

## **APPROVED Minutes of the 34<sup>th</sup> Meeting of the EA Advisory Board**

held on 15 April 2015

at the EFTA Secretariat, 12-16 Rue Joseph II, B-1000 Brussels

### Participants:

**EAAB Chair:** Michael Nitsche (NA, Germany).

**EAAB Vice-Chairs:** Martin Stadler (BUSINESSEUROPE), Christian Priller (CEOC International).

**CAB College:** Peter Blinksbjerg (FORCE Technology, EUROLAB Denmark), Roger Brockway (IFIA), Benny De Blaere (EUROCER Building), Uwe Sälzle (EFAC).

**Industry College:** Andrew Evans (CAPIEL), Lars Bo Hammer (ORGALIME, DI), Jörg Ed. Hartge (ORGALIME, BDI).

**NA College:** Maureen Maria Logghe (NA, Belgium), Karen Rud Michaelsen (NA, Denmark).

**ESOs:** Hoang Liauw (CEN/CENELEC).

**European representations of National Metrology Institutes:** Janko Drnovšek (EURAMET), Anneke Van Spronssen (WELMEC).

**ANEC:** Stephen Russell.

**EC:** Nike Bönner, Pilar De La Barcena Angulo.

**EFTA:** Margrethe Gams Steine Asserson, Anna Constable, Elin Geitle.

**EA:** Thomas Facklam (EA Chair), Geir Samuelsen (EA Vice-Chair), Andreas Steinhorst (EA Executive Secretary), Frédérique Laudinet (EAAB Secretariat).

Apologies were received from Mirela Zečević (NA, Croatia) and Muriel Freyssinet (NA, France).

The signed attendance list is available on the relevant EAAB intranet page.

### **1. Opening of the meeting**

The Chair opened the meeting, thanking EFTA for hosting it. He welcomed the delegates, inviting all participants to introduce themselves. A special welcome was made to E. Geitle from EFTA who will be replacing M. Asserson during her maternity leave.

The Chair added that M. Freyssinet had left her previous responsibilities and was no longer a member of the NA College.

### **2. Approval of agenda; Commented Minutes of 33<sup>rd</sup> Meeting of the EA Advisory Board; Action list (actions not covered elsewhere)**

The **agenda** was approved with an addition suggested by U. Sälzle under Agenda Item 8 – *Any other business* to consider the transition process for ISO 9001:2015.

The **minutes** of the last meeting were approved as circulated and commented by P. De La Barcena Angulo. There was no other comment.

Regarding the **action list**, all actions were considered to be either closed or included on the agenda for the meeting. No comment was voiced.

### 3. Key topics for discussion

#### 3.1 Review of role of EAAB and interaction with EA (outcome of the questionnaire on the update of EAAB document *Role of the EAAB and Interaction with EA*)

The Chair went through the survey, inviting each College to comment the answers it had given to every question of the survey as completed in Document EAAB(15)01bis.

##### ▪ EAAB membership

Question 1a - Representation

**Is the representativeness of EAAB Colleges still relevant enough? If not, which organisations should be represented within which College?**

M. Stadler confirmed that the representativeness of the EAAB Industry College was still sufficiently relevant, although the industry, services and trade college should ideally gather representatives from a broader range of sectors relying on accreditation / accredited conformity assessment. For the CAB College, the representativeness of EAAB Colleges is relevant enough.

The Chair asserted that the NA College should try and involve an additional notifying authority; this was supported by WELMEC.

For S. Russell, it should be considered whether consumers, representatives of environmental protection organisation and other “societal” stakeholders should be gathered in a new College that would have to be established. M. Stadler agreed that efforts should be continued to convince environmental organisations, such as ECOS, to contribute to the Board; however he was reluctant to involve other “societal” stakeholders (e.g. trade unions), given that they are not directly affected by accreditation. M. Stadler insisted that potential candidate organisations should have a direct interest in accreditation and accredited conformity assessment, as set out in the Board’s Terms of Reference.

Finally, M. Stadler clarified that the survey’s aim was not to reconsider right now the EAAB Terms of Reference which, according to R. Brockway, could be reviewed by the new incoming Board.

Question 1.b - Representation

**Should representation from a broader range of EA members’ countries be encouraged within the Board?**

The Chair disagreed to have more EA members within the Board. For him and R. Brockway, five members per College are most suitable; increasing the number of members would make consensus more difficult.

M. Stadler suggested that it would be useful to have representatives from a broader range of EA members’ countries primarily on the NA College, and that this question should be raised at the next IMP meeting. The Chair replied that the question had already been asked in the past.

Question 2 - Renewal

**Should the 3-year term of appointment of EAAB members be modified (either extended or shortened)? If yes, for which reasons?**

All Colleges agreed that the 3-year term of appointment of EAAB members was adequate.

Question 3.a - Non-attendance

**When not participating in a meeting, should EAAB members send justified apologies to the EAAB Secretariat by writing in order for them to be published among meeting papers under the relevant agenda item?**

It was agreed that members who were unable to attend a meeting should send in an apology to the Secretariat in writing and in advance of the meeting. There should be a reason indicated for the absence and apologies should be mentioned in the minutes. However, the reason for absence does not need to be justified and mentioned in the meeting papers.

