

**GENERAL AGREEMENT ON  
TARIFFS AND TRADE**

RESTRICTED

TBT/1/Add.11/Suppl.1  
28 September 1983

Special Distribution

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Committee on Technical Barriers  
to Trade

Original: French

INFORMATION ON IMPLEMENTATION AND ADMINISTRATION  
OF THE AGREEMENT

Supplement

The following communication has been received from the delegation of Belgium.

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I have the honour of forwarding herewith a copy of a Royal Decree of 7 March 1983, published in the Moniteur belge of 28 April 1983 (pages 5402-5403), concerning the implementation of the Agreement on Technical Barriers to Trade.

ANNEX

MINISTRY OF FOREIGN AFFAIRS, EXTERNAL TRADE  
AND CO-OPERATION FOR DEVELOPMENT

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F.83 - 723

7 March 1983 - Royal Decree concerning the Application of the Agreement on  
Technical Barriers to Trade done at Geneva on 12 April 1979

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We, BAUDOUIN, King of the Belgians  
To all, now and in the future, Greetings.

Considering Article 29 of the Constitution;

Considering the Agreement on Technical Barriers to Trade, done at Geneva  
on 12 April 1979 and approved by the Law of 30 March 1981;

Considering the Decree-Law of 20 September 1945 concerning Standardiza-  
tion, maintained in force by the Decree-Law of 28 February 1947, in particular  
Article 2 thereof;

Considering the Regent's Decree of 14 August 1947 modifying the statute  
of the Interministerial Economic Commission created by the Royal Decree of  
26 August 1938, in particular Article 2 thereof;

Considering the statutes of the Belgian Standardization Institute,  
approved by the Royal Decrees of 7 July 1958, 13 May 1969 and 10 April 1973;

Considering the views of the State Council;

Upon the recommendation of Our Prime Minister, Our Minister of Economic  
Affairs and Our Secretary of State for External Trade,

Have decreed and hereby do decree:

Article 1. In this decree:

1. "Agreement" means the Agreement on Technical Barriers to Trade,  
signed at Geneva on 12 April 1979 and approved by the Law of 30 March 1981;
2. "Commission" means the Interministerial Economic Commission  
instituted by the Regent's Decree of 14 August 1947;
3. "Secretariat" means the secretariat of the General Agreement on  
Tariffs and Trade (GATT).

Article 2. For the application of the Agreement, the Commission shall be responsible for preparing:

1. directives designed to facilitate such application;
2. the content of notifications to be made by Belgium;
3. the observations of Belgium with regard to notifications by other parties to the Agreement.

Article 3. The Commission shall be assisted by the Belgian Standardization Institute, which shall be responsible for:

1. cataloguing Belgian and foreign draft and approved technical regulations, standards and certification systems;
2. preparing files relating to the notifications mentioned in Article 2.2 and forwarding the notifications to the secretariat;
3. furnishing the following information at the request of parties to the Agreement:
  - (a) the name and address of competent bodies,
  - (b) material indicating existing technical regulations, standards and certification systems;
4. communicating to Belgian administrations, enterprises and groups of enterprises:
  - (a) the notifications transmitted by the secretariat and, at their request and against payment, the documents relating thereto;
  - (b) all other information provided for by the Agreement;
5. submitting to the Commission the observations made by administrations, enterprises or groups of enterprises regarding notifications by other parties to the Agreement.

Article 4. Public authorities and private bodies which prepare draft technical regulations, standards and certification systems that fall within the sphere of application of the Agreement shall communicate such drafts and all useful information to the Belgian Standardization Institute. A reasonable time-period shall be left between the date of communication and the intended date of publication.

Article 5. This Decree shall enter into force on the day of its publication in the Moniteur belge.

Article 6. Our Prime Minister, Our Minister of Economic Affairs and Our Secretary of State for External Trade shall be responsible, each in so far as he is concerned, for the execution of this Decree.

Given at Brussels, 7 March 1983

BAUDQUIN

By order of the King:

The Prime Minister  
The Minister of Economic Affairs

M. EYSKENS

The Secretary of State for External Trade

A. KEMPINAIRE

drawn up after consultations with foreign exporters of the product concerned. As regards private organizations, the ABNT is the only one in operation at present.

The legal process necessary to implement the Agreement has reached an advanced stage. Final approval involves publication of the entire Agreement in the Official Gazette. Acceptance of the Agreement will not involve any change in Brazilian legislation nor necessitate the adoption of specific legislation. There are a number of domestic laws in the area of standards in Brazil which overlaps but are not contradictory with the Agreement.

#### Canada

The Agreement was signed by Canada on 17 December 1979 and came into force on 1 January 1980. Since the Canadian Government already had sufficient authority under existing legislation to meet its obligations under the Agreement, no new legislation was required to implement the Agreement.

Canadian Government departments and agencies have been provided with copies of the Agreement and advised of their obligations under it. An Interdepartmental Committee on Standards Policy, comprising representatives of government departments and agencies engaged in activities to which the Agreement applies, has been established under the chairmanship of the Director-General, Technology Branch, Department of Industry, Trade and Commerce, to co-ordinate and review the implementation and administration of the Agreement. Although the Committee itself does not have the power to ensure that departments and agencies comply with the Agreement, it has drafted a formal government administrative policy directive respecting provisions of the Agreement, which, inter alia, fixes the minimum period to be allowed for comment on proposed technical regulations, standards and certification systems at sixty days. This policy directive will be submitted to Cabinet Ministers for approval in the near future, and all Canadian Government departments and agencies will be required to comply with it when it is approved.

The Canadian Government has corresponded and met with the provincial governments and with the Standards Council of Canada and its accredited standards writing organizations regarding the Agreement and has received assurances that they will endeavour to comply with the provisions that apply to their activities and to co-operate in the implementation of the Agreement. No formal agreement respecting the implementation of the Agreement has been signed with any provincial government or with any non-governmental standards writing organization.

There are five recognized standards writing organizations which have been accredited by the Standards Council of Canada. They are: Bureau de Normalisation du Québec (BNQ), Canadian General Standards Board (CGSB), Canadian Gas Association (CGA), Canadian Standards Association (CSA), and

Underwriters' Laboratories of Canada (ULC). All are private organizations except for Bureau de Normalisation du Québec (BNQ), which is an agency of the Government of Québec. The practices of these standards writing organizations with respect to using international standards, publishing notices of proposed standards and certification systems, providing information and accepting comments on proposed standards and certification systems accord with the provisions of the Agreement.

Overall responsibility for co-ordinating the implementation of the Agreement by Canada has been assigned to:

Technology Branch  
Department of Industry, Trade and Commerce  
235 Queen Street

Ottawa, Ontario  
Canada KIA 0H5

#### Chile

After having signed the Agreement on Technical Barriers to Trade on 25 October 1979, the Chilean Government presented the text for the ratification process under the Constitution and the relevant supplementary legislation.

The following formalities had been completed up to 5 February 1981:

- (a) The text of the Agreement was submitted for consideration by Legislative Committee No. 1 of the Government, together with a technical and legal report prepared by the Ministry of External Relations (Directorate General for International Economic Relations and Treaties Department).
- (b) Legislative Committee No. 1 examined the Agreement and made a first report which was presented to the Ministry of External Relations for an opinion.
- (c) The report was returned to Legislative Committee No. 1 without any comments as to the substance.
- (d) The Legislative Committee is currently preparing its final report which will be submitted to the Government for a definitive decision.

The ratification process was completed on 12 March 1981. Following notification, the necessary internal measures will be taken in order to give full implementation to the Agreement.

Prior to notification, the Chilean Government was applying the Agreement de facto in the sense that technical regulations and standards, including packaging, marketing and labelling requirements, and methods for certifying conformity with technical regulations and standards, did not constitute unnecessary obstacles to international trade. The Chilean authorities are in the process of reorganizing standardization activities with a view to efficiently and fully implementing the Agreement and to fulfilling all of Chile's commitments under it. It is too early, however, to give a precise date for completion of these administrative steps. The Chilean Government will do its best to accommodate any requests for information or consultation from other signatories.

#### Denmark

The Ministry of Industry has issued instructions for the implementation of the Agreement (Circular Letter from the Ministry of Industry dated 27 June 1980). The instructions have been discussed with all relevant ministries. They were published in the Ministerial Gazette (Ministerialtidende) Volume 6, 1980.<sup>1</sup> They apply to all central government bodies. Copies have also been sent to local and regional authorities by the Ministry of the Interior. The instructions spell out the details of the Agreement and explain what tasks the agencies and organizations will have to perform. The instructions issued by the Ministry of Industry for the implementation of the Agreement apply equally to agricultural products.

In Denmark local and regional authorities do not issue technical regulations. However, for the sake of good order, the Ministry of the Interior has informed local and regional authorities of their obligations under the Agreement (thus "taking such reasonable measures as are available" pursuant to Articles 3 and 6 of the Agreement). The Danish standards associations have the status of private bodies. Thus, the most appropriate way to "take such reasonable measures as are available" (according to Articles 4 and 8.1) and thereby to ensure their compliance with the provision of the Agreement, is to conclude an agreement with them on the matter. Agreements have been signed between the Ministry of Industry and the three existing Danish standards associations on their implementation of the Agreement at the beginning of June 1980. The Danish Government thereby assumes its full responsibility under the Agreement for the provisions relevant to the standards associations.

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<sup>1</sup> A copy is available for consultation in the Technical and other Barriers to Trade Division, Room 1073, Centre Rappard William.

### European Economic Community

The Council decision of 10 December 1979 is the basic law in accordance with which the European Communities both approved and formally undertook the obligations of the Agreement. This Decision is contained in Official Journal No. L 71 of 17 March 1980.

In addition to this basic law the Communities approved on 15 January 1980 a decision to establish certain principles for the administration of the Agreement and certain rules and procedures to regulate the resort to actions in the event on non-reciprocity should this arise in the course of application of the Agreement. This decision regulates the important internal question of the rôle of the individual member States, the Commission and the Council of the European Communities in taking such action. This Decision is contained in Official Journal No. L 14 of 19 January 1980.

Finally, there is, at the moment, a proposal before the Council of Ministers, for a directive to regulate, internally, the implementation of the provisions of the Agreement on access to Community certification systems. The purpose of this Directive is to establish a procedure for the granting of Community certification to third country products. This proposal is still under examination by the Council.

### Finland

The Agreement itself has been incorporated into Finnish law by a Law adopted by the Parliament on 22 February 1980. It has come into force retroactively from 1 January 1980 by a Presidential Decree, given on 29 April 1980.

A decision by the Council of State (Government) concerning information, notification and enquiry point has been issued on 27 June 1980.<sup>1/</sup> The coverage of this decision is the same as that of the Agreement.

The activities of local authorities and private organizations are fully covered in the decision of the Council of State and any relevant Finnish legislation. However, local authorities in Finland do not issue

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<sup>1/</sup> An English translation of this decision by the Council of State is available for consultation in Technical and Other Barriers to Trade Division, Room 1073, Centre William Rappard.

standards of any significance in international trade. As far as private organizations are concerned, the Finnish Government has drawn their attention to the need to observe the obligations of the Agreement. Control of the implementation of the Agreement in Finland:

Ministry of Trade and Industry  
Aleksanterinkatu 10

00170 Helsinki 17

France

The Agreement on Technical Barriers to Trade was signed by France on 17 December 1979 and entered into force on 1 January 1980.

For a long time past, France has been pursuing in regard to standards an outward-looking policy, a policy of participation in international activities; accordingly no specific legislative action has been necessary for implementation of the Agreement and, moreover, the provisions of the latter are consistent with the French legislation in force. While the French Foreign Trade Ministry would be responsible for co-ordinating the implementation of the various MTN Agreements, the technical administration of this Agreement would be carried out by the Interministerial Standards Office (Commissariat à la normalisation). All the French Ministries have been informed of the obligations under the Agreement and specific instructions will be issued to them as required. Local government authorities do not carry out any activities susceptible of creating obstacles to trade.

Germany, Federal Republic of

The Agreement on Technical Barriers to Trade was signed by the Federal Republic of Germany on 17 December 1979, and entered into force in the Federal Republic of Germany on 1 January 1980; special legislative measures were not required. See notification (TBT/1/Add.8) of 16 June 1980, for the measures implemented by the European Communities. The federal authorities had drawn the attention of all local governments, especially the Lander, and of all non-governmental bodies, especially DIN, to the obligations under the Agreement. An information system had been established between the federal authorities and these various bodies. Information available pending the developments of the DITR would be provided by the competent authorities.

## Hungary

The Agreement was signed for Hungary on 23 April 1980 and entered into force on 23 May 1980. The Agreement was incorporated in Hungary's domestic legislation under Decree No. 37-1980 of 18 September of the Council of Ministers, published in the "Magyar Közlöny" (official gazette of Hungary).

