

**GENERAL AGREEMENT ON
TARIFFS AND TRADE**

RESTRICTED

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Committee on Technical Barriers to Trade

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TESTING AND TYPE APPROVAL

Note by the Delegation of the United States

The Government of the United States has concluded that the acceptance of test data is currently the single most important standards-related trade issue. Our information indicates that most Parties to the Standards Code do not accept foreign-generated test data for the majority of products. Meanwhile, exporters are finding that requirements that their product be retested in every market in which they wish to sell can be extremely expensive, time-consuming and trade inhibiting. This adversely affects trade in products ranging from telecommunications to medical equipment, and from pharmaceuticals to food additives. All Parties would benefit if their exporters could deal exclusively with laboratories in their own country and have the test data and factory inspections of those laboratories be accepted by other Parties.

The area of testing is not dealt with effectively in any international agreement. Only the GATT Standards Code directly addresses the acceptance of test data. However, the major purpose of the Code is to establish principles by which signatories prepare, adopt and apply standards and certification systems. Article 5.2 of the Code encourages, but does not require, signatories to enter into arrangements for the mutual acceptance of test data.

Certainly, the experts in each Party would wish to gain full knowledge of the test methods applied and the conditions under which the tests are carried out before accepting the foreign test data. We view this as a practical, technical matter of implementation and, in fact, this process has been started in a limited way under the auspices of the "International Laboratory Accreditation Conference" (ILAC). However, in order to make significant progress in this area it will be important to incorporate the principle of acceptance of foreign test data and specific mechanisms to achieve that end in a binding international document. For instance, an arrangement could be established under the Standards Code whereby signatories are obligated to accept test data for particular products on a mutually agreed basis. If it proves difficult to achieve agreement on an arrangement covering all product areas, perhaps the arrangement could proceed on a sector-by-sector basis.

In addition, such an agreement could include certain principles governing the approvals process for covered products. Those

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principles would build on the Standards Code and would seek to ensure expedited handling of approvals. For instance, for some sectors Parties may wish to mutually agree to grant type approval to products. Use of type approval authorizes sale of all products of a particular type from the company seeking approval. Regulatory systems which issue approvals on a more provisional basis (such as case-by-case or shipment-by-shipment) can be seriously trade inhibiting given the uncertainties they create.

For these reasons, the Delegation of the United States asserts that matter of testing and inspection is important to any future development of the agreement or new round of multilateral trade negotiations. The U.S. Government proposes that the Committee work towards providing information that the GATT Secretariat could propose to the GATT Council for the Council's use in any future discussion of a new round of multilateral trade negotiations. The Committee should agree to make this information available to the GATT Secretariat at its autumn 1985 meeting.