the wax seal affixed on the samples (including counter samples, where applicable) shall also be captured. Seal number should be legible in the photograph.
- 5) These photographs captured are to be utilised for situations whenever there is an issue related to genuineness of the sample (including counter sample) received at the laboratory. These captured photographs are to be matched with photographs of packing, sealing, codes, signatures and other markings of the sample actually received at the laboratory to assure genuineness.

IV) Retesting of sample or counter sample

- 6) Head BOs may also allow testing of counter samples when the original sample is damaged or lost in transit due to bonafide reasons. No additional charge for such samples be levied.
- 7) When any sample drawn is found non-conforming in a third party laboratory testing, the manufacturer may challenge the test results within 30 days of receipt of test report and submit justification in this regard. Firm may request for the testing of counter sample or the testing on remnants of sample, if feasible.
- 8) Head BO may allow all such reasonable requests. However, in case of refusal of such requests, the matter shall be decided by Head of the Region.
- 9) The testing charges for retesting of the remnants or counter sample shall be twice the rates charged for normal testing and shall be borne by the manufacturer.

- 10) For witnessing the test(s), a separate charge of rupees ten thousand per day, cost of travel, boarding and lodging for the BIS official to witness the testing shall be payable by the manufacturer. The concerned officer incharge and QA officer shall also personally remain present and witness such testing either in BIS laboratory or BIS recognised/empanelled laboratory.
- 11) In case, the manufacturer requests for retesting of only non-conforming requirements:
 - 11.1 For testing on remnants of already tested sample: testing of other parameters may be foregone by BO, if felt technically appropriate.
 - 11.2 For testing on counter sample: testing of other interrelated parameters shall not be foregone, such decisions to be taken by BO based on the nature of the product.

V) Actions to be taken at laboratory for repeat testing on counter samples

- 12) Whenever a request for repeat testing on counter sample is received at the BIS laboratory or BIS recognised/empanelled laboratory, sample cell shall inform the QA department and Head of laboratory before the sample is opened. QA department shall ensure that before such sample is opened, photographs captured at the time of drawl of sample are retrieved from the concerned BO with the approval of the Head laboratory.
- 13) QA department shall also match those markings on the photographs provided by the BO to rule out any chance of tempering or attempt to change the counter sample before the sample is forwarded to the testing department.
- 14) In case of any differences, samples shall be retained in the custody of the QA department of the laboratory and matter shall be taken up with the concerned BO through DDGR for investigation in the matter.
- 15) In case of witness testing, the sample including its seal shall be opened only in presence of manufacturer's representative and the BIS officer.
- 16) Matters, if any, relating to improper packaging, coding, marking, sealing, capturing of photographs observed by the QA department shall be reported by Head of laboratory to concerned BO through DDGR with copy to Head, LRMD and Head, concerned CMD departments of BIS.