

# FCC Test Report

Report No.: AGC02931220201FE08

FCC ID	:	POD-TH9000DV
PRODUCT DESIGNATION	:	Mobile Radio
BRAND NAME	:	ТҮТ
MODEL NAME	:	TH-9000D Pro, TH-9000D Plus
MODEL NAME	:	TYT ELECTRONICS CO., LTD
DATE OF ISSUE	:	Jun. 08, 2022
STANDARD(S)	:	FCC Part 15 Rules
REPORT VERSION	:	V 1.0







#### **REPORT REVISE RECORD**

Report Version	Revise Time	Issued Date	Valid Version	Notes
V1.0	/	Jun. 08, 2022	Valid	Initial Release



#### **TABLE OF CONTENTS**

1. VERIFICATION OF COMPLIANCE	4
2. PRODUCT INFORMATION	5
3. IDENTIFICATION OF THE RESPONSIBLE TESTING LOCATION	6
4. SUPPORT EQUIPMENT LIST	7
5. SYSTEM DESCRIPTION	7
6. MEASUREMENT UNCERTAINTY	8
7. SUMMARY OF TEST RESULTS	8
8. FCC RADIATED EMISSION TEST	9
8.1 PROVISIONS APPLICABLE	9
8.2 TEST SETUP BLOCK DIAGRAM	9
8.3 TEST PROCEDURE	11
8.4 TEST RESULT	12
9. FCC CONDUCTED EMISSION TEST	20
9.1 PROVISIONS APPLICABLE	20
9.2 TEST SETUP BLOCK DIAGRAM	20
9.4 TEST RESULT	21
10. ANTENNA CONDUCTED POWER FOR RECEIVERS	22
10.1 PROVISIONS APPLICABLE	22
10.2 TEST SETUP BLOCK DIAGRAM	22
10.3 TEST PROCEDURE	22
10.4 TEST RESULT	23
11. SCANNING RECEIVERS AND FREQUENCY CONVERTERS USED WITH SCANNING RECEIVERS	25
11.1 PROVISIONS APPLICABLE	25
11.2 TEST SETUP BLOCK DIAGRAM	25
11.3 TEST PROCEDURE	25
11.4 TEST RESULT	26
APPENDIX I PHOTOGRAPHS OF TEST SETUP	27
APPENDIX II: PHOTOGRAPHS OF TEST EUT	27



#### **1. VERIFICATION OF COMPLIANCE**

Applicant:	TYT ELECTRONICS CO., LTD	
Address:	Block 39-1, Optoelectronics-information industry base, Nan'an, Quanzhou, Fujian, China.	
Manufacturer:	TYT ELECTRONICS CO., LTD	
Address:	Block 39-1, Optoelectronics-information industry base, Nan'an, Quanzhou, Fuji China.	
Factory:	TYT ELECTRONICS CO., LTD	
Address:	Block 39-1, Optoelectronics-information industry base, Nan'an, Quanzhou, Fujian, China.	
Product Designation:	Mobile Radio	
Brand Name:	ТҮТ	
Test Model:	TH-9000D Pro	
Series Model :	TH-9000D Plus	
Difference Description	TH-9000D Pro and TH-9000D Plus have different model names. TH-9000D Plus does not used U301, U302, U303, U304 (For transmit noise reduction).	
Measurement Procedure:	ANSI C63.4: 2014	
Deviation:	No any deviation from the test method.	
Date of Test:	Feb. 11, 2022~Jun. 05, 2022	
Condition of Test Sample:	Normal	
Test Result:	Pass	
Report Template;	AGCRT-US-PTT/EMC	

The above equipment was tested by Attestation Of Global Compliance (Shenzhen) Co., Ltd. for compliance with the requirements set forth in the FCC Rules and Regulations Part 15, the measurement procedure according to ANSI C63.4:2014. This said equipment in the configuration described in this report shows the maximum emission levels emanating from equipment are within the compliance requirements. The test results of this report relate only to the tested sample identified in this report.