In Hungary, a number of government bodies (central government bodies in terms of the Agreement) are empowered to introduce and apply technical regulations and standards and to bring into operation certification systems. Paragraph 3, first sub-paragraph of Decree No. 37 of the Council of Ministers contains a fundamental provision to ensure implementation of the Agreement. Under that provision, implementation of the Agreement must be ensured by the bodies so empowered within their respective spheres of activity. Whenever necessary, the Ministry of Foreign Trade co-ordinates compliance with Hungary's obligations under the Agreement.

Nevertheless, at the time of Hungary's signature of the Agreement, the legislation regarding technical regulations, standards, certification systems and current practice were already consistent, in that respect, with the principles and provisions of the Agreement, in particular with Articles 2, 5 and 7.

Decree No. 19 of 1976 of the Council of Ministers on standardization contains two sorts of standards in general. One is defined as being a standard that is mandatory. Derogation from such standards is allowed subject to special authorization. These technical standards are in fact technical regulations in terms of the Agreement. In their contract, the producer and the purchaser can derogate from the other type of standard without authorization. Such provisions must be considered as being standards within the meaning of the Agreement on Technical Barriers to Trade.

In the field of Hungary's foreign trade, however, the provisions of the above-mentioned decree do not come into operation automatically. In the case of a Hungarian export, for example, those provisions are applicable only if the parties to the contract have specifically agreed to that effect. Under common directive 12/78/KKE.14 of the Minister for Foreign Trade and the Chairman of the Hungarian Standards Office, implementing Decree No. 19/1976/VI.12 of the Council of Ministers regarding standardization in the foreign trade field, the importers determine whether or not imported products are to be subject to Hungarian technical specifications having the character of technical regulations or standards in terms of the Agreement. Importers can derogate without any authorization from application

of a Hungarian provision that is normally applicable be it a standard or a technical regulation in terms of the Agreement. A special authorization is required only in a very limited area when the derogation would concern specifications regarding human life or health, prevention of accidents at work, etc. In such cases, authorizations are granted without any difficulty provided the competent authorities are certain that application of the technical specifications of another country, instead of those of Hungary, will not affect the above-mentioned interests.

There are certain technical regulations or standards which must be observed in the case of the technical specifications covered by the decree on standardization, as mentioned above and in the field indicated. In addition there are a few technical regulations incorporated in a legal provision. Such specifications are mandatory to the extent that the relevant legal provisions are also mandatory.

In Hungary, local government authorities have no rights affecting obligations under the Agreement.

#### Ireland

Signature of the Agreement on behalf of Ireland was authorized by Government decision on 12 December 1979, following a decision of 10 December 1979 by the Council of Ministers of the European Communities which approved and formally undertook the obligations of the Agreement. This decision is contained in Official Journal No. L 71 of 17 March 1980. In addition, the European Communities approved on 15 January 1980 a decision (Official Journal No. L 14, of 19 January 1980) to establish certain principles for the administration of the Agreement and certain rules and procedures to regulate the resort to actions in the event of non-reciprocity, should this arise in the course of application of the Agreement. This decision regulates the internal question of the rôle of the individual member States, the Commission and the Council in taking such action.

As a consequence of signature on behalf of Ireland and as a result of the decisions by the Council of Ministers referred to above, the provisions and obligations of the Agreement came into effect for Ireland from 1 January 1980. There is no need for specific implementing legislation. Since Ireland is a part of the EEC, Community legislation automatically overrides national legislation.

The central co-ordinating body for implementing the Agreement is the Department of Industry, Commerce and Tourism.

### Italy

Italy has accepted the Agreement without reservation. Accordingly no parliamentary approval is required.

As regards the necessary legislative texts for implementation of the Agreement, reference should be made to the measures taken by the European Communities (document TBT/1/Add.8). Practical and administrative measures have been taken by the Italian authorities in order to integrate those texts at national level and ensure their implementation.

### Japan

Throughout the negotiation of the Agreement, the ministries concerned have developed a profound knowledge about the Agreement and meetings among them are held regularly, to discuss its implementation. Therefore, it has not been necessary to issue special administrative or policy guidelines.

A guideline indicating necessary measures taken by prefectural governments and non-governmental organizations is now under preparation and will be distributed to concerned parties.

Before Japan accepted the Agreement, it made the following Cabinet decision on 22 May 1979, as part of its government policy to open its market. This decision was taken for the purpose of improving the procedures for adapting and implementing standards and test results in line with the Agreement on Technical Barriers to Trade:

#### "Cabinet Decision

RE: Improvement of Procedures concerning Technical Regulations and Standards (hereinafter 'Standards') and Test Methods.

"As Japan's position in the international community is becoming greater than ever, it is increasingly important for Japan to seek international standardization, simplification of procedures as well as non-discriminatory application of such standards and test methods as are generally employed in various countries.

"This recognition of Japan's international rôle has been demonstrated in its efforts to work, in close co-operation with other nations, towards the conclusion of the Agreement on Technical Barriers to Trade in the Tokyo Round of Multilateral Trade Negotiations.

"Japan intends to maintain its efforts to further improve its procedures concerning adoption and modification of standards and in testing procedures concerning imported goods. Thus it is hereby resolved that efforts for procedural improvements will be made in line with the following guidelines.

"Government affiliated agencies<sup>1</sup> will also be given guidance to this effect.

"1. When adopting or modifying standards, conformity with international standards will be sought as much as possible, while taking into account circumstances unique to Japan.

"2. When adopting or modifying standards, public notification of such intention will be made, to the extent possible, sufficiently in advance.

"3. After such notifications are made, opportunity for interested parties, whether domestic or foreign, to submit their views will be provided as much as possible, and views thus submitted will be given due consideration. For this purpose, improvements in procedures shall be facilitated where necessary.

"4. When there is sufficient ground to regard foreign test results as meeting in substance the requirements of Japanese standards, testing procedures in Japan should be simplified as much as possible."

The measures taken by Japan in this context took, most importantly, the form of a set of amendments to the Industrial Standardization Law. The amendments were promulgated on 25 April 1980, and their foremost purpose is to give foreign manufacturers access to the Japanese Industrial Standards (hereinafter called "JIS") marking system.<sup>2</sup>

A summary of the main points of the amendments is as follows:

1. The JIS marking system is now applicable to foreign manufacturers and processors under the same procedures and conditions as indicated below:

1.1 A JIS mark may be used on a product produced in a foreign factory specifically approved by the minister concerned having competence on that particular product.

1.2 In granting such approval, the competent minister shall treat the foreign factory concerned on exactly the same basis as in the case of a domestic factory producing the same product.

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<sup>1</sup>"Government affiliated agencies" usually means public corporations and public finance corporations with special legal status placed under governmental supervising. It does not include (prefectoral) governments.

<sup>2</sup>The JIS marking system has been established by the Industrial Standardization Law, whereby manufacturers who are specifically permitted by the competent minister are authorized to use a JIS mark on products which meet the JIS. The system is applied to products, for which the certifications of quality by JIS is deemed particularly necessary.

For the examination of foreign factories applying for JIS mark certification the same criteria used as for domestic factories namely quality control methods; maintenance of production facilities and testing of equipment at an appropriate level; handling of materials and products, etc. The minister conducts examination of the foreign factory applying for the JIS mark and usually two examiners are despatched. The minister may take necessary steps for supervision of the factory approved by him, including on-the-spot inspections if required.

- 1.3 Importers are allowed to sell in the domestic market products bearing JIS marks produced only in factories approved by the respective competent ministers.
  - 1.4 If the competent minister requests suspension of the use of the JIS mark, he has to inform the factory in advance giving the reasons for his decision, and must allow the factory an opportunity to present its views.
  - 1.5 The JIS marks are always voluntary in nature. However, Japanese Industrial Standards are sometimes adopted as technical standards, such as the Electrical Appliance and Material Control Law and the Ship Safety Act and they then become mandatory.
2. Inspection of approved factories and products may be conducted by the agencies authorized to do so as follows:
- 2.1 The competent minister will officially announce his intention to carry out inspection of a factory producing a product bearing a JIS mark, when he considers it necessary to ensure the conformity with the JIS prescribed in respect of the product concerned because of a revision of the JIS concerned or in the light of the situation of the quality maintenance of the product. When such an announcement is made, the factory concerned shall be subject to an inspection by an agency authorized by the competent minister, which must be carried out within a prescribed period.

- 2.2 The competent minister may order the carrying out of an on-the-spot investigation of a factory which has refused to receive an inspection, or which is deemed, as a result of an inspection, to be producing the product concerned not in conformity with the JIS required of the product. When, as a result of an investigation, the minister finds it necessary, he may order the factory not to sell the product with the JIS mark during a specified period, forty days at the longest, within which an appropriate administrative action is to be taken.
- 2.3 The competence of the minister, described in 2.1 and 2.2 above, is also applicable to any approved foreign factory, except that the limit of a specific period referred to in 2.2 above is eighty days.
3. JIS marks, or any other markings which are liable to be mistaken for a JIS mark, shall not be affixed on the products other than the designated products. This shall also be applicable with regard to products to be imported.
4. With regard to the frequency of the competent minister referring JIS to the Japanese Industrial Standards Committee for the review of their appropriateness, it is now to be once in every five years, instead of once in every three years as had been the case previously, in line with the corresponding rule of the ISO. This measure has been taken with a view to ensuring a better co-ordination between JIS and international standards.
5. The steps under 1 and 4 above were put into effect on 25 April 1980 and those under 2 and 3 above on 25 October 1980.

Some of the organizations with special legal status such as the Consumer Products Safety Association develop their own standards on the basis of which safety marks are issued for specific products.

The criteria for assessing the suitability of foreign agencies authorized to carry out the inspection of foreign factories are: non-profit status, financial soundness, and technological capacity requirements. The quality and numbers of inspectors as well as the contents of testing equipments constitute technological capacity.

Quality control manager must have a specialized knowledge of quality control as well as practical experience of its application. Normally a level of knowledge equivalent to university courses in quality control is required.

The regulation on the stability test for new drugs, which is required in making application for approval of their manufacture or importation has been amended with a view to simplifying the administrative procedures for the examination of new pharmaceutical products for which approval is sought,

the relevant provisions of the Agreement being those of Article 5.2 and 5.3. The design of stability tests for new drugs is generally neutral vis-à-vis cultural and dietary factors. Under the amendment, which was put into effect on 1 April 1980, results of a stability test conducted by a relevant body of the foreign country concerned may be accepted by the Japanese Government as data in conducting the examination. All test data and supporting documentation must be written in Japanese.

#### Korea, Republic of

The Agreement on Technical Barriers to Trade signed by Korea on 3 September 1980 entered into force for Korea on 3 October 1980 in accordance with Article 15.6.

No legislation is required for Korea to implement the Agreement in view of Article 5 of its Constitution. Also, the existing relevant laws and regulations are not inconsistent with the principles of the Agreement: technical regulations, standards and certification systems comply with the general provisions of Articles 2.5 and 7.

#### Luxembourg

#### Netherlands

The ratification procedure as required by the Netherlands Constitution is well under way. The matter has been considered by the Council of State. The Government expects that Parliament will shortly approve the Agreement without debate. As indicated at the time of signing the Agreement on 17 December 1979, the Agreement is applied provisionally as from the date it entered into force. To ensure this de facto application the necessary practical and administrative measures have been taken. Reference may also be made to action taken by the European Communities (document TBT/1/Add.8).

The Netherlands legislation is consistent with the principles of the Agreement: technical regulations, standards and certification systems comply with the general provisions of Articles 2, 5 and 7; consequently no changes of a legislative nature had to be introduced.

The ministries involved in the implementation of this Agreement are Economic Affairs, Social Affairs, Public Health and Environmental Hygiene, Housing and Physical Planning, Agriculture and Fishery, and Transport and Public Works.

Procedures have been established for notifications to the GATT of draft technical regulations, the competence of the ministries responsible in this field, the co-operation between the ministries, the appointment of contact persons, the publication of draft technical regulations and adopted technical regulations, the procedures to be followed with respect to requests for information, consultation, or comments on notifications submitted by the Netherlands or received from other signatories.

It is unlikely that local government bodies in the Netherlands will issue technical regulations which may have a significant effect on trade. Nevertheless, local government bodies will be informed of the Agreement and requested to comply with the relevant provisions in appropriate cases.

Non-governmental bodies in the field of standardization in the Netherlands are the "Nederlands Normalisatie Instituut" (N.N.I.) and the "Nederlands Electrotechnisch Comité (N.E.C.). These bodies are also involved in implementing the Agreement. They have been requested to apply the relevant provisions of the Agreement. Any standards adopted by them will be published in the "Normalisatie Magazine" edited by the N.N.I. The private institute which will co-ordinate activities in the field of certification, the establishment of which is under way, will be the "Raad voor de Certificatie" (Council for Certification). This body will have authority to recognize private certification systems on the basis of fixed criteria. In the elaboration of these criteria due account will be taken of the obligations contained in Article 8 of the Agreement.

