

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

Spec (71)45/Corr.1
30 June 1971

Working Group 3 on Standards

POSSIBLE ELEMENTS FOR A SET OF PRINCIPLES ON STANDARDIZATION

DRAFT GATT CODE OF CONDUCT REGARDING STANDARDS WHICH MAY ACT AS TECHNICAL BARRIERS TO TRADE

I. Definitions and Explanatory Notes

1. The term "STANDARD"

The attached draft is concerned only with standards which affect products. In it, the term "standard" is used to mean any specification which lays down levels of performance, dimensions, or other characteristics of a product, for general adoption. It concludes, where appropriate, testing packaging, marking or labelling requirements, as well as codes of practice to the extent that they affect products rather than processes. The term standard is not intended to be confined to industrial products.

2. Uses of STANDARDS

For the purposes of this document, standards are classified according to their application, as follows:

- (a) in the voluntary area: standards with which there is no obligation to comply, either legal or de facto, hereafter referred to as "voluntary standards";
- (b) in the mandatory area: standards [and technical regulations] with which there is an obligation to comply, imposed by an authority legally endowed with the necessary power, through regulations or administrative rules, hereafter referred to as "mandatory standards";
- (c) standards with which there is no legal obligation to comply but which, for some reason have a mandatory force in practice, hereafter referred to as "quasi-mandatory standards".

[Explanatory Note:]

II. Operative Provisions

1. Preparation of voluntary standards

(a) Contracting parties [should] [shall] ensure that voluntary standards formulated by government agencies and by organizations subject to their control are not [such as to afford] [prepared with a view to affording] protection to domestic production.

(a)bis Contracting parties [should] [shall] ensure that voluntary standards formulated by government agencies and by organizations subject to their control, are not prepared with a view to affording protection to domestic production and do not constitute [undue] barriers to trade.

(b) Contracting parties [should] [shall] use all means open to them to ensure that voluntary standards formulated by other bodies within their territories are not [such as to afford] [prepared with a view to affording] protection to domestic production.

(b)bis Contracting parties [should] [shall] use all means open to them to ensure that voluntary standards formulated by other bodies within their territories are not prepared with a view to affording protection to domestic production and do not constitute [undue] barriers to trade.

(c) Contracting parties which are significant producers or consumers of a product [should] [shall] make a full contribution towards the formulation of a voluntary standard for that product by any appropriate international organization [of which they are, or are entitled to become members] [which is open to all contracting parties].

(c)bis Contracting parties [should] [shall] make a full contribution [where practicable] towards the formulation of international voluntary standards by any appropriate international organization of which they are, or are entitled to become members.

(d) Contracting parties [should] [shall] use their best endeavours to ensure that voluntary standards bodies within their territories co-operate fully in the formulation of voluntary standards by international organizations [of which they are, or are entitled to become members] [which is open to all contracting parties] [for products of which their country is a significant producer or consumer].