Prepared By

Bibo zhang

**Bibo Zhang** (Project Engineer)

Calvin Liu

(Reviewer)

Jun. 05. 2022

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Reviewed By

V Jun. 08, 2022

Approved By

Zhan

Max Zhang Authorized Officer

Jun. 08, 2022

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Attestation of Global Compliance(Shenzhen)Co., Ltd

Attestation of Global Compliance(Shenzhen)Std & Tech Co., Ltd

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## 2. PRODUCT INFORMATION

The EUT is a Mobile Radio designed for voice communication. It is designed by way of utilizing the F3E

modulation achieves the system operating.

A major technical description of EUT is described as following:

Communication Type	Voice / Tone only
Modulation	FM
RX Frequency Range	136-174MHz (Scanning Receiver)
Emission Type	F3E
Antenna Designation	External Whip
Antenna Gain	3dBi
Hardware Version	TH-9000D-VHF-V1.7
Software Version	V2.0
Power Supply	DC 13.8V

#### I/O Port Information (Applicable Not Applicable)

I/O Port of EUT					
I/O Port Type	Q'TY	Cable	Tested with		
Antenna Port	1	-	1		
Hand microphone	1	-	1.9m, Unshielded		



#### 3. IDENTIFICATION OF THE RESPONSIBLE TESTING LOCATION

Test Site	Attestation of Global Compliance (Shenzhen) Co., Ltd		
Location	1-2/F, Building 19, Junfeng Industrial Park, Chongqing Road, Heping Community, Fuhai Street, Bao'an District, Shenzhen, Guangdong,China		
Designation Number	CN1259		
FCC Test Firm Registration Number	975832		
A2LA Cert. No.	5054.02		
Description	Attestation of Global Compliance(Shenzhen) Co., Ltd is accredited by A2LA		

#### List of Test Equipment:

#### TEST EQUIPMENT OF RADIATED EMISSION TEST

Equipment	Manufacturer	Model	S/N	Cal. Date	Cal. Due
TEST RECEIVER	R&S	ESPI	101206	Mar. 30, 2021	Mar. 29, 2022
TEST RECEIVER	R&S	ESPI	101206	Mar. 28, 2022	Mar. 27, 2023
ANTENNA	SCHWARZBECK	VULB9168	494	Jan. 08, 2021	Jan. 07, 2023
ANTENNA	SCHWARZBECK	VULB9168	D69250	Apr. 28, 2021	Apr. 27, 2023
Broadband Preamplifier	ETS LINDGREN	3117PA	00225134	Sep. 03, 2020	Sep. 02, 2022
POSITIONING CONTROLLER	MF	MF-7802	MF780208285		
HORN ANTENNA	ETS LINDGREN	3117	00034609	Apr. 23, 2021	Apr. 22, 2023
RF Communication Test Set	HP	8920B	US35010161	Sep. 06, 2021	Sep. 05, 2022
EXA Signal Analyzer	Agilent	N9020A	MY53300860	Jun. 09, 2021	Jun. 08, 2022
Attenuator	Schaffner	58-30-33	ML030	Oct. 24, 2021	Oct. 23, 2022
Test software	Tonscend	JS32-RE (Ver.2.5)	N/A	N/A	N/A



#### 4. SUPPORT EQUIPMENT LIST

Device Type	Manufacturer	Model Name	Serial No.	Data Cable	Power Cable
Hand microphone	-	N/A	-	-	1.9m Unshielded
Car Charger	-	N/A	-	-	0.8m Unshielded

#### **5. SYSTEM DESCRIPTION**

#### **EUT TEST PROCEDURE:**

- 1. Connect EUT and peripheral devices.
- 2. Power on the EUT, the EUT begins to work.
- 3. Make sure the EUT normal working.

#### EMC TEST MODE:

No.	TEST MODES
1	Scanning mode
2	Scanning stopped/Receiving at low channel of 136 MHz to 174 MHz
3	Scanning stopped/Receiving at middle channel of 136 MHz to 174 MHz
4	Scanning stopped/Receiving at high channel of 136 MHz to 174 MHz

Note: Only the result of the worst case was recorded in the report.



