



CETA Agreement and Conformity Assessment

*Accreditation, a tool to enhance trade
between the European Union and Canada*

All countries, and all market sectors, have seen an increase in the number of technical regulations, standards, testing and certification procedures. Generally, these are introduced to meet the requirements of quality and safety that consumers, businesses, and regulators expect of goods and services.

The increasing number of specified standards has seen a corresponding growth in the number of organisations providing third party evaluation of conformity and compliance with these standards.

The accreditation process determines the technical competence and integrity of organisations that offer testing, examination, verification, inspection, calibration and certification services (collectively known as conformity assessment) of products and services with the relevant applicable legislations, standards and other requirements.

Accreditation is a public accountability activity, in place for increasing confidence of regulators, businesses and consumers, and to support free

movement of goods and services while offering a high level of health protection and safety for consumers and the environment.

Testing, calibration, medical examination, inspection, certification and verification services, delivered by accredited bodies, are collectively known as conformity assessment activities.

Together, conformity assessment and accreditation build confidence that goods and services, processes, management systems and the work of individuals comply with national and international standards and regulations. They also assist in the risk-management and decision-making of manufacturers and regulators.

The importance of accreditation – 2 examples



Construction

Standards and accredited conformity assessment are market-based tools that can be used in the construction sector to cover construction products and materials, building techniques and practices, onsite Health & Safety and environmental impact. Accreditation supports the construction sector to control risk, help drive efficiency, demonstrate regulatory compliance, and provide supply chain confidence.



Noise emission by equipment for use outdoors

If a business uses or manufactures machinery designed for use outdoors, such as lawnmowers or generators, authorities rely on accredited testing to support its enforcement of the noise emission regulations. Equipment must be tested and passed by a notified body which is accredited by the national accreditation body to guarantee the sound power level and show that has been measured correctly.

WHAT IS ACCREDITATION ?

Signed at the EU-Canada Summit on 30th October 2016,
the Comprehensive Economic and Trade Agreement (CETA) is a trade agreement,
designed to strengthen economic relations and develop
business between the European Union and Canada.



From left to right: Donald Tusk, Justin Trudeau and Jean-Claude Juncker - © European Union, 2016

CETA will help European Union and Canada to:

- remove customs duties and cut exporters' costs without cutting standards
- make European and Canadian firms more competitive to each other, by opening up their services market, including bidding for public contracts
- make it easier for European and Canadian professionals to work in Europe and Canada and allow for the mutual recognition of some qualifications
- create predictable conditions for both EU and Canadian investors

The CETA agreement includes a chapter on technical barriers to trade that encourages cooperation in technical regulations, standards to avoid unnecessary obstacles to international trade, by positioning conformity assessment as a prerequisite to business on the European and Canadian markets.

Accordingly, CETA includes a Protocol on the Mutual Acceptance of the Results of Conformity Assessment (the CA Protocol).

This Protocol establishes the mutual recognition of European and Canadian Accreditation Bodies and Conformity Assessment Bodies by accepting the results of each other's conformity assessment certificates in areas such as electrical goods, electronic and radio equipment, toys, machinery or measuring equipment. This means that a conformity assessment body in the EU can test EU products for export to Canada according to Canadian rules and vice versa.

This will avoid both sides doing the same tests and could greatly reduce costs for companies and consumers alike. This is aimed to facilitate trade and benefit industry, in particular for smaller companies for which paying twice for the same test can be prohibitive.

THE COMPREHENSIVE ECONOMIC AND TRADE AGREEMENT

Cooperation and information sharing between Canadian and EU accreditation systems are the basis of an agreement aimed to facilitate the development of more compatible regulatory measures and benefit industry both in the EU and Canada.



John Walter, SCC Chief Executive Officer, with Andreas Steinhorst, EA Executive Secretary

To fulfill CETA, a **Bilateral Cooperation Agreement (BCA) between the European co-operation for Accreditation (EA) and the Standards Council of Canada (SCC)** was signed on 10th June 2016.

This collaboration is based on the comparability of Canadian and European accreditation systems, that share similar values, such as:

- Deriving authority from the government;
- Acting on a non-commercial and non-competitive basis;
- Independence from the conformity assessment bodies they assess and from commercial pressures to ensure that no conflicts of interest with conformity assessment bodies occur;
- Safeguarding the objectivity and impartiality of their activities and the confidentiality of the information obtained.

This agreement establishes the terms, conditions and procedures of cooperation between EA and SCC to technically support the activities aimed at mutual recognition of accreditation bodies operating in EU and Canada.

It covers inter alia:

- Exchange of relevant information on matters regarding the CA Protocol, including standards, technical regulations and conformity assessment procedures, as well as information on application and interpretation of criteria for the assessment of conformity assessment bodies;
- Exchange of experts for on-site assessments to conformity assessment bodies; mutual information on progress of work related to activities and the development in the cooperation.

COOPERATION BETWEEN CANADIAN AND EUROPEAN ACCREDITATION SYSTEMS

How the Bilateral Cooperation Agreement (BCA) will facilitate trading between EU and Canada by mutual acceptance of their accreditation systems.

Example of an EU manufacturer which wants to sell its hot-water boilers in Canada

1/ Recognized Accreditation Bodies

To allow EU manufacturers to sell their products on the Canadian market, EU Recognized Accreditation Bodies will accredit EU Conformity Assessment Bodies (CABs). That means that they will assess and confirm the technical competence of CABs offering, for example, testing services in compliance with all requirements including those applicable for the Canadian market, in the fields listed in the Conformity Assessment Protocol.



