

**Water Quality Association  
Sustainability Certification Program  
Sustainability Trademark Policy**



Version 3.0

Effective Date: 8/31/2016

# WQA Sustainability Trademark Policy

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## INTRODUCTION

The ability to apply the WQA Sustainability Registered Trademark (“Sustainability Mark” or “Mark”) is one of the benefits of having a product certified with the WQA Sustainability Program. The Sustainability Mark distinguishes products from those that have not obtained third party certification and assures customers of the adherence to the industry standards. These Policies apply to all products that are certified by the Sustainability Certification Program, as well as products that are not certified but are making unauthorized use of the Sustainability Mark.

### Ownership & Registration of the Sustainability Mark

WQA and its Sustainability Mark is a registered trademark of the Water Quality Association. The Mark is currently registered in the United States. The usage of the Mark is protected by the laws of each country in which it is registered.

Ownership and control of the Sustainability Mark, however applied, and whether purchased or authorized, resides with WQA.

### Liability

WQA must preserve and protect the integrity and prestige of the Mark. Any deviation from these guidelines for the application of the Mark has the potential to cause confusion and damage the reputation of the Water Quality Association.

In the event these guidelines are violated, WQA retains the right to direct the user to cease application of the Mark, and may sue to enjoin misuse by any user, whether WQA Certified or not, member or non-member of the association, to recover actual and punitive damages. It is the right of WQA to determine whether these guidelines have been violated or whether the Sustainability Mark has been misused.

## SECTION I: GENERAL CHARACTERISTICS OF THE SUSTAINABILITY MARK

### Specifications of the Sustainability Mark

The Sustainability Mark can be either black/grey with white lettering or blue/green with white lettering as seen below. Digitized logo art is available free of charge (PC and Mac formats) through WQA’s website. There are no restrictions on the size of the Mark, however the lettering must be legible:

**Figure 1: WQA Sustainability Registered Trademarks**



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## Language

The Sustainability Mark shall be accompanied by a Conformance Statement in close proximity to the Mark.

The Conformance Statement will include:

- A. The specific model designation which has been certified, or the words “This model” where the specific model is otherwise identified on the applicable literature or packaging.
- B. “is certified by the Water Quality Association to”
- C. The official designation (number) of the standard to which that model has been certified (e.g. WQA S-802, etc.)
- D. “for Sustainability”
- E. Any additional language (if applicable), as specified in the Sustainability Certification Scheme

The following is an example of an acceptable Conformance Statement:

“*[Insert model number]* OR [“This model”] is certified by the Water Quality Association to *[insert appropriate standard designation]* for Sustainability.”

The Sustainability Mark and Conformance Statement shall be enclosed in its own box or shall be otherwise separated from all other non-certified promotional claims (including environmental or corporate social responsibility claims not specifically reviewed and approved under the applicable standard).

## SECTION II: USES OF THE SUSTAINABILITY MARK

The Sustainability Mark is used to identify those products that have undergone the certification process and are currently certified by the WQA Sustainability Certification Program. The Sustainability Mark provides the following benefits:

- **Product delineation**-distinguishes products that have been tested and audited by an accredited third-party organization from other non-certified products in the marketplace.
- **Mark of Quality and Responsibility** to assure consumers that the product adheres to established sustainability standards and norms.
- **Increased acceptance of products** including by regulators, state officials and concerned citizens/consumers by providing them with accredited, third-party assurance that the product has been manufactured in a sustainable manner as defined by established sustainability standards.

## SECTION III: AUTHORIZATION TO APPLY THE SUSTAINABILITY MARK

The WQA Sustainability Certification Program is a division of the WQA Gold Seal Certification Department. Sustainability Certification Staff are defined to be the Sustainability Certification Manager, Product Certification Sr. Manager, and the Product Certification Director, or other Gold Seal staff designated to work in the Sustainability Certification Program area.

Written authorization to apply the Sustainability Mark is sent to the company manufacturing a newly certified product when the Sustainability Certification staff has completed its evaluation of the product’s conformance to the applicable standard(s). No company or person shall apply or display the Mark in connection with a

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product, or represent in any way that the product is certified, until receipt of written authorization by the WQA Sustainability Certification staff is obtained. The official WQA listings posted at [www.wqa.org](http://www.wqa.org) will be the exclusive official record/notice of those companies/products approved to apply the Sustainability Mark. No other report, certificate or document authorizes a company to apply the Sustainability Mark.

