SECOND ANNUAL REVIEW OF THE OPERATION
OF THE AGREEMENT

Basic Document by the Secretariat

Supplement

1. The First Annual Review of the implementation and operation of the Agreement as called for in Article 15.8, was completed by the Committee at its meeting of 4-5 February 1981. The results of the Review were incorporated in TBT/6. The Committee agreed that the Second Annual Review, to be held on 20-23 October 1981, should cover the same items as the first Review (TBT/M/6, paragraph 28).

2. On the basis of the supplementary information and corrections supplied by signatories since the last Annual Review, the secretariat has prepared the present document which supplements TBT/6. In addition, it has circulated the following documents which replace certain sections of TBT/6.

2.1 "List of Persons Available to Serve on Panels" TBT/W/25/Rev.2
2.2 "Notification Procedures" TBT/W/37
2.3 "Technical Assistance to Developing Countries" TBT/W/28 and Suppl.1
2.4 "National Enquiry Points" TBT/W/31/Rev.1

3. The relevant sections of the document TBT/6 are supplemented or replaced as follows:

Section 1 Composition of the Committee on Technical Barriers to Trade (TBT/6/Suppl.1, page 3)

Section 2 Implementation and Administration

2.1 General (TBT/6/Suppl.1, pages 4-19)
2.2 Consultation points (No addition or corrections to the information included in TBT/6, pages 32-38)
2.3 Panelists (TBT/W/25/Rev.2)
Section 3 Notification

3.1 General (TBT/W/37; TBT/8)

3.2 Comment period

3.2.1 Expected length of time to be allowed for presentation of comments (No addition or corrections to the information included in TBT/6, pages 42-48)

3.2.2 Length of time actually allowed for comments (TBT/W/37)

Section 4 Technical assistance and special and differential treatment (TBT/W/28 and Suppl.1)

Section 5 Dispute settlement (No addition or corrections to information included in TBT/6, page 52)

Section 6 Accession and reservations

6.1 Accession (No addition or corrections to the information included in TBT/6, page 53)

6.2 Reservations (No addition to the information included in TBT/6, page 53)

Section 7 The use of international standards; participation in regional standardizing bodies or international and regional certification systems (TBT/6/Suppl.1, pages 20-22)

Section 8 Transparency

8.1 Publication (TBT/6/Suppl.1, pages 23-26)

8.2 Information (TBT/W/31/Rev.1)

Section 9 Testing procedures and acceptance of test results (TBT/6/Suppl.1, pages 27-29)
1. COMPOSITION OF THE COMMITTEE ON TECHNICAL BARRIERS TO TRADE

Chairman: Mr. S. Tamura (Japan)
Vice-Chairman: Mr. F. Furulyas (Hungary)

Signatories

Argentina
Austria
Belgium
Brazil
Canada
Chile
Denmark
European Economic Community
Finland
France
Germany, Federal Republic of
Greece
Hungary
Ireland
Italy
Japan
Korea, Republic of

Luxembourg
Netherlands
New Zealand
Norway
Pakistan
Philippines
Romania
Singapore
Spain
Sweden
Switzerland
Tunisia
United Kingdom
Hong Kong
United States
Yugoslavia

Observers

1. Governments:

Australia
Bangladesh
Bulgaria
Colombia
Cuba
Czechoslovakia
Ecuador
Egypt
Gabon
Nigeria

India
Indonesia
Israel
Ivory Coast
Malaysia
Malta
Mexico
Nigeria
Peru
Poland

Portugal
Senegal
Sri Lanka
Tanzania
Thailand
Trinidad and Tobago
Turkey
Zaire

2. International Organizations:


1Signed (acceptance pending)
2For procedures relating to the participation of observers, see TBT/M/2, paragraphs 4 and 5 and Annex.
2. IMPLEMENTATION AND ADMINISTRATION

2.1 GENERAL

Brazil

The last paragraph of the section on Brazil on page 8 of the document TBT/6 should be replaced to read:

Acceptance of the Agreement will not imply any modification of Brazil's legislation nor require the adoption of specific legislation. In the area of standards, there are in Brazil a number of domestic laws which are entirely consistent with the Code. In Brazil, the activities covered by the Code are the subject of various legal instruments and each of the domestic bodies already mentioned is responsible for implementation of the legislation in its respective area. For some types of products, in particular some derived from agricultural products, standardization activities are at present within the competence of more than one domestic body.

