

Building Bridges Between the U.S. and EU Standards Systems

At the December 2010 meetings of the Transatlantic Economic Council and the High Level Regulatory Cooperation Forum, the United States and the EU agreed to craft a package of joint improvements to each side's processes for the use of voluntary standards in regulation.

On the basis of this agreement, the United States and the EU will create new mechanisms to promote cooperation, collaboration, and coherence in this area, with a view towards minimizing unnecessary regulatory divergences and better aligning our respective regulatory approaches to facilitate transatlantic trade. Specifically, each side intends to:

- Use, as a basis for its technical regulations and conformity assessment procedures, relevant international standards, guides or recommendations (or the relevant parts thereof) that are developed in accordance with the WTO TBT Committee Decision principles, consistent with applicable WTO rules;
- Strengthen the application of the WTO Code of Good Practice for the Preparation, Adoption and Application of Standards (Annex 3 of the WTO Agreement on Technical Barriers to Trade) by encouraging the standards bodies in their territory to strictly apply its principles, i.e. all the substantive provisions listed in points D to Q;
- Encourage all standards developing bodies to take into account, as a basis for their standards, existing standards or ongoing standards work in other bodies, provided that such standards are developed in accordance with WTO TBT Committee Decision principles and are in use in the global marketplace, therefore avoiding duplication ;
- Cooperate with the other side, where feasible and appropriate, to ensure that international standards that are likely to become a basis for technical regulations do not create unnecessary obstacles to international trade; and
- Increase collaboration on third-country issues involving standards-related measures, including in the introduction of proposals in various fora consistent with the mechanisms set out in this document.

In addition, the Commission will:

- Encourage that draft CEN, CENELEC and ETSI standards are made available through their national standards bodies, online, and at an appropriate time so that interested stakeholders are able to provide comments and have them taken into account in the standards development process; and
- Instruct in its mandates to CEN, CENELEC and ETSI that those bodies should consider, as a basis for EU regional standards, consensus standards developed through an open and transparent process and that are in use in the global marketplace, therefore avoiding duplication and ensuring coherence in line with the WTO TBT Committee Decision principles.

Further, the United States will:

- Encourage ANSI to expand its existing online central repository to provide additional information about approved standards and access to draft standards online, and at an appropriate time so that interested stakeholders can provide comments and have their comments taken into account in the standards development process. Information about how to provide comments and to whom these comments should be addressed, as well as information regarding how to participate in technical committee activities, should also be provided; and
- Instruct federal agencies to consider international standards when developing regulatory measures, consistent with law and policy.