All applicants must sign a *Certification Contract Agreement* [Form 04087] in order to participate in the WQA Sustainability Certification Program for Water Product(s) and before they can apply the Sustainability Mark.

The Sustainability Certification staff evaluates all products according to established Sustainability Standards and WQA Sustainability Certification Policies and Schemes. If the product is in compliance with the applicable standard(s) and WQA Sustainability Certification Policies and Schemes, it will be certified and listed in the Sustainability Program and given written approval for using the Sustainability Mark.

## **Who CAN apply the Sustainability Mark**

- Companies who have products currently listed and that have received written confirmation from WQA to apply the Sustainability Mark. The most current product listings can be viewed on WQA's website at [www.wqa.org](http://www.wqa.org).

## **Who CANNOT apply the Sustainability Mark**

- Companies with products that are not currently listed in the Sustainability Certification Program or who have received written notification of de-listing.
- Companies who are Members of the WQA, but do not have any products listed in the Sustainability Certification Program.
- Companies, retailers, distributors, etc., that purchase already certified products and sell the product under their own name and with either different model numbers or the same model numbers but do not obtain certification for their products.
- Companies with product certifications that have expired the specified certification period.
- Companies that do not agree to adhere to Sustainability Standards or Sustainability Policy changes
- Companies with products previously listed in the Sustainability Program but were de-listed due to nonpayment of invoices or violation of the Sustainability Policies and/or Certification Agreement, or other reasons.

## **What "Authorization" to apply the Sustainability Mark means:**

- The Sustainability Certification staff's evaluation has found said product to be in conformance with a specific Sustainability Standard.
- Only the specific model number(s) listed under the said company on the WQA website are certified and are authorized for application of the Sustainability Mark.
- That the certified product(s) are authorized to bear the Sustainability Mark only for the particular applicable use/standard specified on the application, as reviewed and approved by the Sustainability Certification staff under the relevant standard.

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## **What “Authorization” to apply the Sustainability Mark does NOT mean:**

- That WQA approves, endorses or guarantees any product, or in any way makes any express or implied warranties in connection with any product.
- That claims advertised either verbally or written, other than those certified by WQA, are truthful or accurate.
- That the product is approved by any of WQA’s accrediting bodies such as ANSI or SCC.
- That the company is a “member” of the Water Quality Association and thereby authorized to apply the WQA membership logo.
- That the company may apply the Sustainability Mark to any products other than those that are currently listed.
- That the Mark may be applied to a non-conforming product.
- That the Mark may be applied to a non-certified product.
- That each application of the Mark for any new or additional products does not have to be authorized.
- That the Mark can be used to represent non-certified claims.
- That the application of the Mark can be used to imply WQA preference over other products.

## **Application of the Sustainability Mark to a Non-Certified Product**

Companies using the Sustainability Mark on (a) non-certified product(s) will be instructed to cease and desist use of the Mark on the product(s) not Certified by WQA. For a second such occurrence within a period of two (2) years, WQA may withdraw certification for all products of the company. Other appropriate enforcement action may be taken by WQA.

## **Acquiring Sustainability Marks**

Sustainability Marks may be purchased individually from WQA for the current published fee or stamped directly onto products and/or packaging.

If an authorized user chooses to stamp the Mark directly onto products and/or packaging, the artwork must be obtained directly from WQA (artwork may be downloaded free of charge from the WQA website). If an authorized user does not obtain the Sustainability Mark directly from WQA it may not be applied.

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## SECTION IV: PROCEDURE FOR PROPER USAGE OF THE SUSTAINABILITY MARK

### Application of the Sustainability Mark on Certified Products

The guidelines below apply to products certified to a standard within the Sustainability Program scope. WQA requires that all certified products bear the Sustainability Mark to identify that a product is certified unless it is physically impossible or otherwise authorized by WQA. In cases where it is physically impossible, the Sustainability Mark may be applied to a document such as the bill of lading or performance data sheet. Products authorized to not bear the Sustainability Mark in any form shall have a Listing Note to indicate that this requirement has been waived. Companies authorized to apply the Sustainability Mark are to obey all rules when displaying the Sustainability Mark in any and all mediums.