#### 6. MEASUREMENT UNCERTAINTY

The uncertainty is calculated using the methods suggested in the "Guide to the Expression of Uncertainty in measurement" (GUM) published by CISPR and ANSI.

- Uncertainty of Conducted Emission, Uc = ±3.1 dB

- Uncertainty of Radiated Emission below 1GHz, Uc = ±4.0 dB

- Uncertainty of Radiated Emission above 1GHz, Uc = ±4.8 Db

## 7. SUMMARY OF TEST RESULTS

FCC RULES	DESCRIPTION OF TEST	RESULT
§15.107	Conduction Emission	Not applicable.
§15.109	Radiated Emission	Compliant
§15.111	Antenna Conducted Power for receivers	Compliant
§15.121(b)	Scanning receivers and frequency converters used with scanning receivers	Compliant

NOTE: The device under test is a DC power supply device, and the conducted disturbance test is not applicable.



#### 8. FCC RADIATED EMISSION TEST

#### 8.1 PROVISIONS APPLICABLE

#### FCC CFR Title 47 Part 15 Subpart B Section 15.109:

Frequency	Limit (dBuV/m @3m)	Value
30MHz-88MHz	40.00	Quasi-peak
88MHz-216MHz	43.50	Quasi-peak
216MHz-960MHz	46.00	Quasi-peak
960MHz-1GHz	54.00	Quasi-peak
Above 1GHz	54.00	Average
	74.00	Peak

Note: The lower limit shall apply at the transition frequency. Because the EUT RX frequency range up to 480 MHz, so the upper the frequency range up to 2 GHz.

#### 8.2 TEST SETUP BLOCK DIAGRAM



#### RADIATED EMISSION TEST SETUP 30MHz-1000MHz





#### RADIATED EMISSION TEST SETUP ABOVE 1000MHz

#### **EMI TEST RECEIVER SETUP:**

During the radiated emission test, the EMI test receiver was set with the following configurations:

Frequency Range	RBW	Video B/W	IF B/W	Measurment
30 MHz – 1000 MHz	100 kHz	300 kHz	120 kHz	QP
Abovo 1 GHz	1MHz	3 MHz	/	PK
Above I GHZ	1MHz	10 Hz	/	Ave.



#### **8.3 TEST PROCEDURE**

- 1. The equipment was set up as per the test configuration to simulate typical actual usage per the user's manual. When the EUT is a tabletop system, a wooden turntable with a height of 0.8 meters is used which is placed on the ground plane as per ANSI C63.4 (see Test Facility for the dimensions of the ground plane used). When the EUT is floor-standing equipment, it is placed on the ground plane which has a 3-12 mm non-conductive covering to insulate the EUT from the ground plane.
- 2. Support equipment, if needed, was placed as per ANSI C63.4.
- 3. All I/O cables were positioned to simulate typical actual usage as per ANSI C63.4.
- 4. The EUT received power by AC 120V/60Hz.
- 5. The antenna was placed at 3 meter away from the EUT as stated in FCC Part 15. The antenna connected to the Analyzer via a cable and at times a pre-amplifier would be used.
- The Analyzer / Receiver quickly scanned from 30MHz to 1000MHz. The EUT test program was started. Emissions were scanned and measured rotating the EUT to 360 degrees and positioning the antenna 1 to 4 meters above the ground plane, in both the vertical and the horizontal polarization, to maximize the emission reading level.
- 7. The test mode(s) were scanned during the test:
- 8. Recorded at least the six highest emissions. Emission frequency, amplitude, antenna position, polarization and turntable position were recorded into a computer in which correction factors were used to calculate the emission level and compare reading to the applicable limit and Q.P./Peak reading is presented. For emissions below 1GHz, use 120KHz RBW and VBW>=3RBW for QP reading.
- 9. For emissions above 1GHz, use 1MHz RBW and 3MHz VBW for peak reading. Then 1MHz RBW and 10Hz VBW for average reading in spectrum analyzer.
- 10. When the radiated emissions limits are expressed in terms of the average value of the emissions, and pulsed operation is employed, the measurement field strength shall be determined by averaging over one complete pulse train, including blanking intervals, as long as the pulse train does not exceed 0.1 seconds. As an alternative (provided the transmitter operates for longer than 0.1 seconds) or in cases where the pulse train exceeds 0.1 seconds, the measured field strength shall be determined from the average absolute voltage during a 0.1 second interval during which the field strength is at its maximum values.
- 11. If the emissions level of the EUT in peak mode was 3 dB lower than the average limit specified, then testing will be stopped and peak values of EUT will be reported, otherwise, the emissions which do not have 3 dB margin will be repeated one by one using the quasi-peak method for below 1GHz.
- 12. For testing above 1GHz, the emissions level of the EUT in peak mode was lower than average limit (that means the emissions level in peak mode also complies with the limit in average mode), then testing will be stopped and peak values of EUT will be reported, otherwise, the emissions will be measured in average mode again and reported.
- 13. In case the emission is lower than 30MHz, loop antenna has to be used for measurement and the recorded data should be QP measured by receiver. High Low scan is not required in this case.
- 14. The test data of the worst case condition (mode 1) was reported on the following Data page.