Question 3.b - Non-attendance

**Would some kind of questioning and warning be needed in case of repeated absences of a member?**

The Industry and CAB Colleges suggested that, after failure to attend three or two consecutive Board meetings, the EAAB Secretariat should send a letter of enquiry to the Chair of the relevant college or to the member or organisation directly (if that member is not a member of one of the three colleges), asking for the reasons for the repeated absence and/or whether the member is still interested in continuing membership of the Board.

It was strongly confirmed that the membership status of a member who does not regularly participate in the meetings and thus does not bring an added value to the discussions, should be questioned. It was also recognized that it was up to the concerned College to decide on how to proceed with questioning and warning.

### **Other observations/suggestions about representativeness within the Board**

M. Stadler asked to discuss scheme owners' representativeness in the Board. He explained that, in view of the growing number of sector schemes, scheme owners (in particular those who are granted the status of an EA Recognized Stakeholder) were expected at some point also to request representation within the EAAB. For the Industry College, the Board should have a timely discussion on how to deal with such possible requests. One solution might be to allocate one seat to one rotating representative of all scheme owners, which should not constitute a college as such. M. Stadler added that scheme owners are not end-users of accreditation / accredited conformity assessment such as intended to be gathered within the Industry College.

The Chair was afraid that, owing to the huge number of possible sector schemes, any solution becomes difficult to manage.

M. Stadler clarified that only EA Recognized Stakeholders having signed an agreement with EA could be represented within the Board. He argued that, although no request had been received so far, the EAAB should be open to sector schemes in principle because its role was to represent *all* interests. He could not see any risk if this is managed properly.

T. Facklam explained that the adoption of revised EA-1/22 for evaluation of sector schemes by "home ABs" would result in an uncoordinated list of endorsed schemes. Actually, for him, scheme owners have no direct link with the EAAB and there is no reason so far for them to be represented within the Board. A. Steinhorst confirmed that there was too little activity so far for a real issue to be raised.

### **Decision**

The Board:

- agreed that the representativeness of the EAAB Colleges was still relevant enough;
- agreed that efforts should continue to gather representatives from a broader range of organisations and sectors, such as environmental organisations, which directly rely on accredited conformity assessment;
- agreed that a number of 5 members in the colleges was adequate and that it was up to the colleges to consider a broad range of EA Members' countries to be represented within the colleges and finally within in the EAAB;
- confirmed the 3-year term of appointment of EAAB members;

- confirmed the current procedure according to which EAAB members who were unable to attend a meeting should send in an apology to the EAAB Secretariat in writing and in advance of the meeting, with indication of a reason for the absence and mention of all received apologies in the minutes of the meeting;
- agreed that, in case of repeated absences of a member, it was up to the concerned college to deal with the situation;
- agreed to postpone discussions on how to deal with possible requests for representation within the EAAB of scheme owners that have acquired the status of "EA recognized stakeholders" until such a request was actually made.

#### ▪ EAAB operations

##### Question 1 - Role

**Is the advice which the Board provided EA with most valuable? Which further improvements would be needed to boost the EAAB contributions and interaction with EA at the political/strategy and technical levels? Would the Board's input need some clarification?**

M. Stadler reported that, for the Industry College, the Board's advice given to EA had been quite clear on most issues brought to it by EA. L. B. Hammer added that interaction with EA would be improved if EA came back to the Board with responses or reactions to the advice provided in a timely manner, including in-between EAAB meetings.

T. Facklam agreed that EA's feedback could and would be increased on what and how EA was progressing. For this purpose, the EA Executive Committee would look more carefully at the minutes of EAAB meetings.

For the CAB College, the outcome of the discussions achieved at the EAAB shall be formally reported to EA by an appointed "rapporteur" (naturally the EAAB Chair).

##### Question 2 - Discussions

**Are the meeting agendas still relevant and discussions of the Board efficient enough? Which aspects would need to be further improved? Would there be any need to improve clarity or transparency of the Board's discussions and deliberations?**

All EAAB members were satisfied with the current situation.

##### Question 3 - EA focus

**In general terms, does the EAAB represent EA's interests in a most adequate way?**

It was agreed that the question was raised the wrong way round, since actually it is the Board's role to bring the views and interests of the various stakeholder groups to EA's attention.

The Industry and NA Colleges shared the view that the national public authorities and regulators should take on a more active role and raise the profile of accreditation. The Chair responded that the NA College, together with the European Commission, could consider the question of how the College could represent more actively EA views and interests, within the IMP expert group, and pointed out that NAC members are already participating in the IMP meetings. .

T. Facklam understood the question in a different manner, reading the interaction between EA and the EAAB. EA should have the right tools to fulfil requirements of Regulation (EC) 765/2008, and EA is quite satisfied with the interaction with the EAAB.

