

MULTILATERAL TRADE
NEGOTIATIONS
THE URUGUAY ROUND

RESTRICTED

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Group of Negotiations on Goods (GATT)
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Agreements and Arrangements

COMMUNICATION FROM THE NORDIC COUNTRIES

The following communication was received by the secretariat on 15 December 1988, with the request that it be circulated to the Negotiating Group on MTN Agreements and Arrangements.

TESTING PROCEDURES

The Committee on Technical Barriers to Trade has for several years discussed possibilities to further develop provisions concerning testing contained in Article 5 of the Agreement. The Committee has also agreed on one recommendation concerning testing procedures.

On the basis of these discussions the Nordic delegations have prepared the following proposals to amend the provisions of the Agreement on testing. They have likewise attempted to take on board the content of the agreed recommendation as well as relevant elements presented in other proposals concerning product approval and inspection procedures.

Requirements for testing procedures

Add to paragraph 5.1 four new sub-paragraphs:

After 5.1.1:

testing is undertaken and completed without undue delay in a no less favourable order for imported products as for like domestic products

After 5.1.2:

any requirements for testing of individual products shall be limited to what is reasonable and necessary

all requirements concerning testing procedures are published or otherwise made available in such a manner as to enable interested parties to become acquainted with them

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After 5.1.3:

information for testing imported products shall be requested only to the extent necessary for performing the tests and establishing the fees thereof;

International recommendations for testing and determination of conformity

Add to Article 5 two new paragraphs after paragraph 5.1:

5.2 For testing and determination of conformity Parties shall use relevant international recommendations and guides, or the relevant parts of them, as a basis of their procedures except where, as duly explained upon request, such international recommendations and guides or relevant parts are inappropriate for the Parties concerned.

5.3 Parties shall play a full part within the limits of their resources in the preparation by appropriate international bodies of international recommendations and guides for testing and determination of conformity.

Declaration of conformity

In paragraph 5.2 (new 5.4) replace "self-certification" by "declaration of conformity" in two places.

Implementation of paragraph 5.2 (new 5.4)

Amend paragraph 5.3 (new 5.5) to read:

Parties shall ensure that their legislation, regulations and administrative procedures are such as to permit, as far as practicable, the implementation of the provisions in Article 5, paragraph 2 (new 4).