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COVER NOTE

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	18 January 2019
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
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Subject:	ANNEX to the Recommendation for a Council Decision authorising the opening of negotiations of an agreement with the United States of America on conformity assessment

Delegations will find attached document COM(2019) 15 final - ANNEX.

Encl.: COM(2019) 15 final - ANNEX



Brussels, 18.1.2019
COM(2019) 15 final

ANNEX

ANNEX

to the

Recommendation for a Council Decision

**authorising the opening of negotiations of an agreement with the United States of
America on conformity assessment**

ANNEX

DIRECTIVES FOR THE NEGOTIATION OF AN AGREEMENT WITH THE UNITED STATES OF AMERICA ON CONFORMITY ASSESMENT

Nature and Scope of the Agreement

1. The Agreement should exclusively contain provisions on conformity assessment between the Parties.
2. The Agreement should be fully consistent with World Trade Organisation (WTO) rules and obligations.
3. The Agreement should provide for reciprocal commitments on conformity assessment.

Objectives

4. The objective of the negotiation is to facilitate trade between the EU and the US through the development of streamlined processes to ease the recognition of conformity assessment results that confirm compliance of products with a party's technical regulations, whilst ensuring that a high level of protection is fully preserved.

Content

Streamlined horizontal conformity assessment agreement

5. The Parties will explore the feasibility of introducing less burdensome conformity assessment requirements based on the assessment of the risk linked to the product.
6. The Parties should develop requirements that would allow an importing Party to accept conformity assessment results confirming compliance with its technical regulations, issued by the conformity assessment bodies located in the territory of the other Party.
7. The agreement should also include provisions to ensure improved and effective procedures and approaches in sectors where obstacles are currently found, notably in the machinery, electrical and electronic sectors.
8. The agreement should mainly cover sectors for which the importing Party requires third party conformity assessment, and it would be conditional upon the Parties agreeing to exercise effective public authority supervision of the conformity assessment bodies located in their territory.
9. The agreement should, as appropriate, address its relationship with the EU-US agreements on mutual recognition which are currently in force.

Final Provisions

10. The Agreement should set up an institutional structure to ensure the implementation of the Agreement.
11. The Agreement should provide provisions on the termination and/or (partial) suspension of the Agreement.
12. The Agreement should be equally authentic in all official EU languages and shall include a language clause to that effect.