

GENERAL AGREEMENT ON

RESTRICTED

TBT/W/102

19 August 1987

TARIFFS AND TRADE

Special Distribution

Committee on Technical Barriers to Trade

DRAFT MINUTES OF THE MEETING HELD ON
22 JUNE 1987

Chairman: Mr. D. Bondad

1. The Committee on Technical Barriers to Trade held its twenty-fifth meeting on 22 June 1987.

2. The agenda of the meeting was as follows:

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3. In opening the meeting, the Chairman drew attention to two communications that had been received by the Director-General on 23 February and 1 June 1987 respectively, which announced the acceptance of the Agreement on Technical Barriers to Trade ad referendum by the Government of Mexico in the near future (TBT/27 and Add.1). The observer from Mexico said that his country had wished to adhere to the Agreement because his authorities considered that it contributed to multilateral efforts for facilitating international trade at the practical level. In this respect, his delegation was interested in Article 2.3 of the Agreement which encouraged international harmonization of technical regulations and

standards as well as in Article 12 on special and differential treatment of developing countries and in particular paragraphs 4, 5 and 6 thereof. In due course his delegation would be seeking guidance from the Committee on preparation of international standards concerning products of interest to developing countries by international standardizing bodies in accordance with Article 12.6. Mexico would also have recourse to technical assistance facilities provided by other Parties and in the secretariat on matters relating to implementation of the Agreement.

A. Statements on implementation and administration of the Agreement

4. The representative of the European Economic Community informed the Committee that the Portuguese Institute of Quality had been designated as the Portuguese enquiry point under Article 10 of the Agreement.

5. The representative of the United States said that the annual publication of the United States enquiry point describing Standards Code activities of the National Bureau of Standards in 1986 relevant to the GATT Standards Code, had recently been made available to enquiry points in other Parties.

6. The representative of Czechoslovakia said that in the past year twenty-two enquiries had been addressed by Czechoslovakia to other Parties and that fifteen of these enquiries had received answers. The database of notifications had enabled the enquiry point to respond rapidly to enquiries from interested parties. Since the circulation of the Methodological Instructions for the bodies and organizations co-operating with the GATT Enquiry Point, Czechoslovakia had notified a technical regulation which had been adopted by the Ministry of Health.

7. The Committee took note of statements made.

B. Translation of documents relating to notifications

8. After a brief discussion of a joint proposal by the delegations of Canada and the Philippines concerning the translation of documents relating to notifications, the Committee adopted the recommendation reproduced in Annex I. Following a suggestion which had been made by the delegation of Switzerland at the previous meeting (TBT/M/24, paragraph 23) it also agreed to amend (as underlined below) the Committee decision in TBT/16/Rev.3, page 7, paragraph 4(a)) to read:

"(a) When a translation of a relevant document exists or is planned, this fact shall be indicated on the GATT notification form next to the title of the document. If only a translated summary exists, the fact that such a summary is available shall be similarly indicated."

C. Testing, inspection and type approval

9. On the basis of a suggestion made by the United States delegation at the previous meeting (TBT/M/24, paragraph 28), the Committee recommended that Parties provide information on national measures taken to promote the

implementation of the principles and rules in ISO/IEC Guides 25, 38, 39, 43 and 45 as a basis for testing and inspection activities in their territories.

10. The representative of the United States recalled that his delegation had provided information on the activities of the Federal Government as well as to those at the private level (TBT/M/21, paragraph 33). It would continue to inform the Committee on the national measures taken to promote the implementation of the ISO/IEC Guides by the federal standards system in the United States territory.

11. The representative of the European Economic Community informed the Committee that his authorities were in the process of developing a new policy relating to laboratory accreditation and certification systems and that the criteria and guidelines of this policy would be defined on the basis of the existing ISO/IEC Guides. The European Community would be able to provide details on the measures taken for the implementation of the five ISO/IEC Guides only after the new policy had been fully formulated.

