

CECIP submission on call for proposal regarding regulatory cooperation between EU and US

23 April 2019

CECIP, the European association representing the weighing industry, received the call for proposals regarding regulatory cooperation between the EU and US from the European Commission. CECIP welcomes this opportunity to provide its input on the potential areas for cooperation and fully supports this initiative from the EU and US.

A dialogue on standards

In the weighing industry global standards are developed by OIML (International Organization of Legal Metrology). These standards are accepted by many countries all over the world. For example, the European harmonised standard to show compliance with EU Directive 2014/31/EC on non-automatic weighing instruments is identical to OIML Recommendation 76. The acceptance of these OIML standards makes it easier for the European weighing industry to trade with third countries without making significant modifications to the weighing instruments or re-testing. Unfortunately, the US has a different system in place where rules are based on the Handbook 44 of the National Institute of Standards and Technology. CECIP would encourage the European Commission to discuss the acceptance of OIML standards in the US.

Besides the legislation that addresses the metrological aspects, CECIP welcomes harmonisation with respect to other legislation and standards. Examples are the harmonisation of the cable colour for the machine power supply and harmonisation of warning labels. When these requirements are aligned it reduces the burden for the European industry.

Conformity Assessment

Currently, weighing instruments need to obtain an EU type-approval from a European notified body to place weighing instruments on the EU market. At the same time, for the US market a type-approval is necessary through the National Type Evaluation Program by the National Conference on Weights and Measures. This means manufacturers need to go to two different organisations to obtain the two type-approvals. CECIP believes this procedure could be simplified by allowing the mutual recognition of notified bodies as is in place in the CETA agreement. European manufacturers could go to a European notified body to obtain both the EU type-approval and the approval for the US market from the same organisation. This would

reduce the administrative burden and costs for the weighing industry. Another possibility is the recognition of OIML certificates as explained below.

OIML Certification system

Since 1 January 2018 OIML has a certification system in place which certifies certain weighing instruments according to OIML Recommendations. The aim of the system is that OIML certificates are used to facilitate, accelerate and harmonize the work of national and regional bodies that are responsible for type evaluation and approval of measuring instruments subject to legal metrological control. In the same way, instrument manufacturers, who are required to obtain type approval in some countries in which they wish to sell their products, should benefit from the OIML-CS as it will provide evidence that their instrument type complies with the requirements of the relevant OIML Recommendation(s).

Via these OIML certificates it is tried to reach global harmonisation and avoid unnecessary re-testing. Further development and acceptance of these OIML certificates reduces barriers to trade and especially with respect to conformity assessment procedures. CECIP is in favour of further development and acceptance of the certification system in both the EU and the US.

Conclusions

CECIP welcomes the initiative to work on regulatory cooperation between the EU and US. Reductions of barriers to trade are supported and CECIP is convinced that the best way forward is to align requirements, allow for mutual acceptance of conformity assessment bodies and the acceptance of OIML Recommendations and certificates from both sides.