

TBT WORKSHOP ON SUPPLIER'S DECLARATION OF CONFORMITY (SDoC)

GENEVA, 21 MARCH 2005

GENERAL

A. Overview of the TBT Committee's work on SDoC.

> WTO Secretariat

http://www.wto.org/english/tratop_e/tbt_e/sdoctamiotti_e.ppt

B. International standards, guides and recommendations

> ISO The new ISO/IEC Standard on Supplier's Declaration of Conformity (ISO/IEC 17050).

http://www.wto.org/english/tratop_e/tbt_e/sdocbryden_e.ppt

MEMBERS' EXPERIENCES

A. The Government's Perspective

> New Zealand: Experience in regard to electrical equipment.

http://www.wto.org/english/tratop_e/tbt_e/sdocmorfee_e.PPT

> Chinese Taipei Market surveillance mechanism for industrial products.

http://www.wto.org/english/tratop_e/tbt_e/sdocliou_e.ppt

> Brazil :The case of disposable lighters.

http://www.wto.org/english/tratop_e/tbt_e/sdoclobo_e.ppt

> Canada: Experience in regard to telecom equipment.

http://www.wto.org/english/tratop_e/tbt_e/sdocbeaudoin_e.PPT

> Korea : Implementation of SDoC in Korea's automobile sector.

http://www.wto.org/english/tratop_e/tbt_e/sdocjung_e.ppt

> European Communities: Experience with respect to the electrical and mechanical sectors.

http://www.wto.org/english/tratop_e/tbt_e/sdochilpert_e.ppt

B. The Manufacturer's / Supplier's Perspective

> European Communities: Transition to SDoC in the IT/telecom sector in the European Communities.

http://www.wto.org/english/tratop_e/tbt_e/sdocdofnas_e.ppt

> United States: Supplier's Declaration of Conformity for Information and Communication Technologies (ICT) Regulations.

http://www.wto.org/english/tratop_e/tbt_e/sdocling_e.ppt

> Mexico: The view of the conformity assessment bodies in developing countries.

http://www.wto.org/english/tratop_e/tbt_e/sdocnava_e.ppt

TBT Workshop on Supplier's Declaration

Report by Chairman to TBT Committee

draft as of 22 March 2005, 15:00

At the Third Triennial Review of the TBT Agreement, concluded in November 2003, the Committee agreed to a work programme on conformity assessment to improve Members' implementation of Articles 5-9 of the TBT Agreement and, in particular, to promote a better understanding of conformity assessment systems (G/TBT/13, paragraph 40). Yesterday, in response to the recommendation contained in G/TBT/13, paragraph 41 (second tiret) the Committee held a workshop on this subject. It was essentially a "learning event" where delegations exchanged information and experiences on the SDoC, which, I recall, is *one* element of the Committee's broader work programme on conformity assessment.¹

In terms of the **structure** of the workshop, we first heard two general presentations: the WTO Secretariat gave an overview of the key issues raised in relation to SDoC based on the submissions and statements made in the TBT Committee to date (JOB(05)/30). Second, the ISO described the new ISO/IEC Standard on Supplier's Declaration of Conformity (ISO/IEC 17050). There were six presentations on the "Government's Perspective" and three presentations on the "Manufacturer's / Supplier's Perspective" (industry). Each presentation was followed by discussion.

I would like to highlight a few points made both in the presentations and ensuing discussions.

It was emphasized that **SDoC is one option** among various approaches available to facilitate the acceptance of conformity assessment results (other approaches remain an option). In this regard, it remains the prerogative of governments to choose what regulatory regime to put in place so as to ensure (and achieve confidence) that products conform to requirements and meet legitimate policy objectives (such as the protection of human health or safety).

In making a decision as to whether to use SDoC or not, **several factors** may come to bear. One factor that was mentioned frequently at the workshop was the level of risk involved in the area of application. While some speakers noted that SDoC was primarily used for products with low risk to the consumer or the environment (Chinese Taipei, Brazil and Mexico), others made the point that SDoC could also be adapted to risk (Canada) and be used in relatively high-risk areas (vehicle safety standards in Korea and electrical products in the EC).

For industry, SDoC may be **cost effective** in that, for instance, third party certification costs are avoided. This saves valuable time. SDoC can also facilitate the portability of results and avoid what one speaker referred to as "over-built" conformity assessment requirements. In light of this, it is not surprising then, as we heard, that the industry was the main driver behind the development of the IEC/ISO Standard on SDoC. The point was made by a number of speakers that in those countries (and sectors) where industry uses SDoC there are potential benefits to consumers in terms of greater choice of products and lower prices.

¹ The final programme of this workshop, with more detail on participation from developing countries as well as the speakers' names and presentations is contained in document G/TBT/15.

However, there are potential **regulatory costs** as well – and these may be particularly burdensome for developing countries. It would appear that there is a need for each Member to find a balance between the benefits of using SDoC and, on the other hand, the administrative or regulatory costs that may be incurred in setting up the needed infrastructure. For example, in terms of infrastructure, several participants and speakers emphasized the need to establish a functioning **market surveillance** mechanism which would enable regulators to deal with non-compliance (enforcement). We heard how this was done in the automobile sector in Korea, and with electrical products in the EU.

Moreover, a number of **developing countries** stressed their need for technical assistance and resources both in order to participate more effectively in the international standard-setting process but also – and perhaps key – so as to be able to *implement* the use of SDoC (based on the international standard). In most cases, the industries in developing countries were small and medium-sized and it was felt by some that these countries had not, as yet, built enough confidence to make the transition (where that is desirable) to the use of SDoC. It was noted that, in fact, the transition to SDoC, in certain sectors, from third party certification had taken many years in the EU (10-15 years). Yet, for developing countries time was pressing: it was important to establish the appropriate conformity assessment infrastructure that could bring with it the necessary confidence in markets for products of export interest also to their economies.

It is clear from this report that the discussions yesterday were substantive. I would say that, overall, the workshop lent **some more clarity** to a complex and technical area of conformity assessment. This was the objective of the workshop.

Thank you –