#### 8.4 TEST RESULT

#### Main test model:



#### **RESULT: PASS**













	[MHz]	[dBµV/m]	[dB]	[dBµV/m]	[dB]	[cm]	[°]	,
1	1153.5154	37.78	-16.79	74.00	36.22	100	60	Vertical
2	1926.0926	40.94	-12.60	74.00	33.06	100	150	Vertical
3	2539.654	44.13	-9.69	74.00	29.87	100	230	Vertical
4	3702.2702	45.57	-7.16	74.00	28.43	100	340	Vertical
5	4954.3954	47.60	-4.76	74.00	26.40	100	310	Vertical
6	5930.9931	46.84	-3.90	74.00	27.16	100	260	Vertical

Note: 1. Factor=Antenna Factor + Cable loss - Amplifier gain, Margin= Limit- Measurement.

2. The "Factor" value can be calculated automatically by software of measurement system.



#### Series Model :

	Radiated Emission 30MHz-1GHz Test Result								
Test Mode Mode 1						y:	Horizonta	al	
[W/(/fgp]]eeeaT	130     101       120     110       110     90       80     70       60     50       40     30       20	mt — Horzontal PK	100M	FCC PART 1		y.		16	
NO.	Freq. [MHz]	Level [dBµV/m]	Factor [dB]	Limit [dBµV/m]	Margin [dB]	Height [cm]	Angle [°]	Polarity	
1	59.1	21.37	10.98	40.00	18.63	100	121	Horizontal	
2	119.24	27.80	11.47	43.50	15.70	100	272	Horizontal	
3	288.02	28.79	15.68	46.00	17.21	100	81	Horizontal	
4	369.5	27.24	16.49	46.00	18.76	100	338	Horizontal	
5	384.05	28.21	16.94	46.00	17.79	100	338	Horizontal	
6	928.22	33.82	28.02	46.00	12.18	100	210	Horizontal	

#### **RESULT: PASS**









NO.	Freq. [MHz]	Level [dBµV/m]	Factor [dB]	Limit [dBµV/m]	[dB]	Height [cm]	Angle [°]	Polarity
1	1166.0166	37.92	-16.80	74.00	36.08	100	360	Horizontal
2	2362.6363	41.34	-10.30	74.00	32.66	100	270	Horizontal
3	2933.6934	45.01	-9.38	74.00	28.99	100	80	Horizontal
4	3700.7701	45.74	-7.16	74.00	28.26	100	280	Horizontal
5	4760.376	47.93	-4.95	74.00	26.07	100	360	Horizontal
6	5815.9816	47.53	-4.28	74.00	26.47	100	150	Horizontal