**Decision**

The Board:

- shared the view that the Board's advice given to EA had been clear and efficient on most issues that were brought before it by EA;
- agreed, however, that interaction with EA would be improved if EA could come back to the Board with feedback or reactions to the advice provided in a more timely manner;
- was fully satisfied with the relevance of meeting agendas as well as the clear and transparent way in which the Board's discussions took place;
- suggested that the NA College, together with the European Commission, should consider the question on how the College could represent more actively EA views and interests, for instance by taking on a more active role within the IMP expert group (presenting the results of the Board's discussions to that group and providing feedback to the Board on any reactions or accreditation issues discussed within that group).

**Action NA College**

- **EAAB management**

Question 1 - Meetings

**Are biannual meetings still relevant? If not, how often would you like that the EAAB meets in Brussels? Would be video meetings relevant? Would workshops dedicated to specific topics need to be organised?**

Most comments agreed that current biannual meetings are fine.

When the Chair suggested that meetings could be limited to one meeting per year and urgent issues discussed through videoconferences, the Industry College and EURAMET disagreed with this option which would reduce the value of the EAAB. G. Samuelsen confirmed that, even if travel costs would have to be taken into account, there was a real need to meet regularly and in person for better interaction.

The Chair concluded that, in case a smaller issue arose, a smaller group of EAAB members could consider it within a workshop; but no regular workshop should be established.

Question 2 - Key-topic procedure

**Because it has been proved difficult sometimes to find suitable topics, is the procedure of "key topics for discussion" focussing on a couple of major issues relevant at each meeting? What would need to be enhanced to further improve/clarify the format of meeting agendas?**

M. Stadler asserted that the key-topic procedure proved effective so far because it enabled to allocate more time to discussions on the issues identified as such. But it is not an obligation for every meeting. The Chair confirmed that, for the NA College, if there was no relevant issue worth being discussed as "key topic for discussion", the "key topic for discussion" item should be cancelled.

J. Drnovšek reported that EURAMET needs for horizontal information as well, arising from different activity sectors. He requested better exchange of information on issues regarded as "key topics for discussion".

R. Brockway disagreed with the CAB College's view that agenda items should be decided further to a consultation round among members 4 weeks prior the meetings. The Chair and C. Priller recognized that this was difficult to manage in real life.

Question 3 – Meeting, preparation and outcome

**Are the meeting preparation and follow-up (resolution list, minutes, actions) performed in a satisfactory way either by the EAAB Secretariat or by EAAB members? What would need to be further improved? In more general terms, are you pleased with the role of the EAAB Secretariat and the participation of EAAB members?**

Most comments highlighted that the EAAB Secretariat was doing a good job; the meeting preparation and follow-up are performed in a satisfactory way by both the EAAB Secretariat and members.

T. Facklam thanked the EAAB Secretariat for the good quality of tasks performed.

#### **Decision**

The Board:

- confirmed the need for biannual physical meetings;
- confirmed the efficiency of the meeting agendas' format with the "key topics for discussion" procedure, recognizing that there was no obligation for a "key topic" item in case of absence of suitable issues;
- agreed that the meeting preparation and follow-up were performed in a satisfactory way by the EAAB Secretariat, whose good performance was acknowledged.

#### **Final decision**

The Board agreed to consider all the above-mentioned conclusions for an updated version of EAAB document *Role of the EAAB and Interaction with EA* for presentation at the next meeting for discussion and approval.

**Action EAAB Secretariat + Chair/Vice-Chairs**

## **4. EAAB matters**

### **4.1 Call for nominations in view of the renewal of the EAAB membership in 2016**

The Chair asked for any comments on the draft call for nominations as distributed before the meeting.

M. Stadler requested that the deadline was set to a later date in order to leave the colleges enough time for selecting and nominating members as is foreseen in the EAAB Terms of Reference.

#### **Decision**

The Board agreed to change the deadline for nominations to **5 September 2015** before sending out the call as drafted by the EAAB Chair by end of the week.

**Action EAAB Secretariat (sent on 16 April 2015)**

### **4.2 Application of ISO/IEC 17065 for schemes**

C. Priller explained that, when product certification schemes made use of different tools, ISO/IEC 17065 seems to be the best standard for their evaluation. Indeed accreditation to ISO/IEC 17065 established the basis for testing, inspection and auditing management systems. The conclusion is that accreditation to ISO/IEC 17065 for product certification schemes provides competence in all relevant conformity assessment activities.

The Chair confirmed that ISO/IEC 17065 was used to combine different conformity assessment activities. He asked whether this rose unclear points. C. Priller answered that everything was quite

clear and there was no competition with ISO/IEC 17020. His point was to consider how to make the best use of ISO/IEC 17065.

M. Logghe pointed out that mentioning ISO/IEC 17065 was not enough in the NANDO base; there is a need to describe what is actually covered. C. Priller agreed that the scheme and its scope should be clarified in order for the scheme to be evaluated. T. Facklam added that, by definition, product certification schemes and ISO/IEC 17065 always concerned schemes and schemes covered everything; as a result, a more specific description e.g. with regard to directives, modules and other conformity assessment activities shall be provided for ISO/IEC 17065 accreditation.