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).
Chile (cont'd)

(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 prepared its final report which was submitted to the Government for a definitive decision.

The ratification process was completed on 12 March 1981. Prior to ratification, the Chilean Government was applying the Agreement de facto in the sense that technical regulations and standards, including packaging, marking 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. Following ratification, the measures taken to implement the Agreement on Technical Barriers to Trade are the following:

1. The information and consultation services are administered by the Ministry of Economy, Development and Reconstruction, Sub-Secretariat of the Economy, Department of Foreign Trade.
Chile (cont'd)

2. The technical body co-operating in matters of information and documentation on technical standards is the Instituto Nacional de Normalización (National Standardization Institute), a private foundation created by the Corporación de Fomento de la Producción (Production Development Corporation), which is directly linked to the Ministry of Economy.

3. Consultations concerning notifications by signatories of the Agreement are received through the Ministry of External Relations and subsequently forwarded to the Department of Foreign Trade of the Ministry of Economy.

4. The notifications themselves, in view of the diversity of the matters dealt with, are submitted for analysis to a Working Group composed basically of the following ministries and institutions: Ministry of Economy (Department of Foreign Trade); Ministry of Agriculture (Agriculture and Stock-Farming Services); Ministry of Health; National Standardization Institute; Superintendency of Electricity Services. Steps are being taken to convert this Working Group into a Permanent Commission, which, in addition to the ministries and institutions already mentioned, would include the Ministry of External Relations, the Central Bank and the Ministry of Transport.

It is also to be noted that no changes are contemplated in the future in national legislation with a view to compatibility with the Code, since the provisions of the Agreement can be easily applied and easily harmonized with national legislation.

Japan

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


"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."
Japan (cont'd)

"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\(^1\) 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.\(^2\)

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

2The 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 certification of quality by JIS is deemed particularly necessary.
Japan (cont'd)

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. 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
Japan (cont'd)

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.

6. 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.

7. The 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 that offered in university courses in quality control is required.
Japan (cont'd)

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 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.

8. Japan took the following measures with respect to local public bodies and non-governmental organizations:

(1) The Ministry of Foreign Affairs and the Ministry of Home Affairs jointly sent a notice to local public bodies in order to ensure that they take measures similar to those adopted at central government level to ensure the implementation of the Agreement.

(2) The Ministry of Foreign Affairs gave notice to other ministries that they are required to give guidance to the same effect as above to non-governmental bodies within their jurisdiction.

(3) The government published a new manual describing the content of the Agreement and the measures which should be taken by local and non-governmental bodies to make known the contents of the Agreement to all interested parties.

9. Based on the experience of more than one year of implementation since Japan accepted the Agreement, the Government has published a manual describing the procedures of advance notice, notification to GATT, provision of relevant documents when requested by other signatories among other things and distributed them to those Ministries which establish and apply such standards, technical regulations and certification systems which are subject to the Agreement, in order to ensure smooth implementation of the Agreement including, in particular, securing of proper advance notifications.
Luxembourg

The Agreement on Technical Barriers to Trade was signed by Luxembourg on 17 January 1979 and entered into force on 1 January 1980. Under the legislation in force, the Luxembourg Government already had sufficient authority to fulfil its obligations under the Agreement and accordingly no new legislation has been necessary to ensure implementation of the Agreement.

In the absence of national standards in Luxembourg, the foreign standards of the country producing a machine or installations are applied. In these circumstances, no publicity is necessary.

In general, and in the absence of a National Standards Institute, the competent authority in regard to standards is:

Inspection du Travail et des Mines
Rue des Girondins 2

Luxembourg

This body can likewise attend to any requests for consultation and acts as an enquiry point.

Netherlands

The ratification procedure as required by the Netherlands Constitution has been completed. The Parliament has approved the Agreement without debate. The Agreement entered into force for Netherlands on 17 July 1981.