#### New Zealand

Measures taken to ensure the Agreement's implementation include: the circulation of the text of the Agreement in the White Paper published by the New Zealand Government on the outcome of the MTN; all government departments and other bodies associated with standards have been informed of New Zealand's accession to the Agreement and of the need to comply with its provisions.

Apart from the Department of Trade and Industry, other agencies having functions under the Agreement are:

The Standards Association of (Industrial Standards)  
New Zealand  
World Trade Centre  
15/23 Sturdee Street

Wellington 1  
New Zealand

Telarc  
272 Parnell Road  
Parnell

(Testing Laboratories)

Auckland 1  
New Zealand

Ministry of Agriculture and  
Fisheries  
Private Bag

(Technical regulations for  
animals and animal remedies,  
agricultural chemicals and  
plants)

Wellington  
New Zealand

Department of Health  
Private Bag

(Standards for labelling,  
packaging and composition of  
food)

Wellington  
New Zealand

It is not necessary in New Zealand to have recourse to a law in order to ensure the compliance of the above agencies with government orders.

Local authorities are consulted on the formulation and enforce the food hygiene regulations in New Zealand. They are involved in the drafting of building by-laws under the auspices of the Standards Association and enforce these by-laws. No measures are needed to ensure compliance with the provisions of the TBT Agreement as the Standards concerned are generated from the central Government and/or Standards Association of New Zealand which has close links with the Government.

#### Norway

The Ministry of Commerce and Shipping has the responsibility for the General Agreement and the relations to the GATT institutions and to the contracting parties. Consequently, it has also the responsibility for the Agreements resulting from the MTN. The instructions for the implementation of the TBT Agreement, dated 11 January 1980, are preliminary in the sense that the Ministry may amend them if it turns out that changes are necessary. So far, this has not been the case, and no substantial changes are foreseen. The Ministry of Municipal Affairs has informed local and regional Government bodies about the Agreement and the obligations according to Articles 3, 4, 6, etc. The Ministry of Industry has informed the non-governmental bodies, standards associations etc. concerned about the Agreement and the obligations. The main elements of the instructions are the following:

- (a) It is up to the issuing authority or institution to decide whether a proposed regulation or standard must be published and notified according to the Agreement or not. (See section 8.1).

If the issuing authority finds that the proposal falls under the Agreement, it fills in the notification format and hands it over to the Ministry.

The Ministry has established close contacts with the authorities issuing regulations, in particular with those responsible for the the greatest number of regulations. The aim of this co-operation is to ensure that the issuing authorities are following the Agreement.

- (b) The Ministry submits the notification to the GATT secretariat. At the same time a message is sent to the Norwegian Standards Association (NSA) which takes care of publishing a notice about the proposal in its periodical ("Standardisering"). (See section 8.1)
- (c) Comments received from other parties on Norwegian notifications are sent by the Ministry to the issuing authority which will deal with the comments according to the Agreement. (See section 3.2)

These instructions cover the agricultural sector. Separate instructions for this sector will not be issued.

#### Romania

Having been accepted in Romania by Decree of the Council of State, the Agreement has become an integral part of Romania's legislation. Accordingly, there is no need to draw up supplementary regulations for ministries in order to ensure that the provisions of the Agreement are observed. The Romanian legislation in force on standards does not contain any provisions or rules contrary to those of the Agreement, so that there is no need to draw up special regulations for its application.

Under the Decree of the Council of State accepting the Agreement, the Ministry of External Trade and International Economic Co-operation is responsible for its implementation.

The matters covered by the Agreement on Technical Barriers to Trade are enforced by the following legislation:

- The Decree of the Council of State of the Socialist Republic of Romania No.317 of 14 October 1980, published in the Official Bulletin of the Socialist Republic of Romania No.85 of 18 October 1980, regarding the acceptance by Romania of the Agreement on Technical Barriers to Trade

on the basis of which the text of this Agreement was incorporated in the Romanian legislation. The text of the Agreement on Technical Barriers to Trade was also published in the Official Bulletin of the Socialist Republic of Romania No. 85 of 18 October 1980.

- The Decision of the Council of Ministers of the Socialist Republic of Romania No. 1899/1960 regarding the State activity for standardization, published in the Collection of Decisions and Dispositions of the Council of Ministers No. 1 of January 1961. This Decision establishes, in Article 2 in particular, that all technical requirements set forth in State standards are mandatory.
- The Law on the Quality of Goods and Services No. 7 of 1 July 1977, published in the Official Bulletin of the Socialist Republic of Romania No. 63 of 9 July 1977. This law sets product quality at the level of State policy. Inter alia, the law defines:
  - basic conditions and normative technical documents for determining the quality of products;
  - responsibilities of ministers and economic units and of their personnel in ensuring product quality;
  - duties and responsibilities of persons responsible for technical verification of quality, and of the State Inspectorate General for product quality control;
  - material responsibility for infringement of standards and regulations on the quality of products and services.

As regards certification of the quality of products, the law establishes in Article 49 that products may only be delivered if accompanied by certificates of quality and guarantee, analysis reports or other quality certification documents issued by the manufacturing units and by the technical and material supply centres, and bearing the signature of the head of unit and the head of the Quality Control Department who is appointed with the approval of the State Inspectorate General for product quality control. The laboratories which carry out analysis and tests that are the basis for certification of compliance with technical documentation are accredited, by law, by the State Inspectorate General for product quality control. The content and form of quality certification documents are determined by the Central Office of the producing unit with the approval of the State Inspectorate General for product quality control. Confirmation of the quality of products sold to the population is in the form of guarantee certificates, in the case of long-life products, or quality certification documents issued by the producer upon wholesale delivery to the marketing unit, in the case of other products.

The State Inspectorate General for product quality control operates its own central laboratory for physical and chemical verification (LARX) which issues official reports for product quality certification. The latter are issued under the same conditions for Romanian producers and foreign exporters.

### Singapore

No special legislation is required in Singapore to implement the Agreement. All relevant government departments and regulatory authorities have been provided with copies of the Agreement and have been informed accordingly of their obligations under it.

The department responsible for co-ordinating the implementation and administration of the Agreement as well as for notifying the GATT Committee is:

Department of Trade  
201 World Trade Centre  
Maritime Square

Singapore 0409

The specific authorities responsible for standardization, certification and implementation of government technical regulations are outlined below.

### Standards and certification

Standardization and certification are undertaken by the Singapore Institute of Standards and Industrial Research (SISIR). All standards prepared are not mandatory except those which are incorporated into the technical regulations of the regulatory authorities for public health and safety.

The Institute operates several voluntary quality certification schemes which are open to both local and imported products.

### Technical regulations

Enforcement of government regulations relating to electrical safety of specific products is the responsibility of the Public Utilities Board (PUB).

Enforcement of regulations relating to processed foods is the responsibility of the Ministry of the Environment.

Enforcement of regulations relating to fish, meat, fruits and vegetables is the responsibility of Primary Production Department (PPD).

### Spain

In May 1980, Spain signed the Agreement on Technical Barriers to Trade, which has been ratified by the Spanish legislature and will enter into force on the date of publication in the Official Gazette of Spain.

All the ministerial services concerned have taken cognizance of the text of the Agreement. They are represented in the Sub-Group on Technical Barriers to Trade established within the framework of the Inter-Ministerial Commission for the GATT Multilateral Trade Negotiations.

Independently, an Inter-Ministerial Commission on Standardization and Certification has been established in the Cabinet Office and a representative of that body will be among the members of the Sub-Group on Technical Barriers to Trade mentioned above.

### Sweden

The Agreement on Technical Barriers to Trade was ratified by the Swedish Parliament on 19 December 1979 (Government Bill 1979/80:24). The Agreement entered into force on 1 January 1980, in relation to Sweden.

In order to ensure the proper implementation of the Agreement the following actions have been undertaken in Sweden:

1. An amendment to the ordinance regarding the obligation of authorities to inform the Board of Commerce of certain regulations etc., (SFS 1973:233, amendment SFS 1979:1209) has been issued. The amended ordinance applies to technical regulations as well as to certification systems. It states that an authority intending to issue regulations or guidelines regarding the technical construction, quality, marking, testing or approval of goods subject to international trade, irrespective of whether these are in a draft stage or have already been implemented, should inform the Board of Commerce about the matter well in advance before the authority concerned makes a decision on the matter. The expression "subject

to international trade" has, however, not been quantified. Consequently, the Board is able to act, if necessary, irrespective of whether the regulation etc. is of considerable or minor importance for the trade. The expression "of considerable importance" is intended to reflect the expression "significant effect on trade" appearing in Article 2:5 of the Agreement. In urgent cases the information may be given at the latest when the authority has decided on the matter. If it can be expected that such regulations or guidelines are of considerable importance for the trade between Sweden and other countries, the authority concerned should consult with the Board of Commerce before making any decision, unless there are particular reasons not to apply such a procedure.

The above-mentioned ordinance does also apply to local authorities. The Swedish Standards Institution follows the activities of private organizations with respect to the Agreement. Standardizing activities are mainly conducted by special standards organizations. These organizations are non-governmental.

2. The Government issued a second ordinance in which the Board of Commerce was instructed to, after consultations with the authority concerned, publish a notice in a publication, notify other parties of the Agreement through the GATT secretariat and fulfil the obligations as enquiry point for all questions concerning standards in Sweden (SFS 1973:610, amendment SFS 1980:56).

#### Switzerland

The constitutional and administrative procedures for acceptance of the Agreement were completed on 17 December 1979, and it now has legal force.

On a provisional basis the administration of the Agreement has been entrusted to the Federal Office of Economic Affairs which has circulated the relevant documentation to the agencies concerned and hopes to be able to report shortly on standardization activities in Switzerland. A special working party has been established to work out a notification system. It has come to the conclusion that a new ordinance of the Federal Council is necessary to put the scheme into operation. The procedures for the approval of this ordinance have begun and the decision should be taken around the turn of the year. Delay in approval of this ordinance is due to the overburdened workload of governmental bodies and the need for co-ordination among several agencies having standards-related activities. It is hoped that by that time all institutions and bodies necessary for the administration of the Agreement will be in place. In the meantime the competent body is

the Federal Office of Economic Affairs. The object of the draft Federal Council Ordinance is to confirm on a permanent basis the existing arrangements for co-ordination and implementation of the Agreement. Switzerland has no need to issue any other regulations or administrative guidance to implement the Agreement. Local and cantonal governments has practically no standardizing activity of any significance for international trade. They have nonetheless been informed of the provisions of the Agreement through the parliamentary procedures completed in 1979 and through publication of the text of the Agreement itself and direct administrative contacts. As far as private standardizing activities are concerned, over 85 per cent of these are undertaken by the Swiss Association for Standardization, whose standards are based almost exclusively on international standards. Certifying activities of the Federal Government are limited to electrical products; local governments have practically no such activities and there are none in the private sector.

#### United Kingdom

The European Communities approved and formally undertook the obligations of the Agreement through the Council Decision (EEC) No. 80/271 of 10 December 1979 (Official Journal L 71, page 1, of 17 March 1980). In addition, Council Decision (EEC) No. 80/45 of 15 January 1980 (Official Journal L 14, page 36, of 19 January 1980) lays down provisions on the introduction and implementation of technical regulations and standards. Finally, there is a proposal before the Council of Ministers for a Directive to regulate internally access to Community certification systems under the provisions of the Agreement.

The Agreement has full effect in United Kingdom Law by virtue of an Order (SI 1980/191) made under Section 1 (3) of the European Communities Act, 1972.

British standardization activities have been steadily adapted to international practice. Main responsibility for private activities is in the hands of the British Standards Institute (BSI) which is in close contact with the government. No specific measures have been required to ensure compliance with the Agreement. The Ministry of Trade takes the lead on giving guidance on any issues which may arise in this connexion.

#### Hong Kong

No legislation is required for Hong Kong to implement the Agreement. All government departments responsible for the operation of technical regulations or standards and certification systems have been provided with copies of the Agreement and have been informed of the need to comply with its provisions. Hong Kong does not have, nor is it contemplating the introduction of, a national system of technical regulations or standards and

certification requirements for products that would significantly affect the trade of other parties. Hong Kong's existing technical regulations and standards and certification requirements relate mostly to food hygiene, dangerous drugs and goods, alcohol and hydrocarbons, pharmaceutical products and poisons and telecommunication apparatus. The application of these regulations, standards and certification requirements is non-discriminatory and in accordance with the provisions of the Agreement. The adoption of technical regulations, standards and certification requirements is currently the responsibility of the Hong Kong Government and no non-government bodies have been given such powers.