		[uphwill]	լսԵյ	[uphwill]	[uD]	louil	LJ	
1	1193.0193	39.08	-16.83	74.00	34.92	100	120	Vertical
2	2007.1007	39.56	-11.79	74.00	34.44	100	10	Vertical
3	2677.1677	43.28	-9.58	74.00	30.72	100	220	Vertical
4	3796.7797	44.79	-6.95	74.00	29.21	100	240	Vertical
5	4762.8763	47.04	-4.95	74.00	26.96	100	320	Vertical
6	5682.9683	47.01	-4.71	74.00	26.99	100	60	Vertical

Note: 1. Factor=Antenna Factor + Cable loss - Amplifier gain, Margin= Limit- Measurement.

2. The "Factor" value can be calculated automatically by software of measurement system.



## 9. FCC CONDUCTED EMISSION TEST

#### 9.1 PROVISIONS APPLICABLE

For an intentional radiator that is designed to be connected to the public utility (AC) power line, the, the radio frequency voltage that is conducted back onto the AC power line on any frequencies within the band 150 KHz to 30 MHz shall not exceed the limits in the following table, as measured using a 50uH/50 ohms line impedance stabilization network (LISN). Compliance with the provisions of this paragraph shall be based on the measurement of the radio frequency voltage between each power line and ground at the power terminal. The lower limit applies at the boundary between the frequencies ranges.

Frequency of Emission (MHz)	Conducted Limit(dBuV)			
	Quasi-Peak	Average		
0.15 – 0.5	66 to 56 *	56 to 46 *		
0.5 – 5	56	46		
5 – 30	60	50		

\* Decreases with the logarithm of the frequency.

#### 9.2 TEST SETUP BLOCK DIAGRAM





#### 9.3 TEST PROCEDURE

- The equipment was set up as per the test configuration to simulate typical actual usage per the user's manual. When the EUT is a tabletop system, a wooden table with a height of 0.8 meters is used and is placed on the ground plane as per ANSI C63.4 (see Test Facility for the dimensions of the ground plane used). When the EUT is a floor-standing equipment, it is placed on the ground plane which has a 3-12 mm non-conductive covering to insulate the EUT from the ground plane.
- 2. Support equipment, if needed, was placed as per ANSI C63.4.
- 3. All I/O cables were positioned to simulate typical actual usage as per ANSI C63.4.
- 4. The EUT received AC 120V/60Hz power through a Line Impedance Stabilization Network (LISN) which supplied power source and was grounded to the ground plane.
- 5. All support equipments received AC power from a second LISN, if any.
- 6. The EUT test program was started. Emissions were measured on each current carrying line of the EUT using a spectrum Analyzer / Receiver connected to the LISN powering the EUT. The LISN has two monitoring points: Line 1 (Hot Side) and Line 2 (Neutral Side). Two scans were taken: one with Line 1 connected to Analyzer / Receiver and Line 2 connected to a 50 ohm load; the second scan had Line 1 connected to a 50 ohm load and Line 2 connected to the Analyzer / Receiver.
- 7. Analyzer / Receiver scanned from 150 KHz to 30MHz for emissions in each of the test modes.
- 8. During the above scans, the emissions were maximized by cable manipulation.
- 9. The test data of the worst case condition (mode 1) was reported on the following Data page.

#### 9.4 TEST RESULT

Note: Not applicable.



#### **10. ANTENNA CONDUCTED POWER FOR RECEIVERS**

#### **10.1 PROVISIONS APPLICABLE**

The antenna conducted power of the receiver as defined in §15.111 shall not exceed the values given in the following tables

Frequency Range	9 KHz to 2GHz		
Limit	2.0 nW (-57 dBm )		

#### **10.2 TEST SETUP BLOCK DIAGRAM**

Spectrun	n analyzer		
		EUT	
N	on-Conducted Table		

#### **10.3 TEST PROCEDURE**

- 1. The receiver antenna terminal connected to a spectrum analyzer.
- 2. Receiver set as follow:

Frequency range	RBW (kHz)	VBW (kHz)
9 kHz ~ 150 kHz	1	3
150 kHz ~ 30 MHz	10	30
30 MHz ~ 1000 MHz	100	300
1000 MHz ~ 3000 MHz	1000	3000

The test data of the worst case condition (mode 1) was reported on the following Data page.