The Sustainability Mark may be displayed in/on literature such as:

- Installation/owner's manuals
- Performance data sheets
- Data plates
- Product packaging
- Websites
- Promotional, marketing, or advertising materials
- News releases/newsletters
- In store marketing

For items enumerated above that may not be product specific (e.g. newsletters, advertising, websites, etc.), the usage of the Mark must be clearly tied to the specific certified products. All literature used in conjunction with a WQA Certified product must adhere to this Policy, as well as the WQA Sustainability Certification Scheme.

Application of a permanent, legible, Sustainability Mark shall be governed as specified in Table 1 below.

In cases where the candidate product is intended for sale directly to consumers, the Mark shall be applied to the product packaging. In cases where the candidate product is not intended for sale directly to consumers, or where the product is shipped in bulk packaging, or it is otherwise not possible to apply the Mark to product packaging, the Mark shall be applied to the Bill of Lading, Packing Slip, or Certificate of Conformance as alternatives.

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**TABLE 1: Scope for the Application of the Mark**

<b>Where to apply the Sustainability Mark</b>			
	<b>CERTIFIED SYSTEMS</b> (or where the Replacement Element Data Plate serves as the System Data Plate)	<b>REPLACEMENT ELEMENTS</b> (approved for use in Certified Systems)	<b>CERTIFIED COMPONENTS</b>
<b>DATA PLATE/DATA LABEL</b>	<b>Required</b>	Encouraged	Encouraged (with restrictions – see below)
<b>PACKAGING</b>	<b>Required</b> (where product is intended for sale directly to consumers)	<b>Required</b> (where product is intended for sale directly to consumers)	<b>Required</b> (where product is intended for sale directly to consumers)
<b>OWNERS MANUAL</b>	<b>Required</b>	Encouraged (where applicable)	Encouraged (where applicable)
<b>PERFORMANCE DATA SHEET</b>	<b>Required</b>	<b>Required</b> (where applicable)	<b>Required</b> (where applicable)
<b>PRINTED PROMOTIONAL BROCHURES</b>	Encouraged	Encouraged	Encouraged
<b>MAGAZINE ADVERTISING</b>	Encouraged	Encouraged	Encouraged
<b>WEBSITES</b>	Encouraged	Encouraged	Encouraged

## Application of WQA Sustainability Mark on Certified Components

Packaging of certified Components (i.e. product that is not in and of itself a complete treatment system) shall bear the Sustainability Mark and Conformance Statement whenever possible. However, the Mark may only be applied to the actual component (in the form of a Label or Data Plate) where it is accompanied by an appropriate caveat in the immediately adjacent conformance statement that clearly delineates that the mark applies specifically to the applicable certified component. In addition, the conformance statement for a component so Marked must identify the component by the specific model designation, rather than a more generic wording referring to “this product,” where it would be unclear what is within/outside the scope of the term “this product.” This restriction is required to prevent confusion between certified systems and certified components (e.g. so that a label on the most prominent component of a complete system, such as a filter assembly or tank does not appear to imply that the entire system is certified). Additional literature or promotional vehicles for the specific certified component may also bear the Mark.

## Application of WQA Sustainability Mark on Drinking Water Additives

Packages or containers for materials certified as drinking water additives shall bear the WQA Sustainability Mark and the Conformance Statement, except as specifically exempted by the Sustainability Certification Scheme. Wherever such an exemption applies, the Mark shall be applied to the Bill of Lading as an alternative.

## Listed Companies, Model Designations and ANFs

Each certified product shall have a model designation stated on the certified product. The Company shall not have the same model number (but may have the same brand name) for certified and non-certified products.



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Any dealers, distributors, re-packagers, or private labelers wishing to apply the Mark must identify the listed company and listed model number/trade designation. Any of the former who decline to disclose the listed company/model designation must either obtain their own ANF certification through WQA or refrain from applying the Mark to these products.

