

Measures for the Administration of Chinese Name-Brand Products[Revised]
中国名牌产品管理办法 [已被修订]

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Measures for the Administration of Chinese Name-Brand Products
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Chapter 1 General Provisions

Article 1 In accordance with the [Product Quality Law of the People's Republic of China](#), the Essentials of the Promotion of Quality issued by the State Council, and the powers authorized to the State Administration of Quality Supervision, Inspection and Quarantine (hereinafter referred to as the SAQSIQ) by the State Council, these Measures are formulated for the purpose of promoting the implementation of the Name Brand Strategy, intensifying the supervision and administration of Chinese name-brand products, standardizing the evaluation of Chinese name-brand products, promoting the enterprises to carry out the name brand strategy, guiding and supporting the enterprises to establish their name brands, directing and urging the enterprises to improve the quality level, thus enhancing the competitive capacity of Chinese products.

Article 2 For the purpose of these Measures, Chinese name-brand products mean the products, of which the physical goods quality comes up to advanced levels of comparable international products and takes the lead among comparable domestic products, of which the market share and recognition are in the leading position of the trade, with high levels of consumer satisfaction and considerable competitive capacity.

Article 3 The evaluation of Chinese name-brand products shall establish the general promotion system, in which the market evaluation is taken as the basis and the public intermediary agencies are the main body, guaranteed by the active promotion, guidance and supervision of the governments and aiming at the consumers' (customers') satisfaction.

Article 4 The evaluation of Chinese name-brand products shall be carried out according to the principles of voluntary application by enterprises, those being science, equity, fairness, openness, absence of lifelong tenure, no charging enterprises and no additional burdening of the enterprises.

Chapter 2 Organization and Administration

Article 5 The SAQSIQ shall be responsible for the formulation of the objectives, working principles, planning, tasks and range for the promotion of Chinese name-brand products, carrying out supervision over the work of the National Committee for the Promotion of the Name Brand Strategy, and commending the manufacturing enterprises that have made remarkable achievements in establishing Chinese name-brand products.

Article 6 The SAQSIQ authorizes the National Committee for the Promotion of Name Brand Strategy to organize and carry out the evaluation of Chinese name-brand products in a unified way, and to promote the publicity and cultivation of Chinese famous-brand products.

The National Committee for the Promotion of the Name Brand Strategy is a non-permanent body composed of specialists from the relevant national social organizations, government departments, some press units and other relevant circles. The Secretariat of the National Committee for the Promotion of the Name Brand Strategy shall be set up under the Quality Department of the SAQSIQ, which shall be responsible for the organization, coordination and day-to-day administrative work of the National Committee for the Promotion of the Famous Brand Strategy.

Article 7 The National Committee for the Promotion of the Famous Brand Strategy may, in light of the need for work, retain specialists from relevant areas to form several special committees, which shall, under the organization of the National Committee for the Promotion of the Name Brand Strategy, and according to the classification of products, work out their respective implementing rules and plans for the evaluation of Chinese name-brand products, and carry out the specific evaluation work. And the special committees shall dissolve automatically after the evaluation work ends.

Article 8 The departments of quality and technology supervision of the provinces (autonomous regions, municipalities directly under the Central Government) shall be responsible for the application and recommendation of Chinese name-brand products within their respective administrative areas, and shall organize and carry out the supervision and administration of Chinese famous-brand products.

Chapter 3 Requirements for Application

Article 9 The following requirements must be met for applying for the title of Chinese name-brand product:

- (1) Compliance with the relevant provisions of laws, regulations and industrial policies of the state.
- (2) The physical quality takes the lead in domestic similar products and reaches the internationally accepted standard; the market share, export ratio and brand recognition are all in the leading position among domestic similar products.
- (3) The annual sales, the profit payments and tax turnover realized, the profit rate on industrial costs and expenses and the total assets contribution ratio are all in the leading position of the trade.
- (4) The enterprise has reliable, advanced production techniques and equipment, and leads the industry in technological innovation and development of products
- (5) The goods are produced in accordance with the domestic standards, which reflect international standards or advanced foreign standards.
- (6) The enterprise has sound and complete measurement and monitoring systems and guaranteed measurement capacity.
- (7) The enterprise has a sound quality control system that is in effective operation, and has not experienced any major quality liability incident.
- (8) The enterprise has a sound and complete after-sale service system with high level of customers' satisfaction.