#### **10.4 TEST RESULT**

m Analyze Frequency Start Freg 9.000 kHz Avg Type: Log-Pw Avg|Hold:>100/100 Trig: Free Run TYP PNO: Wide 😱 IFGa Atten: 6 dB Auto Tune Mkr1 9.000 kHz -78.432 dBm 10 dB/div Loa Ref -37.00 dBm **Center Freq** 79.500 kHz -57.00 d Start Freq 9 000 kHz Stop Freq Ym 150.000 kHz Jun when have MILMIN PL CF Step 14.100 kHz Whom Malm Man Auto **Freq Offset** 0 Hz Start 9.00 kHz #Res BW 1.0 kHz Stop 150.00 kHz Sweep 136.0 ms (30000 pts) #VBW 3.0 kHz

#### Conducted Measurement (9 KHz to 150 KHz)

#### Conducted Measurement (150 KHz to 30MHz)







#### Conducted Measurement (30MHz to 1GHz)

#### ent Spectrum Analyzer - Swept SA 36 PM Jun 08, 2022 Frequency TRACE 234 TYPE MWWWA Start Freq 1.000000000 GHz Avg Type: Log-Pwr Avg|Hold:>100/100 PNO: Fast IFGain:Low Trig: Free Run Atten: 6 dB DET Auto Tune 1.874 00 GHz -74.623 dBm Mkr1 Ref -37.00 dBm 10 dB/div **Center Frea** 1.500000000 GHz -57.00 dE Start Freq 1.000000000 GHz ١ Stop Freq 2.000000000 GHz CF Step 100.000000 MHz <u>Auto</u> Man Freq Offset 0 Hz Start 1.0000 GHz #Res BW 1.0 MHz Stop 2.0000 GHz Sweep 2.000 ms (30000 pts) #VBW 3.0 MHz

#### Conducted Measurement (1GHz to 2GHz)

#### **RESULT: PASS**



# 11. SCANNING RECEIVERS AND FREQUENCY CONVERTERS USED WITH SCANNING RECEIVERS

#### **11.1 PROVISIONS APPLICABLE**

Except as provided in paragraph (c) of this section, scanning receivers shall reject any signals from the Cellular Radiotelephone Service frequency bands that are 38 dB or lower based upon a 12 dB SINAD measurement, which is considered the threshold where a signal can be clearly discerned from any interference that may be present.

#### RF Communication 0000 Audio output Test set COCO ö ö b ö O Transmitter Under Test Dummy Microphone Spectrum Analyzer Power divider

#### **11.2 TEST SETUP BLOCK DIAGRAM**

#### **11.3 TEST PROCEDURE**

- 1. Connected the EUT as shown in the above block diagram.
- 2. Apply a RF signal to the receiver input port at lowest, middle and highest channel frequencies of receiver operation band.
- 3. Adjust the audio output level of the receiver to it's rated value with the distortion less than 10%.
- 4. Adjust the RF Signal Generator Output Power to produce 12 dB SINAD without the audio output power dropping by more than 3 dB.This output level of the RF SG at each channel frequency is the sensitivity of the receiver.
- 5. Select the lowest or worse-case sensitivity level for all of the bands as the reference sensitivity.
- 6. Adjust the RF Signal Generator output to a level of +60 dB above the reference sensitivity obtained in step5) and its frequency to the frequency points in the cellular band.
- 7. Set the Receiver squelch to threshold, the signal required to open the squelch must be lower than the reference sensitivity level.
- 8. Set the receiver in a scanning mode and allow it to scan through it's complete receiving range.
- 9. If the receiver unsquelched or stopped on any frequency, receiving at this frequency, then adjust the signal generator output level until 12 dB SINAD is produced, this level is the spurious value and the difference between the reference sensitivity and the spurious value is the rejection ratio and must be at least 38dB.
- 10. Repeat above procedure at the frequencies 824.5, 836.0, and 848.5 MHz for the mobile band, and 869.1, 881.5, and 893.5MHz for the cellular base band.