12. The representative of Finland, speaking on behalf of the Nordic countries said that implementation of the ISO/IEC Guides at the national level was an ongoing process and that therefore Parties should provide information as new developments took place. As for the implementation of the five ISO/IEC Guides in the Nordic countries, he informed the Committee that these guides had all been adopted in Finland as national SFS-standards. In Norway, the Norwegian Standards Association had informed governmental agencies, standardizing bodies and interested organizations about the five Guides. The Norwegian Testing Laboratory Accreditation System was complying with these Guides and the relevant texts of the Guides were either reproduced or incorporated in the documentation of the system. In Sweden ISO/IEC Guides 25 and 38 were issued as Swedish Standards (SS 0201 80 and SS 0201 18). The responsible authority for the organization of official testing in Sweden - the National Council for Metrology and Testing - used the ISO/IEC Guides 25 and 38 directly in its activities. The Council had also recommended the use of the ISO/IEC Guides 43 and 45. Most of the national testing agencies in Sweden generally applied the principles of the ISO/IEC Guides 25 and 38 when performing mandatory testing. They had also expressed their interest in applying the ISO/IEC Guides 43 and 45 as they considered that they had the qualifications necessary for adhering to the rules of these Guides.

13. The representative of Canada said that the principles and rules of the Canadian National Accreditation Programme of testing organizations were based on the five ISO/IEC Guides. The representatives of Czechoslovakia and Hungary said that the five ISO/IEC Guides were being fully observed by testing and inspection bodies in their countries.

14. With respect to the work of the ISO Committee on conformity assessment (ISO/CASCO), the representative of Finland, speaking on behalf of the Nordic countries, suggested that the Committee should seek information on any further developments in this ISO Committee which could be of relevance to its discussion on testing, inspection and type approval. The observer

from the ISO informed the Committee that ISO/CASCO had recently prepared two new ISO/IEC Guides, namely, ISO/IEC Guide 48 "Guidelines for third-party assessment and registration of a supplier's Quality System" and ISO/IEC Guide 49 "Guidelines for development of a Quality Manual for a testing laboratory"

D. Improvement of transparency on bilateral standards-related agreements

15. The representative of Finland, speaking on behalf of the Nordic countries, introduced the Nordic proposal (TBT/W/100) for an amendment to the existing recommendation on enquiries which the enquiry points should be prepared to answer. This amendment would ensure transparency on bilateral standards-related agreements concluded between governmental bodies and between non-governmental bodies operating within the territories of Parties.

16. The Committee adopted the Nordic proposal in document TBT/W/100 and agreed to amend the recommendation in document TBT/16/Rev.3, page 12, paragraph (b) to read as follows (amendments underlined):

"The Enquiry Point(s) of a Party should be prepared to answer enquiries regarding the membership and participation of that Party, or of relevant bodies within its territory, in international and regional standardizing bodies and certification systems, as well as in bilateral arrangements, with respect to a specific product or group of products. They should likewise be prepared to provide reasonable information on the provisions of such systems and arrangements."

E. Relationship of the work of the Committee to the Uruguay Round

17. The Chairman drew attention to the initial phase of the negotiating process laid down in the negotiating plan for the Negotiating Group on MTN Agreements and Arrangements (NG8) which called for, inter alia, suggestions by participants indicating the issues that they wished to raise with respect to individual MTN Agreements and Arrangements and a factual background paper by the secretariat on these issues (MTN.GNG/5, page 14). He also recalled that individual parties to the Agreement had identified a number of items that they wished to be discussed and examined in the area of technical barriers to trade and that a non-exhaustive list of such items had been circulated informally to delegations. In the light of the previous discussions of the matter in the Committee (TBT/M/23, paragraphs 32 to 34 and TBT/M/24, paragraphs 45 to 53), he suggested that the Committee proceed as follows with the preparation of a final version of this list which would ultimately be transmitted by the Chair to the Negotiating Group on MTN Agreements and Arrangements (NG8): (i) Individual parties should identify any issues that they wish to be discussed and examined in the initial phase of the negotiating process; (ii) individual Parties should give a brief description of their motives for raising the issues that they had identified and also specify in these descriptions whether the issues related to the improvement, clarification or expansion of the Agreement; (iii) items suggested by individual Parties and descriptions of their motives for raising the respective issues should