Article 10 Those in any of the following situations may not apply for the title of "Chinese name-brand product":

- 1) Using foreign (overseas) trademarks;

- 2) Failing to obtain the licenses for the products subject to the control of production license, forcible production certification and measurement apparatus manufacturing license, etc;
- 3) Having records of failure in the selective examinations of quality supervision at the level of province (municipality directly under the Central Government, autonomous region) or above in the last 3 years;
- 4) Having records of failure in the export commodity inspections in the last 3 years; or foreign countries having claimed compensation for the export products;
- 5) Having encountered quality or safety accidents in the last 3 years, or having received major quality complaints which have been verified to be true;
- 6) Having committed other serious violations of laws and regulations.

Chapter 4 Norms of Evaluation

Article 11 A system of evaluation norms shall be established by giving priority to market evaluation, quality evaluation, results evaluation and development evaluation.

Article 12 The market evaluation shall mainly evaluate the market share, degree of consumer satisfaction and export ratio of the submitted products; the quality evaluation shall mainly evaluate the physical quality level of the submitted products and the quality control system of the applying enterprises; the results evaluation shall mainly evaluate the aspects of the applying enterprises such as the profit payments and tax turnover realized, the profit rate on industrial costs and expenses and the total assets contribution rate, etc; and the development evaluation shall mainly evaluate the level of technological development and the level of enterprise scale of the applying enterprises, and the norms of evaluation shall be considerably preferential for the products embodying independent intellectual property and essential technology.

Article 13 The National Committee for the Promotion of the Name Brand Strategy shall determine the formulation of detailed rules for the evaluation of different products, the determination of criteria for the comprehensive evaluation, the allocation of the weight of different evaluation norms, the evaluation methods for the norms that cannot be directly quantified, the simplification of complex factors in the evaluation, and the determination of the results of comprehensive evaluation.

Chapter 5 Evaluation Procedures

Article 14 The evaluation of Chinese name-brand products shall be conducted once a year. The National Committee for the Promotion of the Name Brand Strategy shall, in the first quarter of each year, announce the catalog of the products for which the evaluation shall be carried out and the starting date and deadline for accepting applications for the evaluation.

Article 15 The enterprise shall, on a voluntary basis, accurately fill out the Chinese Name-Brand Product Application Form (to be formulated separately), provide relevant certifications, and submit the applications within the prescribed period of time to the Bureau of Quality and Technical Supervision of the local province (autonomous region, municipality directly under the Central Government).

Article 16 The Bureaus of Quality and Technical Supervision of various provinces (autonomous regions and municipalities directly under the Central Government) shall, within the prescribed period of time, organize the relevant departments and the relevant social organizations in their respective provinces (autonomous regions or municipalities directly under the Central Government) to offer opinions on whether the applying enterprises meet the requirements for application and

whether the materials submitted by the enterprises are true, etc., and form the recommendation comments and submit them in a unified way to the Secretariat of the National Committee for the Promotion of the Famous Brand Strategy.

Article 17 The Secretariat of the National Committee for the Promotion of the Famous Brand Strategy shall, after the collection of the recommendation materials, organize the relevant departments and social organizations to conduct preliminary examination on the application materials of the enterprises, fix the list for preliminary examination and distribute such list and application materials to the corresponding special committees.

Article 18 The special committees shall conduct comprehensive evaluations on the submitted products according to the detailed evaluation rules and work out the evaluation report, and submit to the Secretariat of the National Committee for the Promotion of the Name Brand Strategy the lists of recommended Chinese name-brand products for their respective trade based on that report.

Article 19 The Secretariat of the National Committee for the Promotion of the Name Brand Strategy shall, after collecting and analyzing the lists of recommended products presented by various special committees, submit such lists to the plenary committee for examination to determine the list of primary selections.

Article 20 The Secretariat of the National Committee for the Promotion of the Name Brand Strategy shall, through the press media, make public the list determined after examination by the plenary committee and solicit opinions from the society within a certain time limit.