#### **11.4 TEST RESULT**

Scanning	Test Frequency of	Spurious Value of	Reference	Measurement	
Frequency Band	Cellular Band	Cellular Frequency	Sensitivity	Result	Limit (dB)
(MHz)	(MHz)	(dBm)	(dBm)	(dB)	
136-174	824.5/836.0/848.5	>-46	-107	<-61	<-38
136-174	869.1/881.5/893.5	>-46	-107	<-61	<-38

**NOTE:**1. Measurement Result = Rejection Ratio

- 2. Reference Sensitivity is the recorded value when the signal-to-noise ratio is 12dB.
- 3. Measurement Result = Reference Sensitivity- Spurious Value.



Report No.: AGC02931220201FE08 Page 27 of 27

#### APPENDIX I PHOTOGRAPHS OF TEST SETUP

Refer to the Report No.:AGC02931220201AP01

## **APPENDIX II: PHOTOGRAPHS OF Test EUT**

Refer to the Report No.:AGC02931220201AP02

-----END OF REPORT-----



## Conditions of Issuance of Test Reports

 All samples and goods are accepted by the Attestation of Global Compliance (Shenzhen) Co., Ltd. (the "Company") solely for testing and reporting in accordance with the following terms and conditions. The company provides its services on the basis that such terms and conditions constitute express agreement between the company and any person, firm or company requesting its services (the "Clients").
Any report issued by Company as a result of this application for testing services (the "Report") shall be issued in confidence to the Clients and the Report will be strictly treated as such by the Company. It may not be reproduced either in its entirety or in part and it may not be used for advertising or other unauthorized purposes without the written consent of the Company. The Clients to whom the Report is issued may, however, show or send it, or a certified copy thereof prepared by the Company to its customer, supplier or other persons directly concerned. The Company will not, without the consent of the Clients, enter into any discussion or correspondence with any third party concerning the contents of the Report, unless required by the relevant governmental authorities, laws or court orders.

3. The Company shall not be called or be liable to be called to give evidence or testimony on the Report in a court of law without its prior written consent, unless required by the relevant governmental authorities, laws or court orders.

4. In the event of the improper use of the report as determined by the Company, the Company reserves the right to withdraw it, and to adopt any other additional remedies which may be appropriate.

5. Samples submitted for testing are accepted on the understanding that the Report issued cannot form the basis of, or be the instrument for, any legal action against the Company.

6. The Company will not be liable for or accept responsibility for any loss or damage however arising from the use of information contained in any of its Reports or in any communication whatsoever about its said tests or investigations.

7. Clients wishing to use the Report in court proceedings or arbitration shall inform the Company to that effect prior to submitting the sample for testing.

8. The Company is not responsible for recalling the electronic version of the original report when any revision is made to them. The Client assumes the responsibility to providing the revised version to any interested party who uses them.

9. Subject to the variable length of retention time for test data and report stored hereinto as otherwise specifically required by individual accreditation authorities, the Company will only keep the supporting test data and information of the test report for a period of six years. The data and information will be disposed of after the aforementioned retention period has elapsed. Under no circumstances shall we provide any data and information which has been disposed of after retention period. Under no circumstances shall we be liable for damage of any kind, including (but not limited to) compensatory damages, lost profits, lost data, or any form of special, incidental, indirect, consequential or punitive damages of any kind, whether based on breach of contract of warranty, tort (including negligence), product liability or otherwise, even if we are informed in advance of the possibility of such damages.