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.
Netherlands (cont'd)

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 New Zealand
Private Bag
Wellington 1
New Zealand

Telex No: NZ 3850 SANZ

Telarc
P.O. Box 37042
Parnell
Auckland 1
New Zealand

(Industrial Standards)

(Testing Laboratories)
New Zealand (cont'd)

Ministry of Agriculture and Fisheries
P.O. Box 2298
Wellington
New Zealand

Department of Health
P.O. Box 5013
Wellington
New Zealand

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

(Standards for labelling, packaging and composition of food, medicines, toxic substances and poisons)

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 following paragraphs should be added to supplement the information included in Section 2.1 of the document TBT/6 under the heading "2. Implementation and Administration - 2.1 General":

There have been no problems in organizing and administering the GATT enquiry point in Norway. The Ministry of Commerce is responsible for the notifications required according to the Agreement.

The Ministry has instructed all governmental agencies to notify through the Ministry all new technical regulations or certification systems that fall under the Agreement. The governmental agencies have been instructed to provide requested documents and to answer technical questions referred to them by the national GATT enquiry point. In fact a number of the governmental agencies involved have insisted on giving the technical details themselves to prevent misinterpretation in the national GATT enquiry point.

The tasks of the GATT enquiry point have been delegated to the Norwegian Standards Association as a part of its information activities on standards and technical regulations. The Standards Association has already years before the existence of the GATT code included technical regulations in its database and information service.
The enquiry point is responsible for the publication "of a notice in a publication" as required in article 2.5.1 for technical regulations and as required in Article 4 for standards. This notice is included in the bi-monthly magazine "Standardisering". The notice is also included in a special annex containing proposal or new standards and technical regulations. This annex is issued jointly by the standards organizations of Denmark, Finland, Norway and Sweden. The magazine "Standardisering" with the annex is distributed to the embassies of the GATT signatories in Oslo.

The activities related to the fulfilment of the GATT-code are decentralized and it is therefore difficult to give an estimate of the total costs.

As mentioned the information on technical regulations and standards are given by the information service of the Norwegian Standards Association. Information may also be obtained on line from the database on standards and technical regulations by using keywords from the titles and the content of the documents.

All notification from the GATT secretariat are distributed to the relevant governmental agencies. To facilitate the practical selection of the relevant governmental agency all possible agencies are listed on a form where, for each notification, the blanks are ticked off for the relevant agency. The Federation of Norwegian Industries and the Norwegian Export Council are permanent receivers of the notifications.

Requests for documentation or technical advice from other GATT enquiry points are always referred to the responsible agency. This procedure delays the answering for two to three days, but it ensures that the information given is correct. Some governmental agencies have been reluctant in answering requests. The enquiry point, however, is responsible for providing answers to the requests from the other GATT signatories.

The languages for the enquiry point are Norwegian and English, although requests for information are also accepted in French and German. Documentation is usually given in Norwegian, although short summaries may be given in English. Usually information is given free of charge, but for prized documents the same charge is applied as for Norwegian customers.
Pakistan

The delegation of Pakistan has provided the secretariat with copies of laws and regulations governing standardization and certification activities in Pakistan, as follows:

(a) Ordinance to provide for the standardization and marking of goods by the Ministry of Industries, published in the Gazette of Pakistan (22 December 1961);

(b) The Pakistan Standards Institute (certification marks) Rules and Regulations published in the Official Gazette on 6 July 1962 and 10 August 1962 respectively;

(c) Constitution of Pakistan’s Standards Institution (P.S.I.) containing: resolution, memoranda of association, rules and regulations and bye-laws.

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.

\[\text{1These documents may be consulted in the secretariat, Centre William Rappard, Room 1073.}\]
Singapore (cont'd)

The department responsible for co-ordinating the implementation and administration of the Agreement as well as for notifying the Committee on Technical Barriers to Trade is:

Department of Trade  
201 World Trade Centre  
Maritime Square  
0409 Singapore

Singapore will notify the GATT secretariat as and when there is a proposal to introduce a new technical regulation or rule of certification systems.