All technical regulations, standards and certification systems applicable in Hong Kong are in conformity with the requirements of the Agreement. Hong Kong does not have a national system of regulations, standards or certification requirements. There are nevertheless certain indigenous measures which have been taken for the purposes mentioned in the latter part of Article 2.2 of the Agreement and which are embodied in the various chapters of the law of Hong Kong. There are nine relevant ordinances concerning building, dangerous drugs, dangerous goods, radiation, pharmaceuticals and poisons, road traffic, telecommunications, food hygiene, alcohol and hydrocarbons. Responsibility for the operation of regulations and standards lay fully in the hands of the Government. There is only one government body responsible for such action and no non-governmental bodies are involved in the elaboration of standards. As a result, the provisions of Articles 3, 4, 6 and 8 are not pertinent to the Hong Kong situation. Internal measures taken within government departments are sufficient to ensure adequate implementation of the Agreement. All the necessary measures for this purpose have already been taken. As to the future, authority to adopt new standards will continue to lie solely in the hands of the Government, which will remain in a position to ensure continuous implementation of the Agreement without any need for changes in existing legislation.

#### United States

The legal basis on which the Agreement is being implemented in the United States is Title IV of the Trade Agreements Act 1979 (Public Law 96-39). A copy of Title IV, as well as a copy of the United States Administration's Statement of Administrative Action, which sets forth a detailed plan by the United States Executive Branch for implementing Title IV has been forwarded to the Committee on Technical Barriers to Trade.

The Departments of Commerce and Agriculture issued notices in the Federal Register on 10 November 1980 and 15 December 1980, respectively, to announce the initiation of Technical Offices to implement Title IV of the Trade Act of 1979.

One of the most important functions of the Technical Offices is to disseminate information on foreign proposed standards and certification systems to United States federal, state and local agencies, and the private sector. The Technical Offices will also encourage better United States representation in international standardizing activities.

On 15-16 October 1980 the Department of Commerce sponsored a conference on international standardization at which many of the issues raised by Section 4.13 of the Trade Agreements Act of 1979 were discussed in a public forum. The results of the conference will soon be published by the Department of Commerce.

In addition, the Office of the United States Trade Representative is preparing an executive order regarding Federal agencies' standards-related activities. Other agencies that have functions pursuant to the Agreement are:

Office of Product Standards  
Office of the Assistant Secretary for Science and Technology  
Room 3876  
United States Department of Commerce

Washington, D.C. 20230

Trade Negotiations Division  
Office of Trade Agreements Policy  
Room 3031  
United States Department of Commerce

Washington, D.C. 20230

Technical Office,  
Room 5528  
International Trade Policy  
Foreign Agricultural Service  
Department of Agriculture

Washington, D.C. 20250

#### State and local government and private activities

The United States has been extremely open in providing information on its implementation and administration of the Standards Code. For example, although the Code only requires to bring actions vis-à-vis state and local governments and the private sector to the attention of the Committee, the United States has gone beyond this requirement. In this regard, it might be noted that Section 403

in Title IV of the Trade Agreements Act of 1979 states that "The President shall take such reasonable measures as may be available to promote the observance by State agencies and private persons ..." of the procedures and provisions of the Trade Act of 1979. This language corresponds to the language in the Code itself which states that "Parties shall take such reasonable measures as may be available to them to ensure that local government and non-governmental bodies within their territories comply with the provisions of ..." the Code.

Additionally, Section 403 states that "It is the sense of the Congress that no State agency and no private person should engage in any standards-related activity that creates unnecessary obstacles to the foreign commerce of the United States". As the United States Senate Finance Committee notes on page 154 of its official report on the Trade Agreements Act:

"Under the Agreement, the United States has undertaken an obligation to take all reasonable measures available to it to ensure compliance by its non-central governmental bodies. The committee expects good faith efforts to be made to fulfil this obligation.

"The committee is cognizant of the fact that the Agreement does not exempt the trade restrictive standards-related activities of non-central governmental bodies although such bodies are not bound directly. In the event that such a non-Federal standard, test method, or certification system is found by the Committee on Technical Barriers to Trade to be an unnecessary obstacle to trade in violation of the Agreement, there is existing legal authority under its power to regulate inter-state and foreign commerce to obtain a modification if the Executive decides to seek a change. Therefore, no additional authority is needed or created in Title IV to enable the Federal Government to fulfil its agreement obligations with respect to non-central governmental bodies."

The Federal Government has already taken measures to encourage the compliance of state agencies and private persons. For example, the Office of the United States Trade Representative in Washington, has circulated a letter to the Governors of the fifty states, signed by the United States Trade Representative, informing the state Governors of the obligations of the Standards Code. The Department of Agriculture, also, is directly co-operating with state departments of agriculture. The Department of Commerce has published a pamphlet summarizing the provisions of the Standards Code and the relevant

portions of the Trade Act of 1979 and is distributing this pamphlet as widely as possible to state agencies and private organizations. The Department of Commerce also sponsored a "Conference on International Standardization Issues" which was attended by representatives from dozens of United States private standards and certification bodies. Furthermore, the Departments of Commerce and Agriculture are presently drafting a set of Voluntary Guidelines for state agencies and private persons on procedures that might be used in developing and promulgating standards that will comply with the provisions of the Standards Code.

The major United States private standards-setting organizations use completely open procedures; in this regard, they normally allow sixty days for comments. All fifty states give the public notice of their proposed regulations and allow for comments. The length of comment period, however, do vary greatly from state to state. The Voluntary Guidelines will recommend that state government comment periods be at least forty-five days.

United States private certification bodies, such as Underwriters Laboratories, use mailing lists to inform the public of proposed changes in regulations or proposed certification systems. These mailing lists are completely open; any interested party can request to be placed on them. Comments are always solicited and the average comment period is sixty days.

The Office of the United States Trade Representative is presently preparing a regulation under Section 422 of Title IV of the Trade Agreements Act of 1979, that will specify the procedures that should be used when a foreign country complains to the United States Government about an alleged violation of the Standards Code. In this regard, the United States Trade Representative, under sub-title C, Section 421-424 of Title IV of the Trade Act of 1979, is to receive representations alleging that a standards-related activity in the United States is violating the obligations of the United States under the Code. No entity other than a Code signatory, or a foreign country that is not a Code signatory but is found to extend equivalent rights and privileges to the United States, may make such a representation. After receiving a complaint from a Code signatory, the United States Trade Representative is directed to take appropriate steps to achieve a mutually satisfactory solution with the concerned parties.

### Yugoslavia

Yugoslavia has accepted the Agreement on Technical Barriers to Trade on 16 September 1980, subject to ratification. The ratification procedure is in course and the Agreement is expected to enter into force by the end of 1981.

No additional laws or regulations have been issued with respect to the Agreement, due to the fact that the existing legislation enables full implementation of the Agreement. However, local and regional authorities responsible for standardization and technical regulation on local and regional levels have been informed about the Agreement and of their obligations under it.

### 2.2 CONSULTATION POINTS

Name and address of the agency with which to get in touch if consultations are to be requested under Article 14.

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### Argentina

Mission permanente de La Republique Argentine  
auprès des organisations internationales  
Division économique  
93, rue de la Servette

1202 Geneva

ou:

Secretaría de Estado de Comercio y Negociaciones Económicas  
Internacionales  
Dirección Nacional de Negociaciones Económicas Multilaterales  
Av. Julio A. Roca 651 - 50 piso

Buenos Aires

### Austria

Bundesministerium für Handel, Gewerbe und Industrie  
(Federal Ministry for Trade, Commerce and Industry)  
Abteilung II/7  
Stubenring 1-3

A-1010 Wien

### Belgium

Ministère des Affaires Etrangères  
Rue Quatre-Bras 2

1000 Bruxelles

Brazil

Signatories wishing to consult should communicate in writing with:

Divisão de Política Comercial  
Sala 536 - (TBT Enquiry Point)  
Ministério das Relações Exteriores

Brasilia

or:

Permanent Delegation of Brazil  
33, rue Antoine Carteret

1202 Geneva

Canada

Commercial and General Economic Policy Division  
Department of External Affairs  
Lester B. Pearson Building

Ottawa, Ontario  
Canada K1A 0G2

Chile

Delegación Permanente de Chile  
Case postale 221

1211 Genève 19  
Suisse

Denmark

Udenrigsministeriet  
(Ministry of Foreign Affairs)  
Asiatisk Plads 2

DK-1448 Copenhagen K  
Denmark

European Economic Community

Delegation of the Commission of the European Communities  
37-39, rue de Vermont

Geneva  
Switzerland

Finland

Ministry for Foreign Affairs  
Department of Foreign Trade  
Hallituskatu 3 B

00170 Helsinki 17

France

"Commissariat à la Normalisation  
10, cité Vaneau

75007 Paris"

Germany, Federal Republic of

Bundesministerium für Wirtschaft  
Villemombler Str. 76

D 5300 Bonn 1

Hungary

Mission permanente de la Hongrie auprès de  
l'Office des Nations Unies et des autres  
Organisations internationales à Genève  
Section commerciale  
2, chemin des Mines

1202 Genève

Télex: 23750

Ireland

International Trade Division  
Department of Industry, Commerce and Tourism  
Kildare Street

Dublin 2

Requests for consultations may be channelled through:

La Mission permanente de l'Irlande  
17-19 chemin du Champ d'Anier  
Case postale 144

1211 Genève 19

Italy

Ministero dell'Industria Commercio e Artigianato  
Direzione Generale Produzione Industriale  
Ispettorato Tecnico dell'Industria  
Via Molise

2 - 00100 Roma

Telex: 610154

Copy to:

Permanent Mission of Italy  
10, chemin de l'Impératrice  
CH-1292 Chambésy

Genève

Japan

First International Organization Division  
Economic Affairs Bureau  
Ministry of Foreign Affairs  
Kasumijaseki 2-2-1  
Chiyoda Ku

Tokyo

Telephone: 03(580)3311

Korea, Republic of

Requests for consultation should be addressed to the enquiry points indicated in Section 8.2 below. These enquiry points are already operational.

Luxembourg

Netherlands

Permanent Mission of the Kingdom of the Netherlands  
56, rue de Moillebeau

1211 Geneva 19

New Zealand

The Department of Trade and Industry  
Private Bag

Wellington  
New Zealand

or:

Permanent Delegation of New Zealand  
28A, chemin du Petit-Saconnex

1209 Genève

Norway

Ministry of Commerce and Shipping  
PO Box 8113 Dep.  
Fr. Nansens plass 4

Oslo 1

Romania

Ministry of Foreign Trade and International  
Economic Cooperation  
Agreement and Legal Department  
Bulevardul Republicii No. 14

Bucharest 7000

Telex: 10-553

Singapore

Department of Trade  
201 World Trade Centre  
Maritime Square

Singapore 0409

Spain

Ministerio de Economía y Comercio  
Subdirección General de Política Comercial Multilateral  
(Sub-Directorate General for Multilateral Trade Policy  
of the Ministry of Economic Affairs and Trade)  
Paseo de La Castellana No. 162

Madrid 16

Telephone:	458.00.16 )	Telex:	
	458.86.64 )		45082 )
	458.60.04 ) (extentions 1936, 1941)		27701 ) (POLCO E)
	458.00.34 )		43399 )
	458.00.85 )		

Sweden

Ministries for Foreign Affairs and Commerce (Utrikes och Handelsdepartementen)	preferably through: The Swedish Permanent Delegation in Geneva 9-11, CP-190, rue de Varembe
S-103 33 <u>Stockholm</u>	1211 <u>Genève</u>

Switzerland

Office fédéral des affaires économiques extérieures  
Palais fédéral est

3003 Berne  
Switzerland

United Kingdom

United Kingdom Mission  
37-39, rue de Vermont

1211 Genève 20  
Switzerland

Hong Kong

Trade, Industry and Customs Department  
Ocean Centre  
Canton Road

Kowloon  
Hong Kong

United States

The Office of the United States Trade Representative  
Executive Office of the President  
1800 G Street, N.W.

Washington D.C. 20506

Yugoslavia

### 2.3 PANELISTS

Name(s) of one or two governmental experts whom Parties would be willing to make available for work on panels set up under the Agreement (Annex 3, paragraph 1).

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#### Argentina

In view of the variety of problems that might be involved in dispute settlement, the Argentine authorities are prepared to make one or more qualified persons available on an ad hoc basis, upon request.

#### Austria

In view of the variety of problems that might be involved in dispute settlement, the Austrian authorities are prepared to make persons available on an ad hoc basis, upon request.