reach the secretariat by 21 August 1987; (iv) following the circulation of this list, the secretariat would prepare a factual background note which would give references to the Articles of the Agreement and would also cover any past discussion in the Committee relating to the issues that have been identified.

The Committee so agreed.

18. The Chairman further referred to the note on the second meeting of the NG8 held on 21 May 1987 and said that the Chairman of this Group had undertaken to request the Committees of the MTN Agreements and Arrangements to provide the Group with information on their work (MTN.GNG/NG8/2, paragraph 11). He suggested that, upon the receipt of such a request, the Committee authorize the Chairman to transmit to NG8 the notes by the Chairman issued in L/series of documents after each meeting of the Committee. It was so agreed.

F. Preparations for the 1987 meeting on procedures for information exchange

19. The Committee discussed the arrangements for the next Meeting on Procedures for Information Exchange on the basis of a note by the secretariat (TBT/W/101) and noted that discussions to be held under different agenda items would focus on any new developments in information exchange activities in Parties since the 1985 Meeting.

20. The Committee appointed Mr. S. Chang, Vice-Chairman of the Committee for 1987, to chair the 1987 Meeting on Procedures for Information Exchange and agreed to hold this meeting on 13 October 1987 continuing, if necessary, on 14 October 1987.

G. Preparations for the eighth annual review of the Agreement

21. In accordance with the arrangements for previous reviews, the Committee agreed that Parties should submit to the secretariat any information that they wish to be included under the items of the review (TBT/M/3, Annex III, paragraph 1) by 17 August 1987. The secretariat would issue the basic document containing this information as well as updated versions of the documents on consultation points (TBT/W/62/Rev.1 and Corrs.1-2), enquiry points (TBT/W/31/Rev.5 and Corrs.1-3) and panelists (TBT/W/25/Rev.10 and Corr.1) by 7 September 1987.

H. Spain - Certification systems on sanitary fittings and metallic tableware

22. The representative of Sweden informed the Committee that under the rules of certification systems on sanitary fittings in Spain, products originating in Sweden did not receive treatment comparable to that allowed to products of certain other origins. Her authorities reserved Sweden's rights under the Agreement pending the result of informal consultations with the Spanish authorities.

23. The representative of the European Economic Community said that informal consultations would be organized between the Swedish and Spanish authorities on this matter as soon as possible. With regard to the certification systems on metallic tableware in Spain, he informed the Committee that informal consultations had been held in April between the delegation of Spain and delegations of Japan, Hong Kong and the Republic of Korea and that further consultations would be resumed in the near future.

24. The Committee took note of the statements made.

I. Date and agenda of the next meeting

25. The Committee agreed to hold its next meeting on 12-14 October 1987. The agenda of the meeting would include the following items:

1. Statements on implementation and administration of the Agreement;
2. Testing, inspection and type approval;
3. Relationship of the work of the Committee to the Uruguay Round;
4. 1987 Meeting on Procedures for Information Exchange;
5. Eighth annual review of the Agreement;
6. 1987 Report to the CONTRACTING PARTIES.

Annex IRecommendation on Translation of Documents
Relating to Notifications

The Committee recommends that when a Party seeks a copy of a document relating to a notification which does not exist in that Party's GATT working language, it will be advised, on request, by the notifying Party of other Parties that have requested, as of that date, a copy of the document. The Party seeking a copy of a document relating to a notification may then contact such other Parties in order to determine whether the latter are prepared to share, on mutually agreed terms, any translation that they have or will be making into relevant GATT working language(s).