### Conclusion

The Board:

- thanked the CAB Colleague for clarification on the use of ISO/IEC 17065 as the most suitable standard for evaluating product certification schemes that rely on testing, inspection and management system auditing;
- pointed out, nevertheless, that the product certification scheme and the complete scope it covered should be considered when evaluating the competence of a certification body to perform a product certification for a defined product group. Notifying authorities should verify that the scope includes the product of the relevant EU legislation for which the CAB wishes to be notified.

### 4.3 Reports from the EAAB HHC and MAC observers

Because the EA **MAC** meeting would be held during the following week, no report was made on MAC issues.

An oral report was made by J. Hartge on the latest EA **HHC** meeting held on 24-25 March 2015, highlighting the following two points of interest to EAAB:

- **Activities by CABs not included in the accredited scope**

Discussions were about how to demonstrate competence of conformity assessment bodies for *unaccredited* services.

One question raised by T. Facklam was whether laboratories should meet additional requirements when they offer non-accredited services, which escape from NABs' evaluation. Currently those activities are not considered by the NAB during assessments of the CAB.

The EA and EAAB Chairs agreed that a deeper reflexion was needed before the Board could discuss further how laboratories should deal with unaccredited services and how NABs could check them.

- **Accreditation of sampling as a stand-alone activity**

It was reported that the HHC had recognized that sampling was a function of conformity assessment, and acknowledged the negative impact that inadequate sampling could have on the other conformity assessment functions. The need for accredited sampling has been driven by regulations and the market place, and therefore accreditation bodies need to be able to respond to this. As a result, the HHC determined that accreditation of sampling as a stand-alone activity is appropriate and does fall within the remit of accreditation bodies. The HHC agreed that sampling is an integral part of testing and inspection, and hence can be accredited under either ISO/IEC 17025 or ISO/IEC 17020 depending on the purpose of the conformity assessment.

T. Facklam added that this consensus had been reached after lengthy discussions; a resolution will be submitted to the next EA General Assembly in May 2015.

**Conclusion**

The Board:

- thanked J. Hartge for his oral report on the last HHC meeting;
- took note of the HHC discussions regarding how to cope with activities of CABs which were not included in the accredited scope. Currently those activities are not considered by the NAB during assessments of the CAB. At the request of EA, the constituencies represented on the Board will consider further whether this practice is agreed or should be changed;
- took note of the HHC decision to consider sampling as a stand-alone activity to be accredited under either ISO/IEC 17025 or ISO/IEC 17020 depending on the purpose of the conformity assessment.

**4.4 Assessor resourcing in small ABs: further progress made by EA**

T. Facklam specified that the issue should be looked at from a general point of view, not only from the MAC one. Moreover, it is not for EA to tell NABs what they have to do; EA can only make recommendations and check that competence during the peer\_-evaluation is ensured by NABs. Then T. Facklam clarified that the issue actually covers two aspects which can cause NABs to lack resources for planning assessments, taking decisions requiring additional actions to get needed competences and carrying out assessments in a timely manner: the size of the NAB itself as well as some “exotic” areas, i.e. new areas or areas with only a few CABs.

M. Stadler welcomed the shift in the focus of the issue from “small ABs” to “small areas”. The Industry College would like EA to issue a recommendation for ABs lacking necessary resources. Close cooperation in specific fields could be a solution to be considered at a higher level of EA. T. Facklam confirmed that the point was certainly to take advice from the Board before further action is done.

R. Brockway was very pleased with EA’s paper. He would recommend enlarging the discussion levels to peer evaluation teams or ABs. EA’s answer is a good first step, but he would expect consolidated and more realistic solutions.

G. Samuelsen confirmed that this was a preliminary consideration of the issue; peer evaluation has to work efficiently at the end.

J. Drnovšek complained that this was not an issue of small or exotic areas. For him, EA is too diplomatic and too reluctant to convey a clear message to NABs.

M. Stadler asked EA whether the issue had already created problems during peer\_-evaluations. T. Facklam replied that, in such cases, ABs had looked for external expertise, which made the peer\_-evaluation process longer. Recognizing that the issue had been overlooked so far, he reasserted that it would now be seriously tackled.

A. Steinhorst drew the attention of participants to what “small area” really meant. For instance, EU ETS is certainly not a small area, although accreditation of greenhouse gas validation and verification bodies remains a limited activity for some ABs. This is why the MAC conducted a survey asking NABs to provide comprehensive information on their covered scopes and the number of accredited CABs. The MAC has also been encouraging NABs to exchange experiences and assessors; there are already successful examples of cooperation between NABs.

**Conclusion**

The Board:

- thanked EA for reporting on how the issue was progressing, and appreciated that EA was seriously continuing to consider and improve the situation;



- welcomed the shift in the focus of the issue first related to smaller NABs and now enlarged to lack of resources and competence of NABs in areas with a limited number of CABs;
- noted that EA *recommended* (but could not demand) that NABs carefully investigate their own areas of activity and use the possibility of cooperating with other NABs to strive for a harmonized way of implementing new fields/activities and to provide accreditation on a level playing field;
- asked EA to look further into any consequences for the peer evaluation in those areas where competences needed to be inside the accreditation body itself (e.g. assessment decision) and their *internal* expertise could not be outsourced.