#### Belgium

Mr. H. van Houtte

#### Brazil

#### Canada

Mr. H.C. Douglas  
Mr. M.N. Gifford

#### Chile

Señor Alejandro Jara

#### Denmark

Mr. Aa Andersen

#### European Economic Community

See member States

#### Finland

Mr. K. Bergholm  
Mr. A. Kuosmanen

France

M. Edmond Robin  
M. Pierre Rolland

Germany, Federal Republic of

Mr. H. von Massow

Hungary

M. Péter Naray

Ireland

Italy

Mr. P. Cavanna

Japan

Mr. T. Kawamura  
Mr. K. Shinzeki

Korea, Republic of

Names for consideration for work on Panels set up under the Agreement are being forwarded to the Chairman of the Committee.

Luxembourg

Netherlands

Mr. A. Oosterhoff

New Zealand

Mr. T.C. O'Brien  
Dr. J. Yeabsley

Norway

Mr. E. Selmer  
Mr. H. Boyum  
Mr. K. Berger

Romania

Mr. Alexandru Cordasevscki. (The name of the second expert will be communicated later to the GATT secretariat.)

Singapore

Spain

Dr. Miguel Angel Díaz Mier  
Dr. Felipe Gutiérrez Morales

Sweden

Mr. B. Agild

Switzerland

United Kingdom

Mr. J.S. Linton  
Mr. R.J. Meadway

United Kingdom on behalf of Hong Kong

Mr. D.M. McPhail

United States

Mr. D. Abelson  
Mr. B. Wilson

Yugoslavia

### 3. NOTIFICATION

#### 3.1 GENERAL

Notifications under the relevant provisions of the Agreement (Articles 2.5, 2.6, 3, 4, 7.3, 7.4, 8) have been made by sixteen signatories as of 5 February 1981. The total number of notifications made by each is as follows:

Austria	1
Canada	16
Denmark	1
European Economic Community	11
Finland	6
France	1
Germany, Federal Republic of	1
Ireland	4
Japan	21
Netherlands	1
New Zealand	7
Norway	6
Sweden	18
Switzerland	4
United Kingdom	3
United States	57

Out of the total 158 notifications, 128 were made under Article 2.5.2 of the Agreement, thirteen under 2.6.1, two under 2.6.2, ten under 7.3.2 and five under 7.4.1.

The fields covered by the notifications to date are mainly:

- (1) Dangerous substances, protection of human health (55 notifications);
- (2) Human safety (47 notifications);
- (3) Motor vehicle safety (10 notifications);
- (4) Radiation safety (5 notifications);
- (5) Safety and quality of food (2 notifications);
- (6) Animal health (5 notifications);
- (7) Technical requirements (7 notifications);
- (8) Packaging and labelling regulations (10 notifications);
- (9) Product quality (6 notifications);
- (10) Energy conservation (4 notifications);
- (11) Protection of environment (7 notifications).

At its second, third and fifth meetings, the Committee discussed the format for notifications. It agreed at its third meeting to recommend a format which was subsequently translated into a notification form by the secretariat. Delegations now submit notifications on the secretariat form. Blank forms are available from the secretariat.

The format recommended by the Committee covered, inter alia, the name of the party and agency proposing to adopt or which has adopted a regulation or a certification system; the products covered, with their CCCN tariff heading (Parties which do not use the Customs Co-operation Council Nomenclature indicate the national tariff number of the products covered); the comment period or final date for submission of comments. The name of the notifying Party appears on all the notifications. Most signatories give indications as to the agency responsible for draft regulations or certification systems.

At its fifth meeting, the Committee agreed to keep the procedures for notifications under review, taking into account various proposals made by signatories.

### 3.2 COMMENT PERIOD

3.2.1 Expected length of time to be allowed for presentation of comments in writing on technical regulations, standards or rules of certification systems (Articles 2.5.4, 2.5.5, 2.6.3, 7.3.4, and 7.4.3).

The Committee recommended six weeks as a suggested minimum length of time.

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#### Argentina

Once the study mentioned in section 2.1 is finalized and the internal bodies concerned are consulted, information will be provided on the expected lengths of time to be allowed for presentation of comments in writing on the matters referred to in this section, with due regard for the length of time recommended by the Committee.

#### Austria

The length of time allowed for presentation of comments is six weeks.

#### Belgium

Comments on draft standards can generally be presented within a period of three months.

#### Brazil

The length of time normally allowed for receiving comments on draft national standards prepared by ABNT is approximately eight weeks.

#### Canada

The time allowed for comment on proposed Federal Government technical regulations varies from thirty to ninety days in most cases, but may extend to six months or more. A proposal to fix a minimum comment period of sixty days is under consideration. The time allowed by the standards writing organizations for comment on proposed standards and certification systems varies from a minimum of thirty days to an unlimited period.

### Chile

The internal measures necessary for implementation of the Agreement, once the latter has been ratified, will determine the period allowed for presenting comments, taking into account the Committee's recommendation.

### Denmark

No general time-limit can be set for the presentation of comments. The principle is to allow as long a time-limit as possible. Whenever possible a precise time-limit will be indicated in the notifications. Any comments presented within a reasonable time will be taken into account to the maximum extent possible.

### European Economic Community

Generally speaking the time expected to allow for making comments on Community regulations will be two to four months depending on the Community procedures invoked.

### Finland

At least six weeks.

### France

In view of the diversity of texts envisaged (technical regulations or standards), there is no uniform period for presenting written comments. In general, however, a period of two to three months will probably be allowed.

### Germany, Federal Republic of

Owing to the differences in character of the respective technical regulations, standards or certification systems and in the practice of various authorities there is no uniform time frame on the submission of written comments. As a rule, two months are likely to be available for commenting regulations of Federal departments and authorities and up to four months for DIN standards, for instance.

### Hungary

Thirty to ninety days; as a rule, sixty days are allowed.

### Ireland

Generally speaking two months will be allowed for presentation of comments.

### Italy

The length of time allowed for presentation of comments in writing on technical regulations, standards or rules of certification systems can vary from two to three months, depending on the subject.

### Japan

Regarding the comment period, the Japanese Government would follow the recommendation of the Committee as far as possible. Continuous efforts will be made to allow sufficient time for comments relating to notifications.

### Korea, Republic of

There is no fixed time-limit. Any comment presented within a reasonable time will be duly taken into account.

### Luxembourg

### Netherlands

Notifications through the GATT secretariat will be made in conformity with the format recommended by the Committee. The delay for comments to be made will be adapted to whatever consensus may emerge in the Committee, but should in the Netherlands view be in general not less than six weeks.

### New Zealand

A minimum period of three weeks (more usually at least one month) is allowed for the receipt of comments. The time available for comments from overseas is the same as that available to parties commenting in New Zealand.

The Health Department and Ministry of Agriculture and Fisheries envisage no difficulties in extending the existing time-limit for comments on notifications to six weeks. The Standards Association allow up to three months for comments on notifications.

### Norway

The Norwegian authorities have accepted the Committee's recommendation of a minimum period of six weeks for presenting comments, and will allow such a period whenever possible.

Romania

In order to present comments in writing, a reasonable time is allowed, in accordance with the provisions of Articles 2.5.4, 2.5.5 and 7.3.4 of the Agreement on Technical Barriers to Trade.

In accordance with Article 13 of Order No. 1899/1960 of the Council of Ministers, draft standards must be sent for comments at least fifteen days before the time-limit set for their approval.

Singapore

Prior to a standard being endorsed, a three-month period is given for public comments and the notice is published in the press.

Before a technical regulation relating to electrical safety of specific products is enforced, a six-month advance notice is given to the manufacturers and traders to comply.

Spain

There is no time-limit under the existing Spanish legislation. In future, the Spanish Government will follow the Committee's recommendations to the fullest extent possible.

Sweden

No specific length of time for presentation of comments in writing on technical regulations etc. has been established. Whenever possible the recommended period of six weeks for presentation of comments will be respected.

Switzerland

In general, six weeks.

United Kingdom

Generally speaking two or three months.

Hong Kong

The time allowed for presentation of comments in writing on technical regulations or standards and rules of certification systems varies from one month to twelve months.

United States

The Federal Government generally allows the public at least sixty days to comment on proposed regulations (Articles 2.5.4, 2.5.5, 2.6.3, 7.3.4 and 7.4.3).

State governments typically provide for public comment periods of ten to thirty days (Article 3.1). For example:

- California - approximately thirty days (depends upon the issue)
- New York - thirty days
- Texas - thirty days
- Pennsylvania - approximately thirty days (depends upon the issue)
- Illinois - fourteen days
- Florida - fourteen days
- Wisconsin - ten days before an automatic public hearing

The United States Private Sector National Standards Organization, ANSI, normally allows sixty days for comments on their proposed standards (Article 4.1).

Yugoslavia

At least ninety-days period is provided for comments on proposed standards (in accordance with Articles 2.5.4, 2.5.5, and 2.6.3 of the Agreement).

### 3.2.2 Length of time actually allowed for presentation of comments.

1. An analysis of notifications received up to 5 February 1981 shows that the comment period has varied from country to country, from a minimum of less than one week after the date of issue of the notification by the secretariat to a maximum of nine months. Most signatories have allowed a month or longer for comments. In a few cases, no comment period was indicated, or the period indicated had already lapsed.

2. The breakdown is as follows (numbers of notifications in parentheses):

Austria	5 weeks (1)
Canada	no indication (7); lapsed (1); 2 weeks (1); 6 weeks (4); 2 1/2 months (3)
Denmark	no indication (1)
European Economic Community	1 month (1); 1 1/2 months (2); 2 months (2); 2 1/2 months (2); 3 months (1); 3 1/2 months (3)
Finland	1 1/2 months (1); 5 weeks (1); 1 month (2)
France	7 weeks (1)
Germany, Federal Republic of	5 weeks (1)
Ireland	2 months (2); 2 1/2 months (2)
Japan	1 week (2); 2 weeks (1); 1 month (3); 1 1/2 months (1); 2 months (2)
Netherlands	5 weeks (1)
New Zealand	no indication (1); lapsed (2); 3 weeks (2); 1 month (2)
Norway	2 weeks (1); 3 weeks (1); 1 month (1); 2 1/2 months (1)
Sweden	no indication (1); lapsed (2); 2 weeks (1); 3 weeks (2); 1 month (4); 1 1/2 months (2); 2 months (2); 2 1/2 months (2)
Switzerland	1 month (2); 5 weeks (2)
United Kingdom	no indication (1); 3 weeks (1); 1 1/2 months (1)
United States	1 week or less (4); 2 weeks (6); 3 weeks (5); 1 month (14); 1 1/2 months (13); 5 weeks (4); 7 weeks (1); 2 months (3); 2 1/2 months (1); 3 months (1); 5 months (1); 5 1/2 months (1); 9 months (1)

#### 4. TECHNICAL ASSISTANCE AND SPECIAL AND DIFFERENTIAL TREATMENT

##### Canada

No requests have been made or received by Canada for either technical assistance or special and differential treatment. However, the Standards Council of Canada, with financial assistance from the Canadian International Development Agency (CIDA), arranged a four-week seminar in May/June 1980 for a number of invited participants from Thailand, Malaysia, Indonesia, the Philippines and Singapore. The purpose of the seminar was to assist participants to find solutions to standardization problems in their own countries by demonstrating how standards are prepared and applied in Canada.

##### Chile

The Chilean Government has received from the secretariat continuing and appropriate technical assistance, in connexion with the list of products of particular interest to Chile, regarding which it has received notifications from other signatories.

##### Germany, Federal Republic of

In 1981 the Deutsche Stiftung für Internationale Entwicklung (German Foundation for International Development) in Berlin will hold a seminar for trade experts from developing countries on the results of the Tokyo Round (MTN). Activities at the seminar will focus on the agreement on technical barriers to trade and the special benefits it holds for developing countries.

##### Japan

In the field of mining and manufacturing industry, Japan has developed various technical co-operation schemes to promote standardization, quality control and certification management, which include advisory services, consultation and training.

Many countries have participated in the co-operation schemes and there are many requests for further enforcement of the activities.

##### United States

The United States Government, through the National Bureau of Standards (NBS), participates in a wide range of technical assistance activities. For example, NBS is involved in bilateral co-operative efforts (under special funding arrangements) with Israel, Yugoslavia, Poland, India, Spain and Egypt in carrying out specific standards, research projects and technical

evaluations. NBS has also been involved in specific technical assistance programmes, including: assistance to Egypt to develop its institutional infrastructure for metrology, standardization, and quality control; assistance to the Korean Standards Research Institute; special training and consultation to the Institute for Technological Research of the State of Sao Paulo (Brazil); and providing opportunities for Mexican scientists to work in NBS laboratories.