Article 21 The list determined after soliciting opinions from all circles shall be submitted again to the plenary committee of the National Committee for the Promotion of the Name Brand Strategy for examination, determination and announcement.

Article 22 The title of "Chinese name-brand product" shall be conferred in the name of the SAQSIQ, with the issuance of the certificates of Chinese name-brand product and medals.

Chapter 6 Supervision and Administration

Article 23 The certificate of Chinese name-brand product shall be valid for three years. During its term of validity, the enterprise may use the uniformly fixed sign of Chinese name-brand product on the product that has obtained the title of Chinese name-brand product and in its packing, decoration, specification, advertisement and other relevant materials, with the indication of the term of validity. Where laws and regulations otherwise have provisions, those provisions shall be observed.

Article 24 In terms of their validity, Chinese famous-brand products shall be exempt from the quality supervision and inspection taken by the governments at various levels. Products complying with the relevant provisions on the exemption of exit inspection shall have priority in the exemption of inspection according to law.

Article 25 In terms of their validity, Chinese name-brand products shall automatically be included in the range of the activities involved in cracking down on fake goods and protecting famous quality ones; and the enterprises of Chinese name-brand products shall cooperate with the law enforcement departments in the work of authentication of real and false products.

Article 26 With regard to products with the title of Chinese name-brand product, if there is any considerable fluctuation in the quality thereof, with strong complaints from the consumers (users), or foreign countries deserve compensation for the export products, or the enterprise encounters a serious quality liability incident, or any serious troubles have occurred to

the operation of the enterprise's quality guarantee system, the National Committee for the Promotion of the Famous Brand Strategy shall suspend or cancel the title of "Chinese name-brand product" for the products involved.

Article 27 The sign of a Chinese name-brand product is a quality sign. The title and the sign of Chinese name-brand products may only be used on the products with recognized models and specifications, and the range of use may not be expanded. No product without the title of "Chinese name-brand product" may use the sign of Chinese name-brand product; products of which the title of Chinese name-brand product has been suspended or cancelled, and the products of which the producer thereof fails to make new application or the new application has not been approved within the terms of validity may not continue to use the sign of a Chinese name-brand product. It is prohibited to transfer or forge the sign of a Chinese name-brand product and its particular signs or the signs similar to it. The violators shall be dealt with according to the provisions of the [Product Law of the People's Republic of China](#) on false use of quality signs.

Article 28 All organizations and persons participating in the evaluation of Chinese name-brand products shall keep confidential the commercial and technical secrets of the enterprises, and protect intellectual properties, shall be strict with themselves, be just, honest and clear, and conduct the evaluation in strict accordance with the relevant provisions and procedures. The units or individuals violating the relevant provisions shall be disqualified from further participation in the evaluation. Those abusing their powers, neglecting their duties and committing self-seeking misconduct shall be given an administrative sanction by the units to which they belong if no crime has been constituted or, in case of any crime, be investigated for their criminal responsibilities.

Article 29 Applying enterprises and relevant organizations shall provide authentic data without any deception. The title of Chinese name-brand product that has been obtained through improper practice shall be cancelled, with the circulation of a notice of criticism, without further acceptance of any application by the relevant enterprise for the title of Chinese name-brand product for the following three years.

Article 30 The departments of quality and technology supervision of various provinces (autonomous regions, municipalities directly under the Central Government) shall be responsible for the promotion of Name Brand Strategy within their respective administrative areas, and may, in accordance with the principles prescribed in these Measures, assist the governments in formulating their corresponding administration measures and organize the implementation. No other organization or individual may conduct evaluation of name-brand products other than those provided for by these Measures.

Chapter 7 Supplementary Provisions

Article 31 The measures for the administration of the sign of Chinese name-brand product shall be formulated separately.

Article 32 The power to interpret these Measures shall remain with the SAQSIQ.

Article 33 These Measures shall come into force on the day of promulgation, and the [Measures for the Control of Evaluation of Chinese Name-Brand Products \(for Trial Implementation\)](#) (No.32 [2001] of the SAQSIQ) promulgated by the SAQSIQ in 2001 shall be abolished simultaneously.