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. Prior to a standard being endorsed as a Singapore standard by the Singapore Standards Council, a three-month period is given for public comments.

Public comment is sought subsequent to the completion of the draft. Comments would be considered and a final draft prepared and submitted to the Council for endorsement.

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). Before a regulation is endorsed, a six-month advance notice is given to the manufacturers and traders in order for them to adapt to, and comply with, the revised technical requirements. The notice is issued subsequent to the endorsement of a standard and announcement of the need for compulsory compliance.
Singapore (cont'd)
The six-month period refers to the minimum period between adoption and enforcement.

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

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

Some of the other government agencies also responsible for enforcing technical regulations are as follows:

(a) Ministry of Communication - Registry of Vehicles;
(b) Ministry of Health;
(c) Ministry of Labour - Factory Inspectorate;
(d) Ministry of National Development - Building and Development Control Division;
(e) Ministry of the Environment - Sewerage Department.

Spain

As a result of ratification of the Agreement on Technical Barriers to Trade by the Spanish legislature, the Agreement has become a domestic legal norm.

All the ministerial services concerned have taken cognizance of the text of the Agreement and 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, and which has begun its work.

Since the foregoing, and 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.

Switzerland

The Agreement was signed by Switzerland on 17 December 1979 and entered into force on 1 January 1980. The two Chambers of the Swiss Parliament adopted the Agreement by Federal Order at their December 1979 sessions. Accordingly, the Agreement has force of law in Switzerland. The text of the Federal Order is identical to that of the Agreement and has been published in the "Feuille fédérale suisse" (Official Gazette) (FF 1979 III 303-305) as well as in the "Recueil des lois fédérales" (legislative series) (RO 1979 2361-2386).
Switzerland (cont'd)

On 8 July 1981, the Federal Council approved an Ordinance on administration of the Agreement on Technical Barriers to Trade, whereby the function of a standards secretariat is assigned to the Federal Office for External Economic Affairs. In the main, this Ordinance, which entered into force on 1 August 1981, defines the tasks of the secretariat, including, in particular, responsibility for exchanging information between Switzerland and other countries. The Ordinance was published in the "Recueil des lois fédérales" (RS 632.232) and in the "Feuille officielle suisse du commerce" (Swiss Official Trade Gazette) of 7 August 1981.

Switzerland has no need to issue any other regulations or administrative guidance to implement the Agreement. Local and cantonal governments have 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.

Tunisia

The national bodies engaged in standardizing activities in Tunisia are the following:

- Directorate-General of Industry, Directorate of the Environment, Standardization and Quality Control (address: The Casbah, telephone No. 26.00.72).

- National Standardization Committee, chaired by the Head of the National Industrial Research Commission (CNEI), created by an Order of the Prime Minister in 1978, for the purposes of:
  - co-ordination of the activities of the Technical Committees for Standardization,
  - approval of draft standards prepared by the Technical Committees,
  - all matters relating to standardization.
Tunisia (cont'd)

There are five Technical Committees for Standardization:

1. Technical Committee for Standardization of Food Products, chaired by the Higher Nutrition Institute,

2. Technical Committee for Standardization of the Mechanical and Electrical Industries, chaired by the Directorate-General of Industry,

3. Technical Committee for Standardization of the Chemical Industries, chaired by the Central Pharmacy of Tunisia,

4. Technical Committee for Standardization of Construction Materials, chaired by the Technical Centre for the Development of Construction (Ministry of Equipment),

5. Technical Committee for Standardization of Hides, Leather and Footwear, chaired by the National Leather and Footwear Committee.

United States

The following paragraphs should be added to supplement the information included in Section 2.1 of the document TBT/6 under the heading "2. Implementation and Administration - 2.1 General":

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 seven to ten 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 one to two 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.
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 (COPANT), through the Argentinian Institute for Rationalization of Materials (IRAM).