NBS maintains a "Guest Worker Program" under which faculty, and graduate student scientists and engineers from foreign universities may be invited or permitted to undertake a technical project using the Bureau's equipment and facilities in both Washington and Boulder, Colorado. In a typical year, NBS hosts approximately sixty-five guest workers.

In the recent past, NBS has held workshops and training courses in the United States on standardization and measurement services which were attended by standards officials from forty-four developing countries; has held several international seminars in the United States to provide a forum on topics of metrology and standardization in less developed countries, and has sponsored regional seminars on special topics related to standards and metrology in Bolivia, Singapore and Korea. Upon request, NBS has aided ten developing countries in conducting surveys on standardization and measurement services.

The United States private sector provides technical assistance in several ways and through various means: for instance, the American Society for Testing and Materials (ASTM) - a private-sector United States standards developer - provides each year to a university in a developing country a complete set of its standards, representing an extensive body of technology. Such gifts have recently gone to Zaire and Venezuela. In addition, in response to a recent request from UNIDO, ASTM located experts in the iron and steel field for the Government of Brazil.

#### Yugoslavia

Yugoslavia is ready, if requested, to advise developing countries on standardization matters and grant them technical assistance on mutually-agreed terms.

## 5. DISPUTE SETTLEMENT

One Party has requested consultations under Articles 14.1 and 14.2 of the Agreement: the request was not accepted by the Party to whom it had been addressed (TBT/M/3, TBT/M/4, TBT/Spec/4 and 5).

One delegation requested the Committee to investigate a matter under Article 14.4 of the Agreement. The Chairman of the Committee noted that there was a consensus to take up the matter in the Committee with a view to determining whether the Committee was competent to deal with it. When the matter came under discussion, a number of delegations made statements on this question. The Committee took note of the statements that had been made.

## 6. ACCESSION AND RESERVATIONS

### 6.1 Accession

At its meeting of June 1980, the Committee adopted procedures for the accession of non-contracting parties (TBT/M/3, paragraphs 26-28 and Annex II).

On 10 July 1980, the delegation of Bulgaria informed the Chairman that Bulgaria wished to start negotiations for accession to the Agreement on Technical Barriers to Trade under Article 15.3 of the Agreement.

At its fourth meeting, held on 22 July 1980, the Committee noted the statement by the delegation of Bulgaria circulated in document TBT/2 of July 1980. At its fifth meeting, held on 4-6 November 1980, the Committee established a Working Party to examine Bulgaria's request. The terms of reference and the composition of the Working Party are set out in document TBT/4. The Working Party held its first meeting on 16 January 1981.

On 9 October 1980, Tunisia deposited with the secretariat an instrument of acceptance under Article 15.2 of the Agreement. At its fifth meeting, held on 4-6 November 1980, the Committee noted that this acceptance would become effective when the terms referred to in that paragraph had been agreed. The Committee agreed that informal consultations should be pursued between Tunisia and the signatories of the Agreement with a view to drawing up mutually satisfactory terms as soon as possible.

### 6.2 Reservations

No signatory has requested a reservation under Article 15.5 of the Agreement.

7. THE USE OF INTERNATIONAL STANDARDS; PARTICIPATION  
IN REGIONAL STANDARDIZING BODIES OR INTERNATIONAL  
AND REGIONAL CERTIFICATION SYSTEMS

Argentina

Argentinian specifications are generally based on international standards. Argentina is a member of the Pan-American Technical Standards Commission, through the Argentinian Institute for Rationalization of Materials (IRAM).

Brazil

The adoption of standards and technical regulations is proceeding gradually in Brazil, as is activity in regard to certification. In some product sectors, these activities are further advanced than in others. From the overall aspect and considering the stage of development of these activities, Brazilian standards and regulations have followed the relevant international standards. The situation in regard to rules of certification is currently under study.

Canada

Canada participates extensively in international standardization work through membership in, inter alia, the Codex Alimentarius Commission, the International Organization for Standardization, and the International Electrotechnical Commission. Relevant international standards prepared by these organizations are taken into consideration, and are used in part or in whole where appropriate, when new standards are prepared or existing standards are revised by standards writing organizations in Canada. Furthermore, international standards issued by the ISO and the IEC are now examined on a regular basis by the Standards Council of Canada, and international standards issued by the Codex Alimentarius Commission are similarly examined by the Federal Department of National Health and Welfare, to determine the extent to which they could be adopted for use in Canada.

Chile

Once the Agreement has been ratified the Chilean Government will make the relevant notification under this heading.

Finland

Finland is a member of all the main international standardizing bodies such as ISO, IEC and FAO/WHO Codex Alimentarius Commission.

### France

France has for a long time been participating actively in international standardization efforts.

### Germany, Federal Republic of

Through its national standards organization DIN Deutsches Institut für Normung e.V. the Federal Republic of Germany has for a long time been actively involved in the activities of the ISO and the IEC on the international level and of the CEN and CENELEC on the regional level. DIN also contributes to the international harmonized system of quality assessment for electronic components of IEC and ILAC. Similarly, ISO and IEC standards have since been included in the standards code of the DIN.

### Hungary

Hungary participates in CMEA standardization activities in full conformity with the commitments of Article 2.9.

When Hungary accepts the introduction of a standard drawn up within the framework of CMEA, a Hungarian standard has to be established.

When a CMEA standard is introduced in Hungary, obligations under Article 2 are fulfilled in the same way as in the case of other Hungarian standards.

No differentiation is made in the application of standards, technical regulations or certification systems depending on the origin of products.

### Japan

When adopting or modifying standards, conformity with international standards will be sought as much as possible, while taking into account circumstances unique to Japan. (Cabinet Decision, see Section 1, page 15.)

In the use of international standards, each concerned Ministry makes efforts to satisfy the requirements of Article 2.2 of the Agreement.

Japan participates actively in the international quality assessment system for electronic components of the IEC. (See TBT/W/8/Add.1.)

Japan does not participate in any regional standardizing or certification body.

### New Zealand

New Zealand is an active member of the Codex Alimentarius Commission, and the Food Standards Committee (a committee set up to advise the Minister of Health on New Zealand food law) is currently reviewing Codex standards with a view to incorporating them into New Zealand legislation as far as is appropriate. New Zealand has recently accepted Codex limits for pesticide residues in food (the Food and Drug Regulations 1973, Amendment No. 4). New Zealand belongs to the International Plant Protection Convention administered by FAO and the International Organisation for Epizootics which attempt to prevent the spread of animal and plant diseases with an agreed framework for international trade in plants and animals and in the field of industrial standards. New Zealand actively participates in the ISO, IEC, ISONET and is also a member of ILAC.

### Norway

Norwegian authorities are not engaged themselves in drawing standards. Regulations are, however, often based upon internationally accepted standards. As to standards in general, they are issued by the NSA and by the Norwegian Electrotechnical Committee which are working in close contact with the respective international standards organizations. The standards issued by the Norwegian organizations will, therefore, in practice be the result of international co-operation.

### Singapore

In principle, ISO, IEC and other international standards are used as a basis for the preparation of Singapore Standards.

### Spain

Spain has been participating for a long time past in international standardization activities. A good part of its standards and regulations have been based on and are incorporated in those drawn up by institutions such as ISO, EEC, Codex Alimentarius, etc.

### United Kingdom

The United Kingdom has for many years participated actively in the work of the international standardizing bodies, ISO and IEC. Unless there are overriding reasons why this is impracticable, the national standards body (BSI) adopts and publishes as British Standards all those international (ISO and IEC) standards in favour of which positive votes were returned. The United Kingdom also participates in the work of the Codex Alimentarius Commission.

BSI is the national member of the two European standards bodies, CEN and (as sponsor of the British Electrotechnical Committee) CENELEC. It abides by the rules for adoption of European standards and harmonization documents set out in the articles of association of these two bodies.

## United States

Section 402 of the Trade Agreements Act of 1979 requires that each United States Government Federal agency, in developing standards, shall take into consideration international standards and shall, if appropriate, base the standards on international standards. The reasons for which the basing of a standard on an international standard may not be appropriate include: (1) national security requirements, (2) the prevention of deceptive practices, (3) the protection of human health or safety, animal or plant life or health, or the environment, (4) fundamental climatic or other geographical factors, and (5) fundamental technological problems.

The major regional standardizing bodies in which the United States Government participates are the standards activities of the OECD and the UNECE. The Department of Commerce is presently compiling a list of all international and regional standardizing and certifying bodies in which the United States participates. Information on United States participation in international and regional standards organizations has never been culled together into one source before the initiation of Technical Offices to implement the Standards Code. The Technical Offices in Commerce and Agriculture will, therefore, help to keep United States Government agencies and United States private standards organizations informed and aware of international standards development.

## 8. TRANSPARENCY

### 8.1 PUBLICATION

Names of the publications used to announce that work is proceeding on draft technical regulations or standards and rules of certification systems and those in which the texts of technical regulations and standards or rules of certification systems are published (Articles 2.5.1, 2.7, 3.1, 4.1, 7.3.1, 7.5, 8.1 and 9.2);

#### Argentina

All acts of the National Government, whether in the form of laws, decrees, regulations, etc., are published by the Boletín Oficial de la Republica Argentina. As to acts of the provincial governments and of non-governmental institutions, information will be given along with the results of the study mentioned in section 2.1.

#### Austria

Advance information that work is proceeding on draft technical regulations or governmental standards and rules for governmental certification systems will be published in the "Wiener Zeitung" and in the "Amtliche Nachrichten des Bundesministeriums für soziale Verwaltung und des Bundesministeriums für Gesundheit und Umweltschutz". The text of these regulations, standards and certification systems are published in the Federal Law Gazette. Advance information on and the text of non-governmental standards and rules for non-governmental certification systems are published by the relevant standardizing and certifying bodies; in particular standards for the industrial sector as well as advance notice is published in "ONORM", the publication of the "Österreichisches Normungsinstitut".

#### Belgium

Publication of a Belgian standard which is to be established be preceded by a public enquiry procedure on a draft standard. The enquiry is announced in the Moniteur Belge, the I.B.N. Revue and the technical press; establishment of standards is announced in the same publication.

The I.B.N. also publishes Belgian standards which include the texts of international and foreign standards. The texts of draft standards and standards can be obtained from the I.B.N.

Technical regulations and certification systems are published in full in the Moniteur Belge.

## Brazil

The Brazilian Association for Standardization (ABNT), a private entity is required to publish all national standards in force, and since November 1979 has started to publish proposed national standards under study for certain industrial products. It is expected that in the near future this new activity will reach a stage where it covers the whole spectrum of national standards. As of now, only the Electric and Electronics Sector Committee of ABNT already publishes notices of standards under study. At the present juncture, the activities of the Brazilian Association for Standardization (ABNT) are more intensive in certain product sectors than in others, because they are the consequence of requests addressed to it by entities interested in certain sectors or individual products. In this connexion, it should be mentioned that all standards drawn up by the ABNT and by INMETRO are sent regularly to member countries of ISO and ISE for the information of the entities concerned. No notices of draft standards prepared by SNAD are published, as previous knowledge by the private entities concerned is always assured.

Notices published by ABNT appear in the "Diario Oficial". Those published by the Electric and Electronics Sector Committee appear in "Boletim Informativo C.B.-3-Cobei". Resulting national standards are published in "Diario Oficial".

Standards in regard to agricultural products and animal husbandry are normally drawn up by entities in the Ministry of Agriculture (SNAB and SANB). Notices of initiation of studies and final formulation in regard to agricultural products and livestock are published by the information offices of the private entities having a direct interest in the product concerned. For the moment, there is no publication furnishing information on all activities in regard to the agricultural sector and animal husbandry. In addition, technical regulations become applicable after a legal instrument has been signed by the Minister for Agriculture and published in the Official Gazette.

## Canada

Notices of proposed federal technical regulations and certification systems are published in the Canada Gazette - Part I. The time allowed for comments currently varies from thirty to ninety days. The texts of new federal statutes are published in the Canada Gazette - Part III. The texts of new federal technical regulations and certification systems are published in the Canada Gazette - Part II.

Each provincial government publishes the texts of new statutes and regulations in its Provincial Gazette.

Notices of standards and certification systems proposed by non-governmental bodies are published in the following publications:

- 3.1 CSA Information Update, issued by the Canadian Standards Association;
- 3.2 Quarterly Journal of the Canadian General Standards Board;
- 3.3 Summary of Standards Activities of the Canadian Gas Association;
- 3.4 ULC News, to be issued by Underwriters Laboratories of Canada commencing July 1980.

#### Chile

Following ratification of the Agreement, the Chilean Government will make the relevant notification under this heading.

#### Denmark

Notices on draft technical regulations or standards and certification arrangements will be published in "Standard Nyt" which is a publication issued regularly by the Danish Standards Association.