## **Certified vs. Non-certified Claim Delineation**

The following requirements govern the acceptable means to differentiate Sustainability Certification Program certified claims from any/all non-certified sustainability claims (if applicable) in advertising and product literature.

1. Positioning the WQA Sustainability Mark with Conformance Statement together inside a box or in close proximity to each other.
2. All non-certified sustainability claim statements must be clearly distinguished from the Mark and Conformance Statement and conspicuously designate all non-certified claims as such: "Claim not certified by the WQA Sustainability Certification Program." Note this may be accomplished via use of an asterisk or footnote reference that connects the claims statement to this delineation statement, but said footnote must appear on the same page of the document or same panel of the packaging and must be clearly legible and in comparable size font as the claim statement that references this footnote.

## **Recertification and Maintenance of the Sustainability Certification**

Companies will be notified (within a reasonable timeframe) of any actions that will be necessary to maintain or recertify existing Sustainability Certifications. If a company commences any such required actions within an acceptable time before their expiration (as determined by WQA), but the recertification process extends beyond the expiration of the original certification, WQA will allow continued use of the Sustainability Mark, provided that the company maintains a cooperative posture to continue to advance this process to completion.

## **Website Guidelines: Do's & Don'ts**

WQA does not normally perform a full formal review of websites, however if the Sustainability Mark or reference to the Sustainability Certification is displayed on any web site (including that of any retailer, dealer or distributor), WQA reserves the right to review such usage (for any reason deemed appropriate) and require any changes necessary for conformance to the policies herein (particularly if any complaint is received).

Display of the Sustainability Mark on websites requires full compliance to all WQA literature and Sustainability Logo policies. Consequently, if the Mark is being misused or misrepresented in any way and/or a company is instructed to cease use of the Mark it shall be removed from all literature, including use on websites.

Display of the Sustainability Mark on websites must be accompanied in close proximity by the appropriate conformance statement that includes the model(s) certified and the applicable standard. Any and all sustainability claims not approved by WQA as part of the Sustainability Certification Evaluation must be delineated according to the same requirements as enumerated above (see **Certified vs. Non-certified Claim Delineation**).

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**TABLE 2: Application of the Sustainability Mark within websites**

Do's	Don'ts
<ul style="list-style-type: none"> <li>• If there are any uncertified products on a website page that includes the Sustainability Mark, the Mark <u>must</u> be accompanied by the model designation and applicable standard for the certified product(s), as indicated in the WQA official listings.</li> <li>• Only the specific certified "model designations" shall be associated with the Mark and/or Sustainability Certification - any non-certified products and/or sustainability claims must be clearly delineated</li> <li>• The company under which the certified product(s) are listed (on the WQA website) must be clearly identified on any website displaying the Mark (including websites for companies other than the listed company's website)</li> <li>• Use of the Mark is only permitted in association with currently listed products. The WQA web listings are the only official indication of this status.</li> <li>• Certified companies are required to inform any dealers, retailers, or distributors, etc. of the policies contained herein, and should be aware that they can be held responsible for any failure of said third parties to comply with these policies.</li> </ul>	<ul style="list-style-type: none"> <li>• A certified company shall not have the same model number (but may have the same brand name) for both certified and non-certified products.</li> <li>• The Sustainability Mark (or reference to Sustainability Certification) may not be used on a website in conjunction with products that were previously certified but have been delisted (as determined by the listings on the WQA website).</li> <li>• The Mark shall not be used to imply any certifications, models or claims outside the actual scope of the certification (including that the entire company is certified).</li> <li>• The Mark shall not be altered in any way unless approved by WQA.</li> <li>• Do not assume that it is the responsibility of your associated dealers, retailers or distributors to enforce compliance with these policies relative to display of the Mark on any external websites that reference your Sustainability Certification(s). The certified company is responsible for this compliance.</li> </ul>

## SECTION V: REVIEW, APPROVAL AND MAINTENANCE OF THIS POLICY

This policy shall be available to any/all interested parties upon request. It shall be subject to review and approval of the Sustainability Review Board [SRB] (see SRB Policies for procedures), subject to input from the Sustainability Certification Forum.