The Argentine Republic is also a member of the Codex Alimentarius Co-ordinating Committee for Latin America together with other countries in the area: Barbados, Bolivia, Brazil, Colombia, Costa Rica, Cuba, Chile, Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Trinidad and Tobago, Uruguay and Venezuela. The principal functions of this Committee are:

- to define the region's problems and needs in regard to foodstuff standards and inspection of foodstuffs;
- to foster a stronger infrastructure for foodstuff inspection;
- to recommend to the Joint FAO/WHO Codex Alimentarius Commission the establishment of world standards for production of interest to the region, in particular products for which in the view of the Committee there is a potential international market;
- to establish regional standards for foodstuffs that move exclusively, or virtually exclusively, in intraregional trade;
- to indicate to the above-mentioned Commission any aspects of its work that are of particular importance for the region;
- to promote co-ordination of all work undertaken within the region by international, governmental or non-governmental organizations in regard to regional foodstuff standards;
- to carry out a general co-ordinating function for the region and any other functions entrusted to it by the above-mentioned Commission.

Chile

In Chile there are no mandatory standards for foreign trade, since the use of both national and international standards is voluntary. In general, it may be said that as the National Standardization Institute is a member of certain international and regional standardization organizations, it furnishes, through its documentation centre, information on international standards to the various national (both public and private) institutions, which ultimately decide whether or not to adopt the standards proposed.
Chile (cont'd)

The National Standardization Institute, as such, is a member of the International Standardization Organization (ISO) and of the Pan-American Technical Standards Commission (COPANT), but the Institute's participation in such bodies is autonomous and in no case intended to assume official representation of Chile.

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 page 15 of TBT/6).

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).

Hungary

Hungary has been participating for a long time in international standardization activities. Hungary is a member of the main international standardizing bodies, such as the ISO, IEC and the Codex Alimentarius Commission.

In conformity with the Hungarian legislation, the competent standardizing bodies, when preparing standards and technical regulations, should take into account the relevant international standards and use them as a basis, as appropriate.

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.
Norway

Norwegian authorities are not engaged themselves in drawing standards but participate in national and international standardization. In general Norwegian authorities which issue technical regulations follow nationally and 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. Deviations exist, but these are as a rule due to climatic and geographic conditions that require special solutions.

Sweden

Swedish national standards are to a large extent based on international standards. The Central Government Bodies have been urged by the government through the Swedish Board of Commerce to prepare their regulations on the ECE-recommendations on standardizing policies (ECE/STAND/17), inter alia, its recommendations concerning the methods of reference to standards.

In the technical regulations that have been reported to the Swedish Board of Commerce during the period 1974-1980, in total about 440 technical regulations, references to standards were made in 120 regulations. Totally there were references to more than 500 standards of which nearly 300 were substantially the same as existing relevant international or foreign national standards.

The Swedish National Standard Bodies participate actively in the work of ISO and IEC and are also members of the European standards organizations CEN and CENELEC. In 1979/1980 about 500 Swedish delegates participated in 206 ISO-meetings and about 400 Swedish experts attended 214 IEC-meetings.

Within CEN Sweden participated in thirteen of a total of sixty-four meetings in 1980 and Swedish authorities were represented in five of these meetings. Officials from Swedish authorities participated in ten of the CENELEC meetings in 1980 and the number of meetings with Swedish participation were thirty four of a total number of meetings of forty five.

The Swedish Standards Institution also participates together with other Nordic Standards Bodies, inter alia, in the Nordic scheme for certification of conformity of products with standards.
8. TRANSPARENCY

8.1 PUBLICATION

Canada

Notices of proposed federal technical regulations and certification systems are published in the Canada Gazette Part I. In the past, the time allowed for comments has varied from thirty to ninety days; in the future, a minimum period of sixty days will be allowed for comments. The texts of newly-adopted federal technical regulations and certification systems are published in the Canada Gazette Part II. The texts of the newly-adopted federal statutes are published in the Canada Gazette Part III.

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:

1. CSA Information Update, issued by the Canadian Standards Association;
2. Quarterly Journal of the Canadian General Standards Board;
3. Standards Report issued by the Canadian Gas Association;
4. ULC News, issued by Underwriters Laboratories of Canada.

