



COMMISSION OF THE EUROPEAN COMMUNITIES

**Memorandum of Understanding concerning co-operation between the Commission
of the European Communities and the European Co-operation for Accreditation
in the field of conformity assessment**

The Commission of the European Communities, on the one hand, represented by

Mr. Magnus Lemmel, Acting Director General DG III, Industry

and, on the other hand, the

European Co-operation for Accreditation (EA), represented by

Mr. Lars Ettarp, Chairman of EA

- Recognising that the co-operation and activities within EA should operate in compliance with Community law;
- Recognising the importance of confidence in calibration, testing, certification, inspection and other conformity assessment activities for the proper functioning of the Single Market, the common commercial policy of the European Community and its policy on technical assistance to third countries;
- Acknowledging the mutual benefit that can be realised through a close co-operation between the EA and the Community's programmes in the field of research and development with regard to the development of harmonised methods for measurement and testing;
- Taking note that the WTO Agreement on Technical Barriers to Trade refers to accreditation as a means of ensuring adequate and enduring technical competence of conformity assessment bodies;
- Emphasising that the needs of industry, consumers and public authorities must be fully reflected in the activities of EA in order for these to bring added value;
- Considering that accreditation is a system set up under the aegis of public authorities and is thus a service to society and should therefore not be a profit making activity;
- Stressing the importance that the activities of conformity assessment bodies be founded on a sound technical basis as well as ensuring independence, impartiality and integrity in their operations when this is required;

- Considering the work being done by EA to ensure a common accreditation practice throughout Europe, by means of multilateral agreements based on peer assessment;
- Considering that the EN 45000 standards and accreditation are being relied upon in an increasing number of areas covered by Community policy, such as industry, agriculture, foodstuffs, environment, transport, public procurement etc.;
- Considering the Commission's willingness to consult and co-operate with and involve EA on technical matters related to the implementation and operation of Community policy in the field of conformity assessment.

Have reached an agreement on the following provisions, to be implemented and promoted by each of them:

1. The European Co-operation for Accreditation (EA) confirms its commitment to operate in line with and in support of Community policy, in particular with regard to the Single Market, the common commercial policy and technical assistance to third countries. This entails inter alia:

- Operating in an open, transparent and competent manner;
- Be responsive towards the Commission and the national authorities of the Member States with regard to activities related to Community competencies;
- Be responsive towards the Community in respect of its international obligations;
- Being accountable and receptive to the needs and concerns of its stakeholders, private and public, national and European;
- To continue developing and maintaining EA's multilateral agreements based on peer assessment in order to ensure a common accreditation practice and a consistent and credible application of the EN 45000 series of standards throughout Europe;

2. EA will as far as possible take on board advice and guidance offered by the Commission, after consultation with the Member States, on policy matters related to accreditation;

3. In the area of research and development, the Commission and EA will, within the limits of their respective framework, encourage activities and their co-ordination in the fields of mutual interest, for example concerning traceability of measurements, inter laboratory comparisons, proficiency testing, the impact of conformity assessment on quality etc., with the aim of promoting harmonised systems of measurement and testing essential to ensure the efficient operation of the Single Market and other Community policies and the competitiveness of European industry.

4. The Commission, after consultation with the Member States, shall endeavour to seek the advice and co-operation of EA on technical matters related to accreditation, in particular in view of promoting a harmonised, consistent and credible application of the EN 45000 standards in relation to Community policy, for example in relation to the notified bodies system under the New Approach directives, Community directives that call upon the use of the EN 45000 standards.

5. The Commission, after consultation with the Member States, may call upon EA and its expertise in developing specific arrangements to support Community initiatives.

6. The Parties to this Memorandum shall endeavour to keep each other informed of policies and activities under development that are of mutual interest.


7. The Parties to this Memorandum shall endeavour to verify its functioning and implementation on a regular basis, or at any time at the request of any one of the Parties.

In witness whereof, the undersigned, duly mandated for this purpose, have signed this Memorandum of Understanding.


Done at Brussels in three originals in the English language. 02 VI. 1999

For the European Co-operation for Accreditation,

For the Commission of the
European Communities,



Lars Ertarp,
Chairman of the European
Co-operation for Accreditation



Magnus Lemmel,
Acting Director General
DG III, Industry