#### European Economic Community

Notices of preparation of Community Standards or technical regulations in accordance with Articles 2.5.1 and 7.3.1 shall be published in the Official Journal of the European Communities. The texts of those Standards or technical regulations when adopted will also be published in the Official Journal in accordance with Articles 2.7 and 7.5.

#### Finland

The publication for advance information shall be Virallinen Lehti (The Official Gazette of Finland). The texts for technical regulations, governmental standards and rules for governmental certification systems are published in the Finnish Code of Statutes or in the Code of Statutes of the relevant governmental body. Non-governmental standards and rules for non-governmental certification systems are published in the publications of the relevant standardizing and certification bodies. Detailed information about these publications shall be provided by the national enquiry point.

#### France

Notices concerning draft technical regulations under the responsibility of a government body will be published in the Journal Officiel de la République Française (official gazette) or in the official bulletins of the ministerial departments concerned.

Notices concerning draft standards drawn up by the "Association Française de Normalisation" (AFNOR) (French Standards Association) or under its auspices, and subjected to public enquiry, are published in Enjeux, the monthly periodical of the French standards authority.

Notices of the preparation of rules for certification systems will be published in different places depending on the system in question.

#### Germany, Federal Republic of

Depending on their legal character and importance, technical regulations, standards of certification systems adopted by Federal authorities are promulgated by:

The Bundesgesetzblatt (Federal Gazette)

The Bundesanzeiger (Federal Information Bulletin) or the various information bulletins published by Federal departments.

Technical regulations, standards or certification systems in the stage of preparation are, in general, published by the prints of the Deutsche Bundestag and the Deutsche Bundesrat; these prints are easily obtainable for everyone. Inasmuch as participation by the legislative bodies is not required, a pertinent reference is to be made in the information bulletins of the Federal departments.

All standards in the field of voluntary standardization, either adopted or in preparation, are published by "DIN-Mitteilungen plus Elektronorm, Zentralorgan der deutschen Normung" including the supplement "DIN-Normenanzeiger".

#### Hungary

Draft technical regulations, standards and certification systems will be announced in the following publications: Szabványügyi Értesítő (Standardization Journal) and the official periodicals of the government bodies for the various economic sectors (Kohás és Gépipari Közlöny, Mezőgazdasági és Élelmézesügyi Minisztériumi Értesítő, Egészségügyi Közlöny).

After adoption, the texts will be published in the "Szabványügyi Értesítő", in the above-mentioned periodicals and, where a technical regulation is incorporated in a law or decree, it will be published in the "Magyar Közlöny" (official gazette).

### Ireland

Notice of proposed technical regulations will be published in the national daily papers (i.e. the Irish Press, Irish Independent, Irish Times and Cork Examiner) and/or Iris Oifigiuil, which is the official gazette. Notice of proposed standards will be published in "Technology Ireland".

### Italy

Technical regulations and standards (which are in course of definition or which may be adopted) will be announced in the Gazzetta Ufficiale della Repubblica Italiana (Part I or II) (official gazette). The Ministry of Industry, Trade and Crafts - Directorate General for Industrial Production - Office of the Technical Inspector for Industry (Ministero Industria Commercio e Artigianato - Direzione Generale della Produzione Industriale - Ufficio dell'Ispettorato Tecnico dell'Industria - Via Molise, 2 - ROMA) will have particular responsibility for such a publication.

### Japan

Notice of proposed standards, technical regulations and certification systems by central government bodies is as a rule published in the "International Trade Bulletin" of JETRO (Articles 2.5.1 and 7.3.1). Adopted standards, technical regulations and certification systems by central government bodies are published as a rule in the official government publication "KAMPO" (Articles 2.7 and 7.5). Some other publications such as "The Pharmaceutical Affairs Bulletin" and "The Journal of the Central Industrial Injury Prevention Association" are exceptionally used for notices.

### Korea, Republic of

A quarterly publication entitled "Standardization and Quality Control" of the Korean Standard Association (for industrial products), or a daily publication entitled "Trade News" of Korean Traders' Association (for agricultural and fishery products) gives notice regarding draft technical regulations on standards and certification systems, depending upon the classification of the subject products.

The regulations or standards and certification systems are to be published in "Kwan-Po" (official gazette). Detailed information of technical specification of each standard is provided with by the Industrial Advancement Administration or the Ministry of Agriculture and Fishery upon request.

### Luxembourg

### Netherlands

Notice of proposed governmental standards, technical regulations and certification systems will be given in the "Nederlandse Staatscourant". Once they have been adopted the texts are published in the "Staatsblad Van het Koninkrijk der Nederlanden".

### New Zealand

The "New Zealand Gazette" is the main source of information for standards in the health, agriculture and industrial fields. Thus proposed new industrial and agricultural standards drafts for comment are notified in the Gazette.

The Health Department will notify in the Gazette proposed new technical regulations. They expect that the first of these notifications, the Food Additives Notice, will shortly appear in the Gazette. Health are prepared to accept comments from code signatories and will consider these comments before finalizing the regulations. Because of the length of many of these regulations Health do not intend to publish the draft technical regulations in full. Copies of the text of the regulations will be made available on request to interested parties.

### Norway

Notice regarding draft governmental technical regulations or standards will be published in "Standardisering" which is the publication of the Norwegian Standards Association. A more elaborate note will be submitted to GATT under the notification procedure.

When the regulations have been finalized and accepted, they are published in the Norwegian Law Gazette in their entirety. A short notice will also be published in "Standardisering".

Technical regulations and standards issued by local and regional authorities, will be dealt with in the same manner as far as the Agreement is applicable.

Notice regarding standards issued by non-governmental organizations will be published in "Standardisering", both at the draft stage and as accepted.

### Romania

The information regarding the State norms are published in the "Romanian Standardization Journal", published by the Romanian Institute for Standardization. In the text of each norm reference is made to its correspondence with the ISO international norm. The Romanian State norms are supplied to the ISO central Secretariat as well as to the member States of this organization. These norms are also published in the Romanian Language by the "Technical Publishing House", Bucharest and can be ordered through "ILEXIM - Import-Export Department for Press", address: Strada 13 Decembrie No. 3, P.O. Box 136-137, telex 11-226.

The technical regulations and certification systems are published in the Official Bulletin of the Socialist Republic of Romania.

### Singapore

Prior to a standard being endorsed, notice of the period for public comments is published in the press. The publication of the standards is notified in the Government Gazette. Advance notice of enforcement of government regulations relating to electrical safety of specific products is published in the press. Regulations adopted are notified in the Government Gazette. The effective date of operation of legislation relating to the enforcement of regulations on processed foods is notified in the Government Gazette. The intention to introduce the legislation is published in the press. Any new legislation adopted on enforcement of regulations relating to fish, meat, fruits and vegetables is notified in the Gazette and the public is informed through the press.

### Spain

All ministerial orders and technical regulations are published in the "Boletín Oficial de Estado (Gaceta de Madrid) the Official Gazette of Spain.

All draft standards and amendments thereto are published in the "Boletín de la Normalización Española", calle Zurbano 46, Madrid 10.

### Sweden

Notices concerning proposed technical regulations or standards which may have a significant effect on trade and proposals to introduce certification systems will be published in the periodical "Standard", issued by the Swedish Standards Institution.

Once adopted technical regulations and certification systems are published in the code of regulations issued by the relevant body. Standards are published by the Swedish Standards Institution or associated bodies.

### Switzerland

Technical regulations appear regularly in the Recueil des Lois Fédérales, also known as Recueil Officiel.

Standards of private associations or organizations appear in a monthly publication entitled Bulletin de l'Association Suisse de Normalisation.

For electrical products, standards are also published in the Bulletin de l'Association Suisse des Electriciens.

### United Kingdom

Notices of proposed governmental technical regulations and standards and both governmental and non-governmental certification systems are published in "British Business", Millbank Tower, Millbank, London SW1P 4QU.

Notices of non-governmental standards are published in "BSI News", 101 Pentonville Road, London N1 9ND.

### Hong Kong

Notices of proposed technical regulations or standards and rules of certification systems and texts of technical regulations or standards and rules of certification systems are published in the weekly Hong Kong Government Gazette.

### United States

Notices of proposed United States Federal Government technical regulations, standards or rules of certification systems (Articles 2.5.1 and 7.3.1) are published in the Federal Register under the heading - Notices of Proposed Regulations. Texts of technical regulations and standards or rules of certification systems (Articles 2.7 and 7.5) are also published in the Federal Register under the heading - Final Rules and Regulations.

Notices of proposed State government technical regulations, standards or rules of certification systems (Articles 3.1 and 8.1) and texts of final standards or rules of certification systems (Articles 3.1 and 8.1) are typically published in State registers or State administrative codes.

For example: California - Administrative Code  
New York - Codes, Rules and Regulations of New York State  
Texas - Texas Register or Texas Administrative Code  
Pennsylvania - Pennsylvania Bulletin  
Illinois - Illinois Register  
Florida - Florida Administrative Weekly  
Wisconsin - Wisconsin Administrative Register

The vast majority of notices of United States non-governmental (private sector) proposed technical regulations and standards (Article 4.1) appear in two publications:

Standards Action, published by the American National Standards Institute (ANSI), and Standardization News, published by the American Society for Testing and Materials (ASTM). Notifications of the publication of final texts of private sector standards (Article 4.1) also appear in these two journals. Final texts of standards are available from these organizations. Non-governmental certification bodies (Article 8.1) use a mailing list to inform the public of proposed changes in rules of certification systems. These mailing lists are open to all interested parties. Final texts are printed in a variety of publications and are also available from the certification body.

#### Yugoslavia

4. Notices of proposed Yugoslav national standards and technical regulations as well as rules of certification systems are published in:

JUS - informacije  
Slobodana Penezića - Krcuna 35

11000 Beograd  
Pob. 933

Texts of final rules of certification systems and technical regulations are published in:

SLUŽBENI LIST SFRJ  
(Official Gazette of SFRY)  
Jovana Ristića 1

11000 Beograd  
Pob. 226

Official notification on the date of entering into force of a standard as well as other relevant informations are published in the same publication, while the text of the standard is available on request from:

SAVEZNI ZAVOD STANDARDIZACIJU  
Slobodana Penezića - Krcuna 35

11000 Beograd  
Pob. 933

## 8.2 INFORMATION

Name and address of the enquiry point(s) foreseen in Article 10 of the Agreement with an indication as to whether it is/they are fully operational.

### Argentina

The Secretaría de Estado de Comercio y Negociaciones Económicas Internacionales, through the Dirección Nacional de Negociaciones Económicas Multilaterales, Ave. Julio A. Roca 651, Buenos Aires, co-ordinates all activities connected with the implementation of the Agreement.

### Austria

For technical regulations and certification systems:

Bundesministerium für Handel, Gewerbe und Industrie  
(Federal Ministry for Trade, Commerce and Industry)  
Abteilung II/7  
Stubenring 1-3

A-1010 Wien

For non-governmental standards:

Österreichisches Normungsinstitut  
P.O.B. 130

A-1021 Wien

The enquiry point is already fully operational.

### Belgium

For standards:

Ministère des Affaires Economiques  
Administration du Commerce  
Rue J.A. De Mot 24-46

1040 Bruxelles

Institut Belge de Normalisation  
Avenue de la Brabançonne 29

1040 Bruxelles

These points have been designated on a provisional basis with respect to technical regulations and certification systems.

Brazil

Divisão de Política Comercial  
Sala 536 - (TBT Enquiry Point)  
Ministério das Relações Exteriores

Brasilia

Canada

Standards Information Service  
Standards Council of Canada  
350 Sparks Street

Ottawa, Ontario  
Canada K1R 7S8

Telephone (613) 238-3222  
Telex 053-4403

Chile

Until such time as ratification has been completed and the necessary internal measures have been adopted:

Delegacion Permanente de Chile  
Case postale 221

1211 Genève 19

Denmark

Dansk Standardiseringsraad  
(Danish Standards Association)  
Aurehojvej 12

DK-2900 Hellerup

Telephone: (01) 62 93 15  
Telex: 15615 Dansta DK

The enquiry point is not yet operational, but will be so as soon as the necessary appropriations for its financing are available.

European Economic Community

for industrial products

Division F 1  
Directorate-General for Industrial Affairs  
Commission of the European Communities  
Fifth Floor  
Room 23  
Rond-Point Schuman 6

Bussels 1040

for agricultural products

Directorate H  
Directorate-General for Agriculture  
Commission of the European Communities  
Bâtiment Berlaymont  
10th Floor  
Room 44  
200 rue de la Loi

Brussels 1040

These enquiry points are functioning on a provisional basis.

Finland

Suomen Standardisoimisliitto  
(Finnish Standards Association)  
PL 205

00121 Helsinki 12

At present the enquiry point is fully operational concerning national standards but not yet for existing technical regulations and certification systems. For the latter full operation is expected in the course of 1981. The intention is to establish a computerized data base for all existing regulations and systems.