#### 4.5 Application of ILAC P10:01/2013 *ILAC Policy on Traceability of Measurement Results* by EA Members and EAAB position

The Chair recalled that the EAAB at its last meeting had expressed concerns over the tendency within EA to redefine the concept contained in ILAC P10 in relation to the different routes for obtaining traceability. Furthermore the Board had agreed that the flexibility being built in ILAC P10 for using the different routes to obtain traceability should be accepted by EA Members. The Chair informed the Board that he included this Board decision in his report given at the EA General Assembly meeting in November 2014 and that an EA member was asking the EA Chair whether EA could produce stronger rules for ILAC P10 application.

T. Facklam added that both revisions of ISO/IEC 17011 and ISO/IEC 17025 are interlinked with ILAC P10. EA has now to see what will arise from both revisions.

#### Decision

The Board:

- noted the feedback given by the EAAB Chair who reported about the Board's "*concerns over the tendency within EA to redefine the concept contained in ILAC P10 in relation to the different routes for obtaining traceability*" (see Conclusions & Resolutions List of 33<sup>rd</sup> EAAB meeting) at the EA General Assembly in November 2014;
- agreed to wait for what would arise from the current revisions of ISO/IEC 17011 and ISO/IEC 17025.

## 5. EA matters

### 5.1 Revision of ISO/IEC 17011

T. Facklam explained that the intention of this item was to give the Board a short update on how the revision of ISO/IEC 17011 was progressing in ISO CASCO WG 42.

CASCO had received a large number of comments on WD1, which had been given rise to a lot of work. CD1 is expected to be sent out by end of May for a 2-month commenting period. Hopefully the revision will be achieved in May 2017.

There was no comment from the Board.

#### Conclusion

The Board noted the progress report provided by EA.

## 5.2 New EA projects and work items

- **Project on EA Strategy 2025**

A. Steinhorst recalled that EA was following a strategy plan until 2017. But it is time now for EA to look towards the future and think about new strategic objectives. EA is developing a long-term vision until 2025 for EA. The EAAB will be informed more formally and more specifically later on.

- **Revision of EA-6/03 M 2013: *EA Document for Recognition of Verifiers under the EU ETS Directive***

A. Steinhorst explained that the revision resulted from a need to develop a common AB approach to ensuring scope coverage in witnessing and file review practices for assessing EU ETS Verifiers as well as to ensure transparency for the verifiers of the process. A document on the subject has been prepared in the EU ETS Network Group and the intention is to amend this as an Annex to EA-6/03. The second objective of the revision is to support further harmonisation of the AB approach when assessing Scope 98 in Annex I to the Accreditation and Verification Regulation 600/2012; the EU ETS Network Group elaborated more details on the approach and competence needed, which are intended to be amended in the core part of EA-6/03.

No comment was voiced by the Board.

- **Revision of EA-1/13: *EA's Relationship with Accreditation Bodies of Countries not being Members of the EU or EFTA, and peer-evaluation for compliance with Regulation (EC) 765/2008 only***

A. Steinhorst explained that the EA Neighbourhood Policy is limited to NABs from those neighbour countries that are willing to sign ILAC/IAF agreements only through having been evaluated to join the EA MLA through a bilateral agreement with the EA MLA signatories. According to EA-1/13, this policy should not be applicable to NABs from countries that wish to have a direct evaluation process carried out by ILAC, IAF and/or another Recognized Region. This means that NABs being peer evaluated by another Recognized Region shall not be peer-evaluated by EA and enter into a Bilateral Agreement. Existing Bilateral Agreements may not be maintained accordingly.

A. Steinhorst noted that EA has recognized that NABs from neighbour countries and the European Commission may have reasonable interest in the establishment of mutual confidence and recognition in the respective accreditation systems and in the accredited attestations of conformity in the European regulated area. In order to reach the aim of mutual confidence and recognition in the European regulated area, NABs have to demonstrate that they operate in accordance with ISO/IEC 17011 and the ILAC/IAF provisions, but also with Regulation (EC) 765/2008 and the corresponding EA provisions. Therefore, EA-1/13 shall be revised accordingly.

A. Steinhorst concluded that the point was given as preliminary information; a formal new work item will be submitted as soon as possible.

R. Brockway commented about EA Associate Members located in countries listed as potential candidate EU members or covered by the EU Neighbourhood policy (ENP).

### Decision

The Board:

- endorsed the proposed new work item for revision of EA-6/03 M 2013: *EA Document for Recognition of Verifiers under the EU ETS Directive*;
- took note of EA's intention to present a new work item for EA's new vision and strategic objectives to be elaborated on the 2025 horizon;
- took note of EA's intention to present a new work item for revision of EA-1/13: *EA's Relationship with Accreditation Bodies of Countries not being Members of the EU or EFTA in*

order for these ABs to be still allowed to be evaluated by EA when they are evaluated by another region cooperation.

### 5.3 Update on the “Accreditation for Notification” (AfN) project

A. Steinhorst informed Board members that the outcome of the AfN project would be completed this year and presented to the Board at its next meeting. The point was to give a recapitulative state-of-play of the project.