Chile

In Chile, the institution specialized in the development and adoption of standards is the International Standardization Institute (INN), which prepares and approves technical standards. Subsequently, the standards approved by the Institute are submitted for consideration to the ministries and institutions concerned to be declared official or mandatory, as the case may be. Standards which are declared official are published in the Official Gazette, like other technical regulations generally designed to meet health requirements. These regulations are not issued by INN but rather by the Ministry of Agriculture or the Ministry of Health.

Apart from the Official Gazette as a source of publication of standards, INN has a Documentation Centre which provides information on the various standards published internally as well as international standards originated either by organizations or by countries. For Chilean regulations not issued by INN, any person or body desiring information may apply to the body which issued or approved them.
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 (Ipari, Közlőny, Mezőgazdasági és Elelmézesügyi Minisztériumi Értesítő, Egészségügyi Közlőny).

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 Közlőny" (Official Gazette).

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" are exceptionally used for notices.

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 comments 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.

The Food Standards Committee circulates proposed changes in food legislation to all embassies of signatories of the Agreement.
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.

The Norwegian Standards Association (NSF), the enquiry point in Norway, issues yearly a catalogue listing Norwegian technical regulations, related to the distribution and use of industrial and commercial products in Norway. The titles of the regulations are given in both Norwegian and English versions. The information contained in the catalogue is also available from the data base of the NSF. The NSF will, upon request, submit a copy of the catalogue to interested delegations.

The catalogue does not contain regulations concerning food control. Regulations in this field are published in a separate catalogue which will be available from the Board of Food Control, Ministry of Social Affairs, P.O. Box 8128, Dep., Oslo 1.

NSF issues yearly a catalogue of Norwegian standards.

The Norwegian IEC member body, Norsk Elektroteknisk Komité, issues a corresponding catalogue of Norwegian electrotechnical norms.
Singapore

The regulatory authorities publish notices of proposed regulations or rules of certification in the Singapore Government Gazette and foreigners can purchase copies of this quite easily. Press releases to the public through the local newspapers are also used.

Prior to a standard being endorsed, notice of the period for public comments is published in the press. 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 well in advance of the effective date of operation. 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 in advance.

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 and available on subscription from national standards bodies or directly from SIS, Box 3295, S-103 66 Stockholm.

Once adopted technical regulations and certification systems are published in the code of regulations issued by the relevant body. National Standards are published by the Swedish Standards Institution and other standards by the relevant body.
9. TESTING PROCEDURES AND ACCEPTANCE
OF TEST RESULTS

Chile

As regards the certification system established by Decree Law No. 2699, published in the Official Gazette of 5 July 1979, and its implementing regulations adopted by Supreme Decree No. 209 of 14 April 1980, published in the Official Gazette of 6 May 1980, the system is characterized by simplicity in its application, since the Law provides that a physical or juridical person that wishes to engage in activities for certification of the quality of export products may enrol in a Register kept by the Ministry of Economy - which constitutes sufficient authorization to operate. The public sector may carry out the same activities if those concerned so request.

It should also be noted that INN has adopted a system for qualifying physical or juridical persons to carry out quality certification operations which comply with ISO rules.

New Zealand

The Testing Laboratory Registration Council of New Zealand operating under the Testing Laboratory Registration Act of 1972 provides for testing laboratories of assessed competence to endorse their test reports in the name of the Council. Such endorsed reports have enjoyed wide acceptance in Australia through the informal mutual recognition of the New Zealand and Australian testing laboratory accreditation programmes.

To widen and strengthen the mutual acceptance of test results by New Zealand and Australian authorities a formal agreement between TELARC (Testing Laboratory Registration Council of New Zealand) and NATA (National Association of Testing Authorities, Australia) has been concluded which takes effect on 1 January 1982. The provisions of this agreement, inter alia, are:

"1. Recognize the accreditation of a testing laboratory by the other organization as being equivalent to an accreditation by its own organization except where it shall be mutually agreed that such equivalence does not exist.