2/ Conformity Assessment Bodies

Then, the EU Conformity Assessment Bodies will deliver conformity assessment services to confirm that products –hot water boilers in our example- comply with the Canadian requirements (legislation, standard and other relevant specifications).



3/ Canadian regulator

The Canadian regulator will authorize the EU manufacturer due to the certificate issued by the Conformity Assessment Body to export its hot-water boilers on the Canadian market and apply the relevant marking.



4/ EU manufacturer

Once the hot-water boilers have been marked, the manufacturer will be able to sell them on the Canadian market and benefit from a competitive advantage in terms of reputation and credibility for future consumers.



5/ Consumers

The Canadian consumers will buy, in full confidence, the hot-water boiler, produced by the EU manufacturer.

What does this mean at the end?

This agreement will ensure that accreditation of conformity assessment bodies will be considered and used in the EU and Canada on the same basis. It will build confidence between their respective accreditation systems, for the benefits of regulators, governments, businesses, citizens and consumers.

**The implementation of the BCA between EA and SCC
started with the selection of a first pilot project,
based on the ATEX¹/HAZLOC² systems.**



To assess regulations and observe each party's accreditation assessments, it was decided that a pilot program would be developed on the ATEX/HAZLOC systems (equipment allowed in explosive atmosphere) as ATEX in Europe is very similar to HAZLOC in Canada.

The work to be done is to identify the technical issues and their consequences in terms of assessment by the accreditation body.

A first set of concrete steps were taken to enable:

- Exchange of relevant information, notably regarding the applicable standards, technical regulations and conformity assessment procedures,

- Setting up of an assessor pool,
- Observation by EA expert of SCC assessment of a Canadian conformity assessment body for Canadian legislation,
- Observation by SCC expert of an National Accreditation Bodies (COFRAC) assessment of a European conformity assessment body for European legislation.

1 - Directive 2014/34/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to equipment and protective systems intended for use in potentially explosive atmospheres.

2- In Canada, the installation of equipment intended for use in hazardous locations (haz loc) is covered in Part I of the Canadian Electrical Code (CEC).

**FIRST CONCRETE STEPS OF
THE BILATERAL COOPERATION AGREEMENT**

**The EA-SCC cooperation agreement proves to be a crucial milestone
in the development of trade agreements
and free movement of goods
and services at a global level.**



The agreement will support the elimination of import duties and technical obstacles to trade, enabling European exporters to save around €500 million a year.

Benefits for regulators and governments

The Arrangement provides a common “stamp of approval” between European and Canadian accreditation systems to confirm that the conformity assessment procedures and the competence of CABs are equally reliable so that the EU and the Canadian government may trust in the certificates/products placed on the European and Canadian markets.

It will reduce the need for the European Union and Canada to employ their specialized assessment personnel, avoid duplication of audits and reduce bureaucracy by eliminating a number of administrative obligations.

Benefits for businesses

Access to new markets is made easier for companies through recognition of European and Canadian accreditation and equivalence and reliability of conformity assessment services conveyed by accreditation.

Once tested or certified by an accredited conformity assessment body, products and services may be exported without the need for re-testing or re-certification for each new market in the EU and Canada.

Benefits for consumers

Opening markets has the potential to keep prices down and give consumers more choice, without lowering or undermining standards that protect people’s health and safety. This recognition of European and Canadian accreditation systems will reinforce public confidence by ensuring consistently high standards in the quality of products or services purchased.

BENEFITS OF THE EA/SCC ARRANGEMENT

The **European co-operation for Accreditation (EA)** is an association of the legally appointed National Accreditation Bodies (NAB) of the Member States of the European Union (EU) and the European Free Trade Association (EFTA), and of candidate countries. It further has members that are from potential candidate countries and countries identified by the EU in its European Neighbourhood Policy.

Regulation (EC) No 765/2008 established the legal basis for accreditation in Europe. According to Article 14 of this Regulation EA has been appointed as the body responsible for the European Accreditation Infrastructure.

EA ensures acceptance of accredited certificates and reports on the European and global markets through its Multilateral Agreement (EA MLA) based on a robust peer evaluation process, which is overseen by the European Commission in cooperation with the Member States. Accreditation bodies are evaluated against Regulation (EC) No 765/2008, the international standard ISO/IEC 17011, and other relevant standards and related criteria such as application documents published by EA, ILAC or IAF, and applicable criteria on behalf of European or National Regulators and industrial schemes. The EA MLA provides a framework to realize the objective "Accredited once, accepted everywhere". EA is recognized as a regional cooperation body by ILAC and IAF.

For further information
www.european-accreditation.org
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The **Standards Council of Canada (SCC)** was created by the Government of Canada as a Crown corporation in 1970 to promote efficient and effective standardization in Canada. As the leader of Canada's standardization network, SCC leads and facilitates the development and use of national and international standards and accreditation services in order to enhance Canada's competitiveness and well-being.

In particular, SCC is mandated to:

- promote the participation of Canadians in voluntary standards activities;
- promote public and private-sector cooperation in voluntary standardization in Canada;
- coordinate and oversee the efforts of people and organizations involved in Canada's network of standardization professionals;
- foster quality, performance and technological innovation in Canadian goods and services through standardization-related activities; and,
- develop standard related strategies and long-term objectives.

SCC is well respected in Canada and around the world as a member of and signatory to the International Accreditation Forum (IAF) and the International Laboratory Accreditation Cooperation (ILAC), along with their regional signatories.

For further information
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