A. Steinhorst recalled that, launched in July 2014, the AfN project aimed to define the preferred harmonised standard(s) (*phs*) for each directive and each module of it. By now, a set of 9 directives has been finalized as a preliminary result to be put forward to the EC at first. The outcome will be communicated to NABs after being agreed by DG GROW. It was also reminded that evaluations were being made from a technical point of view by the experts from EA NABs, regardless of the EC *Blue Guide* and other provisions. A. Steinhorst specified that the Interoperability Directive 2008/57/EC (IOD) had been excluded, given that is part of a separate EA – ERA project.

M. Stadler wondered whether the objective of the AfN project was just to list preferred harmonised standard(s), because other projects, like Directive Networks, had already produced some achievements in this respect. A. Steinhorst confirmed that *phs* definition was the only objective of the AfN project which, however, should produce justifying reports for every standard and module agreed.

#### Conclusion

The Board:

- thanked EA for updating EAAB members on the large-scale project that aimed at harmonising the accreditation requirements used as basis for notification by defining and listing the preferred harmonized standards for each EC Directive and module;
- noted that the definition of preferred harmonized standards for a first priority set of 9 Directives was nearing completion and should soon be circulated to NABs once discussed with EC DG GROW.

### 5.4 Voting rights of Associate Members in the EA MAC

A. Steinhorst reported that the ILAC/IAF evaluation of EA had highlighted a non-conformity in EA with regard to the fact that Associate Members have to comply with rules without any voting rights. As a result, the EA Executive Committee agreed to change the current MAC voting rules providing that decisions are taken by Full Members into new rules allowing *all* signatories to the EA MLA/BLA to vote on the results of peer evaluation activities. A. Steinhorst pointed out, however, that there had been so far no consensus on giving voting rights to Associate Members at the EA General Assembly. The EA Executive Committee, which is discussing on how to revise the EA Articles of Association for this purpose, would soon come up with a proposal for revision to the EA General Assembly.

#### Conclusion

The Board:

- thanked EA for informing EAAB members of its current discussions, further to a non-conformity raised during the ILAC/IAF evaluation, on whether and how to give voting rights to EA Associate Members which had to fulfil the same EA rules as Full Members;

- took note that the EA Executive Committee was discussing how to change the MAC voting rules in order to allow all EA MLA/BLA signatories to vote on results of peer-evaluation activities.

## 5.5 Cooperation with Halal Accreditation Forum

T. Facklam informed Board members that the Gulf countries had established an accreditation board and mark for Halal products such as food, cosmetics or medicine, and that they wanted ILAC and IAF to define rules for Halal accreditation. ARAC is part of this international forum which actually represents a quite large market. Indeed EA ABs in some countries have been demonstrating their interest in Halal accreditation. The International Halal Accreditation Forum (IHAF) has created a parallel accreditation system: it has been developing its own standards, irrespectively of the ISO/IEC 17000 series; though based on ISO standards, IHAF standards are not ISO standards. T. Facklam pointed out that it was not so easy to be in-between: either we are part of the ISO system or we are not.

C. Priller advocated EA to keep the issue at some distance because it was too early to look deeply at it.

M. Stadler suggested EA to enter into some loose cooperation with IHAF, not investing many resources for now. He asked whether IHAF could be convinced to adopt the ISO system and its advantages. T. Facklam answered that meetings were organized for this purpose, but the Forum was not so flexible. IHAF would like EA to be part of its system and to perform accreditations according to its own rules. M. Stadler recommended that, in this case, only very little and loose cooperation should be accepted by EA.

### Decision

The Board:

- thanked EA for informing EAAB members and took note that Halal accreditation was developing in the Gulf countries along their own rules outside the ISO system;
- agreed that EA should, for the time being, stay in contact with Halal Accreditation Forum for mere observation and information-sharing purposes.

## 5.6 Accreditation of CABs located in Europe by non-European ABs and Recognition of Accreditations issued outside the framework established by Regulation (EC) 765/2008 - Progress report

A. Steinhorst reported that the discussions held on the issue at the last ILAC/IAF meetings in Vancouver in November 2014 had brought about some lively controversy. The issue had also been discussed at the last EAAB meeting in light of a paper based on HHC discussions. Since then, the CPC completed the revision of EA-INF/04:2012 *Statement on Acceptance and Recognition of Activities under the EA MLA*, which was forwarded to the HHC for inclusion of some clarification on the issue through Note 2 on page 12. A. Steinhorst explained that the present reference made to Article 11 of Regulation (EC) 765/2008 at the end of the note should be removed when the document is finalized by the CPC.

### Conclusion

The Board thanked EA for addressing the issue in a satisfactory way by updating EA-INF/04: *Statement on Acceptance and Recognition of Activities under the EA MLA*, where Note 2 was added on Page 12 to clarify the following: *“If a conformity assessment body established in the European Union is not accredited by its National Accreditation Body (or by the National Accreditation Body of another Member State as provided by the Regulation), the certificates/reports it issues under any other accreditation have not been issued in line with all the relevant legal requirements in Europe”*.