"2. Accept for its own purposes, endorsed test reports issued by a laboratory accredited by the other organization on the same basis as it accepts endorsed test reports from its own accredited laboratories."
New Zealand (cont'd)

"3. Recommend to other organizations and persons in Australia, in New Zealand, and elsewhere that they recognize the accreditation granted by both organizations to laboratories as equivalent and that they accept endorsed test reports issued under either accreditation programme.

"4. Maintain records of the terms of registration of laboratories accredited by each organization and make this information generally available when requested.

"5. Collaborate in the development and adoption of criteria for accreditation of testing laboratories to ensure that harmony between the two accreditation systems is maintained.

"6. Collaborate in the development and adoption of laboratory examination methods and in particular, where practicable, co-operate in the conduct of proficiency testing programmes.

"7. Co-operate in promoting the development and adoption of laboratory accreditation principles internationally and in the development of international standards relating to laboratory accreditation."

The acceptance of TELARC endorsed test reports by authorities in countries other than Australia is confined to particular instances each being separately negotiated.

TELARC has resolved to accept for its own purposes test reports issued by laboratories operating under the accreditation of the Danish National Testing Board and the British Calibration Service.

The Council is desirous of entering into mutual recognition agreements with the testing laboratory accreditation agencies of other countries in order to foster the mutual acceptance of test data.

Norway

Norwegian participation and activity in this field is explained in documents TBT/W/30 and Corr.1 and Corr.2. There is nothing to be added to the explanation given in these documents.
Sweden

1. In 1974 the Swedish Parliament laid down that all safety testing demanded by the national authorities — official testing — is to be carried out by National Testing Agencies only. The Centre for Testing, which is a part of the National Testing Institute, is responsible for the organization of official testing carried out in Sweden and has ultimate responsibility for ensuring that the National Testing Agencies operate in an expert and impartial way. According to this system the following bodies have been appointed to carry out official testing in Sweden: the Swedish Motor Vehicle Inspection Company carries out the periodical motor vehicle inspection and has also the responsibility for registration inspection, trailer coupling inspection and suitability inspection. The Swedish Plant Inspectorate is responsible for all statutory inspection of pressure vessels and lifting devices. Swedish Institute for Testing and Approval of Electrical Equipment (SEMKO) is the National Testing Agency for testing of electrical equipment designed for use in homes, offices, shops, schools and assembly rooms. The National Machinery Institute acts as the National Testing Agency for mechanical excavators, tractor diggers and track cabs. The National Testing Institute itself acts as a National Testing Agency for, inter alia, wooden material, dangerous goods, heating equipment, gold, silver and platinum articles and volume/mass measurement equipment. The Central Laboratory of the National Corporation of Swedish Pharmacies carries out the official testing of contraceptives. The Swedish Road Safety Office is responsible for testing of inertia brakes for trailers.

2.1 On an international level various Swedish competent authorities and testing bodies participate in international schemes for mutual recognition of test results and inspections established by the European Free Trade Association (EFTA) in the following product areas: pressure vessels (National Board of Occupational Safety and Health, the Swedish Plant Inspectorate, the National Testing Institute, Bureau Veritas and Lloyds Register of Shipping); ship's equipment (National Board of Shipping and Navigation); gas appliances (Swedish Gas Association and the National Testing Institute); agricultural machines and tractors (National Board of Occupational Safety and Health and Swedish Road Safety Office); heating equipment (the National Testing Institute). Sweden is also a participant to the Convention on Control and Marking of Articles of Precious Metals (where the National Testing Institute is the competent authority) and the Convention for Mutual Recognition of Inspections in respect of the manufacture of pharmaceutical products (the National Board of Health and Welfare).

2.2 In the electrotechnical field SEMKO participates in extensive international co-operation with the aim to facilitate national approval by making use of tests made in other countries, e.g. in the International Commission for Conformity Certification of Electric Equipment (CEE), the CB-System, the International Electrotechnical Commission (IEC) and the European Committee for Electrotechnical Standardization (CENELEC). Within the Nordic area there is extensive testing co-operation between Denmark, Norway and Sweden. The so-called Copenhagen procedures also give non-Nordic manufacturers access to the Nordic systems. About 25 per cent of the matters handled by SEMKO fall within the scope of these various international agreements.