France

The enquiry point provided for in Article 10 of the Agreement is the "Centre d'Information sur les Normes et Réglements Techniques" (CINORTECH) set up by L'AFNOR (Address: CINORTECH - AFNOR, Tour d'Europe 92080 PARIS LA DEFENSE CEDEX 7).

The centre will be developed gradually; at present, nevertheless, information can already be obtained from it on all standards drawn up by AFNOR and on a large number of technical regulations and certification systems.

Germany, Federal Republic of

Deutsches Informationszentrum für technische Regeln (DITR)  
Postfach 1107

D1000 Berlin 30

Telephone: 030 (Berlin)/26011 (Deutsches Institut für Normung  
DIN to which DITR is associated)

Telex: 185 269 DITR-(D)

This body is the focal point for all questions concerning technical regulations in the Federal Republic of Germany.

The preparatory phase will presumably be completed in 1984; at present information may, however, be obtained on all DIN standards and DIN drafts as well as on a large number of technical regulations and certification systems.

Hungary

Magyar Szabványügyi Hivatal  
(Hungarian Standards Office)  
Ulloi ut 25

1450 Budapest

Telex: 035/225723

Ireland

For technical regulations and certifications systems:

GATT Section  
International Trade Division  
Department of Industry, Commerce and Tourism  
Kildare Street

Dublin 2

Ireland (cont'd)

This enquiry point which is fully operational covers all questions including those relating to agricultural standards.

For standards:

The Institute for Industrial Research and Standards  
Ballymun

Dublin 9

Italy

Consiglio Nazionale delle Ricerche  
Servizio Trasferimento Innovazione - Norme tecniche  
Via Nizza,

128 - 00100 Roma

Telex: 612322

Japan

Standard Information Service<sup>1</sup>  
First International Organizations Division  
Economic Affairs Bureau  
Ministry of Foreign Affairs  
2-2-1  
Kasumigaseki, Chiyoda-ku

Tokyo

Telephone: 03(580)3311

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<sup>1</sup>Standard Information Service at MOFA mainly handles enquiries in the field of drugs, cosmetics, medical devices, foodstuffs, food additives, telecommunications facilities, motor vehicles, ships, aircraft, and railway equipment (excluding enquiries concerning Japanese Industrial Standards (JIS) which will be handled by JETRO).

Japan (cont'd)

Standard Information Service<sup>1</sup>  
Information Service Department  
Japan External Trade Organization (JETRO)  
2-2-5  
Toranomon, Minato-ku

Tokyo

Telephone: 03(582)5511

Enquiries can be made in a GATT language. However, most of the original documents are not translated.

In relation to the services of these two bodies, a Standard Agreement Office has been established in the Ministry of Foreign Affairs (MOFA).

Korea, Republic of

(a) For industrial products:

Bureau of Standards  
Office of Industrial Advancement  
Administration  
94-267 Youngdungpo-dong  
Youngdungpo-Ku

Seoul

Telephone: 63-9559

(b) For agricultural products:

Division of Inspection Management National  
Agricultural Products  
Inspection Office  
117-2 Kwanhun-dong chongro-ku

Seoul

Telephone: 70-4518

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<sup>1</sup>Standard Information Service at JETRO mainly handles enquiries in the field of electric equipment, gas appliances, measurement scales, foodstuffs, food additives etc. Those enquiries concerning JIS on medical devices, motor vehicles, ships, aircraft and railway equipment are to be handled by JETRO.

Korea, Republic of (cont'd)

(c) For fishery products:

First Inspection Section  
Central Fishery Products Inspection Station  
203 Wonnam-dong, chongro-ku

Seoul

Telephone: 762-9214

Luxembourg

Netherlands

The Service for Economic Information and Export-Promotion (Government Regulations Division) will serve as the enquiry point foreseen in Article 10, paragraph 1. The address is:

Dienst voor Economische Voorlichting en Exportbevordering  
(Afdeling Overheidsmaatregelen)  
Bezuidenhoutseweg 151

2594 AG The Hague

Telephone: (070) 81 41 11

Telex: 31099

The "Nederlands Normalisatie Instituut" (NNI) has been designated as the enquiry point mentioned in Article 10, paragraph 2, at the following address:

N.N.I.  
Kalfjeslaan 2  
2623 AA Delft

Telephone: (015) 611061

Telex: 38144

New Zealand

The Department of Trade and Industry  
Private Bag

Wellington

Telephone: WN 720 030

Telex: WN 315 30

Norway

Norges Standardiseringsforbund  
(Norwegian Standards Association)  
Haakon VII's Gate 2

N-Oslo 1

Telephone: National (02) 41 68 20  
International +47 2 41 68 20

Telex: 19050 nsf n

The enquiry point is operational and the information is also available on line Monday to Friday 9 a.m. to 3 p.m.

Romania

Romanian Institute for Standardization  
Roma Street No. 24, Sector I

Bucharest 7000

Telex: 11-312

Singapore

For standardization and certification undertaken by the Singapore Institute of Standards and Industrial Research (SISIR), the enquiry point is:

Singapore Institute of Standards  
and Industrial Research  
179 River Valley Road

Singapore 0617

Singapore (cont'd)

For technical regulations relating to electrical safety of specific products:

The Public Utilities Board  
PUB Building  
Somerset Road

Singapore 0923

For technical regulations relating to processed foods:

Ministry of the Environment  
Princess House  
Alexandra Road

Singapore 0315

For technical regulations relating to fish, meat, fruits and vegetables:

Primary Production Department  
National Development Building  
Maxwell Road

Singapore 0106

Spain

Ministerio de Economía y Comercio  
Subdirección General de Política Comercial Multilateral  
(Sub-Directorate General for Multilateral Trade Policy of the  
Ministry of Economic Affairs and Trade)  
Paseo de la Castellana No. 162

Madrid 16

Telephone: 458.00.16 )  
              458.86.64 )  
              458.60.04 ) (extensions 1936, 1941)  
              458.00.34 )  
              458.00.85 )

Telex: 45082 )  
          27701 ) (POLCO E)  
          43399 )

Spain (cont'd)

Requests for information on UNE standards (Spanish national standards) are dealt with by "Instituto Nacional de Racionalización y Normalización" (National Institute for Rationalization and Standardization):

Calle Zurbano No. 46

Madrid 10

Telephone: 410.49.61

Telex: 46545-UNOR-E

At some future date the Institute plans to computerize all information on technical regulations and ministerial orders containing technical specifications.

Sweden

The Board of Commerce (Kommerskollegium), Box 1209, S-111 82 STOCKHOLM, will carry out the task as enquiry point with regard to Article 10.1 of the Agreement. In co-operation with the Board, the Swedish Standards Institution (Standardiseringskommissionen i Sverige), Box 3295, S.103 66 STOCKHOLM, will carry out the task as enquiry point with regard to Article 10.2 of the Agreement. Both enquiry points are in full operation.

Switzerland

Office fédéral des affaires économiques extérieures  
Palais fédéral Est

3003 Berne

United Kingdom

The following enquiry points are both operative:

Certification Systems and Governmental Standards:

Metrology, Quality Assurance, Safety and Standards Division  
Branch 1 (A) Dept. of Trade  
Millbank Tower  
Millbank

London SW1P 4Q4

Telephone: 01-211 3460

Telex: 8811074 (DTHQ)

United Kingdom (cont'd)

Non-Governmental Standards:

British Standards Institution  
Mrs. M.A.L. Brown  
Central Enquiries Section  
2 Park Street

London W1A 2BS

Telephone: 01-629 9000

Telex: 266933 (BSILON G)

Hong Kong

Trade Industry and Customs Department  
Ocean Centre  
Canton Road

Kowloon  
Hong Kong

Telex: HK 75126

United States

Standards Information Center  
Office of Engineering Standards  
Technology Building  
Room B 166  
National Bureau of Standards

Washington D.C. 20234

Telephone: (301) 921-2092

Telex: 898493 GARG

The United States enquiry point, in the National Bureau of Standards, maintains a reference collection which includes over 240,000 standards, specifications, test methods, codes and recommended practices. This reference material includes standards issued by United States government agencies, State governments, United States private organizations and associations and foreign national and international standardizing bodies. The enquiry point will develop the capability to respond to all requests for United States federal and State regulations, and for United States private standards and specifications.

When foreign requests for copies of United States proposed mandatory regulations were first received by the enquiry point, they were answered in 7-10 working days. Procedures have since been accelerated and the enquiry point is now responding to foreign requests for copies of United States proposed regulations in 1-2 working days.

The United States enquiry point in the National Bureau of Standards has been regularly notifying the GATT secretariat of United States proposed mandatory regulations. Most federal agencies provide for an average comment period of sixty days. One or two particular agencies have often had comment periods of less than sixty days. United States federal agencies, however, are allowed to use less than sixty-day comment periods when there are legitimate reasons for doing so.

### Yugoslavia

In administering the Agreement on Technical Barriers to Trade the intention is to avoid the establishment of new government offices. Thus the proposed information centre is to be housed at the:

YUGOSLAV INSTITUTION FOR STANDARDIZATION  
(Savezni zavod za standardizaciju)  
Slobodana Penezića - Krcuna 35

11000 Beograd

Telephone: 644-066

Telex: 12089 YUJUS

which already maintains such a facility for ISO and similar organizations.

## 9. TESTING PROCEDURES AND ACCEPTANCE OF TEST RESULTS

### Canada

For many years, the Canadian Standards Association (CSA) which is the largest certification organization in Canada has used the services of the British Standards Institution (BSI) in England, NV Tot Keuring van Elektrotechnische Materialen (KEMA) in the Netherlands and the Japan Machinery and Metal Inspection Institute (JMI) in Japan to test, on behalf of the CSA, foreign products for which certification has been sought by a manufacturer, thus eliminating the need to ship products to Canada for testing. Recently, the CSA arranged with the Japan Electrical Testing Laboratory (JET) to test certain electrical products on behalf of JET in order to facilitate their entry into the Japanese market.

Chile

Following ratification of the Agreement, the Chilean Government will make the relevant notification under this heading.

France

France has recently taken initiatives in the field of mutual recognition of tests. The French mark of conformity with French standards, i.e. the mark "NF", covering more than sixty categories of industrial products has been open to foreign producers for several years.

The possibility of establishment of arrangements to permit foreign suppliers to conduct tests in their native territories to obtain "NF" mark can be envisaged for certain products in the framework of specific arrangements which in France have a non-governmental character.

Japan and United States

The "Joint Statement on Standards, Testing and Certification Activities" (7 December 1979) by the Government of Japan and the Government of the United States states, inter alia:

"1. It is important for the two countries to agree on mutually acceptable arrangements for the acceptance of test data from the exporting country in selected product sectors, with the objective of achieving reciprocity in this area between Japan and the United States. To that end, the Governments of Japan and the United States will begin, as soon as possible, consultations to implement this principle.

"2. The 'acceptance of test data' is to include the acceptance of test results, certificates or marks of conformity issued by relevant bodies in the territory of either country, or the reliance upon self-certification by producers in the territory of either country, with the proviso that the practices employed in the territory of the exporting country are considered in the importing country to provide a sufficient means of determining conformity with relevant standards.

"3. The administrative procedures and test methods for products submitted by suppliers from the exporting country to approval agencies for determination of conformity with standards are to be no less favourable than corresponding procedures and methods for like products in a comparable situation submitted by domestic suppliers. Direct access, including the right of direct application, to approval agencies should be granted to suppliers from the exporting country, as well as to domestic suppliers. It is recognized that for reasons of accountability, the importing country may require that in place of a supplier in the exporting country, a representative in the importing country file the formal application.

"4. All product testing organizations within Japan and the United States should, upon request from the producer or his representative, provide:

- (a) Information regarding specific test procedures followed;
- (b) The standards against which the products are tested; and
- (c) In instances in which the submitted products have been found unacceptable, wherever appropriate and possible, a clear indication of the requirements of the applicable standards that the product failed to meet and of the parameters of the product that failed to meet the applicable standards. In instances where test results are in dispute, any producer or his representative submitting a product to a testing organization for certification should be permitted to observe retesting of his product, whenever possible.

"5. Readily accessible and expeditious appeals procedures within testing organizations, approval agencies, or other agencies as appropriate should be available to suppliers in the exporting country or their representatives as well as to domestic suppliers, who wish to appeal the decisions of these bodies.

"6. Once a product has been approved to a basic set of specifications, the approval process for that product with minor changes in its specifications, should be more expeditious than the approval process for a new product with the same set of specifications. Additional testing, required on a product for minor specification changes, should be limited to that necessary to assure that the product, as changed, also meets appropriate standards. ..."