## 5.7 Survey on the use of non-harmonised standards for accreditation

A. Steinhorst reported that a survey on the use of non-harmonised accreditation standards had been conducted last year in EA (the deadline for completing it was in January 2015). The first review showed that some NABs accredit CABs based on non-harmonised standards. .

The EA Executive Committee will examine the outcome more in detail in order to prepare a policy paper defending the credibility of accreditation by end of 2015. This paper will be presented to the EAAB.

Answering a question by N. Bönnen, A. Steinhorst concluded that it seems currently that there is no need for a new harmonised standard for accreditation.

### Conclusion

The Board took note that the survey outcome, currently discussed by the EA Executive Committee, should be finalized before being presented to the EAAB.

## 5.8 Revision of EA-1/17: EA Rules of Procedures

A. Steinhorst updated the Board on the revision progress. The document was sent out for comments until this week. The comments will be considered by the EA Executive Committee.

T. Facklam recalled that this revision consisted in a mere update meant to align the EA Rules of Procedure with the Secretariat's new structure (EA Executive Secretary's appointment) and to address two findings raised during the internal audit (alignment of EA-1/17 and EA-0/00 concerning the possible establishment of management groups in technical committees, and alignment of EA-1/17 and EA-1/14 defining which documents the General Assembly shall approve).

The Chair asked for clarification about EA's invitation of "*a representative of the EAAB*" to attend the EA General Assembly in Section 12 of the document related to *Cooperation with interested parties*. He wondered whether the EAAB Chair was invited. T. Facklam clarified that anyone of the EAAB Chair and Vice-Chairs were invited actually. He agreed that the text should be reworded to allow several EAAB persons to participate in EA General Assembly meetings. The initial intention was to phrase the invitation as flexibly as possible; the final text will make flexibility even greater.

### Decision

The Board agreed that Section 12 of EA-1/17 dedicated to "*Cooperation with interested parties*" and the EAAB should be slightly amended in a more flexible manner so as to allow several (and not only one as suggested by "a") representatives of the EAAB to "*be invited to participate in the EA General Assembly*".

### Action EA

## 6. Items for information

### 6.1 Report on complaints and appeals

G. Samuelsen made a brief oral report on the complaints dealt with by EA. Those are lodged against CAI, LATAK and UKAS.

A full written report will be made available for the EA General Assembly in May 2015.

## 6.2 Elections of EA officers in May 2015 for the term 2016-2017

A. Steinhorst said that the procedural information and current status of position for nominations were distributed for information purposes.

## 6.3 New EA logo

A. Steinhorst informed participants that a new EA logo had been introduced on 9 April 2015. He thanked the whole EA Secretariat for its common efforts to promote the new logo and to issue it on the website and EA publications.

## 6.4 Draft Agenda of the 35<sup>th</sup> EA General Assembly on 27-28 May 2015 in Athens, Greece

There was no comment from the Board.

## 6.5 EA Activity Report

### ▪ CEN-CENELEC's agreement with EA

T. Facklam reported that CEN, CENELEC and EA had signed a cooperation agreement in 2009. Further to the fact that the EC has recently formally clarified that EA Members have to operate accreditation exclusively on the basis of European harmonised standards, EA took the initiative to approach the CCMC with the proposal to increase mutual cooperation and review their agreement accordingly. The objective is twofold: first to promote the development of harmonised standards in those areas where there are still no harmonised standards although they could be needed for accreditation purposes; secondly, to contribute to the revision of relevant harmonised standards beyond CEN/CLC/TC1.

A first meeting between EA and CEN-CENELEC was held in January 2015, and the CCMC has started discussing the revision of the 2009 Cooperation Agreement with EA. A. Steinhorst concluded that a draft agreement has been prepared and should be finalized in the short term.

No comment was voiced by the Board.

## Conclusion

The Board thanked EA for all the written and oral reports given under Item 6.

## 7. EAAB Work programme

The Chair went through the EAAB WP together with the Board's members to agree on the below-listed updates as needed.

## Decision

The Board asked the EAAB Secretariat to reclassify or rename the following 3 topics:

- ✓ *Support of accreditation for application of legislation: relation accreditation/notification*, to be reclassified as "closed";
- ✓ *Implementation of the new European legislation and related consequences (incl. cross-border issues)*, to be reclassified as "open".
- ✓ *Change "Lack of resources in small NABs" into "Resources and competences of NABs in areas with a limited number of CABs"*

**Action EAAB Secretariat**

## 8. Any other business

### 8.1 IAF Database of Accredited MS Certifications

T. Facklam informed the Board that the IAF Executive Committee is going to drop the project of establishing an IAF database of accredited MS certifications.

M. Stadler commented that he saw no benefits for which industry would be willing to pay.

### 8.2 Request to ILAC for revision of ILAC-P14:01/2013 - ILAC Policy for Uncertainty in Calibration, paragraph 5.4

The Chair gave the floor to J. Drnovšek who presented his slides supporting the EURAMET request.

J. Drnovšek explained why EURAMET recommended that the measurement uncertainty of a device under test (DUT) should always be included in the final accredited calibration and measurement capability (CMC) values in order to give consistent and realistic values to the users. For EURAMET, EA should request that Paragraph 5.4 in ILAC-P14:01/2013 *ILAC Policy for Uncertainty in Calibration* be modified accordingly.

J. Drnovšek added that this was an example of how modifications in documents could improve daily life. For him, the issue is as strategic as technical actually.

A. Steinhorst replied that the issue should be solved by ILAC at the end since it concerned an ILAC document. It can be first tackled by the experts of Technical Network "Calibration" in the EA Laboratory Committee in order to be discussed by all EA Members. T. Facklam agreed, stressing that the issue was not so clear and should be forwarded to calibration experts in the EA LC at first.

#### Decision

The Board:

- thanked EURAMET for the presentation of the issue leading to EURAMET's recommendation that "*DUT uncertainty should always be included in final accredited CMC values in order to give consistent and realistic values to the users*", and that EA should request that ILAC-P14:01/2013, § 5.4 should be modified accordingly;
- asked EA to put it forward to the EA Laboratory Committee, whose next meeting on 9-10 September 2015 would be attended by a EURAMET representative.

**Action EAAB Secretariat / EA Executive Secretary / EURAMET**

### 8.3 Transition process for ISO 9001:2015

U. Sälzle warned that no consensus had been reached in IAF and EA on the transition for ISO 9001:2015; he reported that some NABs are requiring an on-site assessment for the transition to be performed before certification bodies certify according to new ISO 9001. U. Sälzle highlighted the resulting difficulties for all CBs to achieve full implementation of new ISO 9001 in due time.

It was added that EA should act in accordance with IAF provisions, allowing some flexibility as well. EA should ask NABs to try and assess in time.

T. Facklam recognized that the problem was always the same with new versions of documents; transitions are used to remain the weak point. He agreed that assessments should be completed when and after new standards are made available. The only solution is to recommend the accreditation community to be clearer on requirements to be met by CABs.

A. Steinhorst referred to the EA Activity Report relating to the latest meeting of the Certification Committee, saying that he would forward the issue to the EA CC Chair. T. Facklam confirmed that this was the first thing to do.

**Decision**

The Board:

- thanked EFAC for warning EAAB members of the fact that, regarding the transition for ISO 9001:2015, no consensus had been reached within IAF and within EA (some NABs are requiring an on-site assessment for the transition to be performed before certification bodies certify according to new ISO 9001) and the resulting difficulties for all CBs to achieve full implementation of new ISO 9001 in due time;
- acknowledged the issue and agreed upon EFAC's request for EA to ask NABs to act in accordance with IAF provisions and to give them recommendations on how to adjust an adequate accreditation procedure;  
**Action EA**
- in the meantime, asked EA to put the issue forward to the EA Certification Committee and give feedback to the EAAB.  
**Action EA Executive Secretary / EAAB Secretariat**

*Post-meeting note by EAAB Secretariat: on 17 April, EAAB Members were forwarded a message by Kevin Belson, the Vice-Chair of the EA Certification Committee, to keep them informed about the IAF discussions on the transition process for ISO 9001:2015. On 23 April, they received the EA CC discussion paper sent to IAF for consideration at the Frankfurt meeting of the IAF Technical Committee on "Differences in AB approach to assessing CBs for the transition to ISO 9001: 2015".*

**9. Selection of dates and places of next meetings**

The Board confirmed that the EAAB meeting will be held on **Wednesday 21 October 2015** at the EFTA Secretariat.

It was agreed that the Secretariat should check with the EA and EAAB Chairs and Vice-Chairs whether the dates provisionally set for the Spring 2016 meeting, i.e. 13 and 20 April 2016, were conflicting with ILAC/IAF meetings and which date was the best suitable for them.

*Post-meeting note by EAAB Secretariat: because both 13 and 20 April 2016 prove to be conflicting with the dates of other EA meetings (HHC and MAC respectively), it has been finally planned to held the meeting on **Wednesday 27 April 2016**; the date will be formally confirmed at the next EAAB meeting.*

The EAAB Chair thanked EFTA for the meeting arrangements and the delegates for their valuable contributions. He closed the meeting.

On behalf of the Board, M. Stadler thanked M. Nitsche for having successfully chaired the EAAB during the last three years.

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**List of the abbreviations taken for granted in these minutes**

**AB:** accreditation body  
**ARAC:** Arab Accreditation Cooperation  
**CAB:** conformity assessment body  
**CD:** committee draft  
**CCMC :** CEN-CENELEC Management Centre  
**EA BLA:** EA Bilateral Agreement  
**(EA) CC:** EA Certification Committee  
**(EA) CPC:** EA Communications and Publications Committee  
**(EA) HHC:** EA Horizontal Harmonisation Committee  
**(EA) LC:** EA Laboratory Committee  
**(EA) MAC:** EA Multilateral Agreement Council  
**EA MLA:** EA Multilateral Agreement  
**EC:** European Commission  
**ECOS:** Environmental Council of the States  
**EU ETS:** European Union Emissions Trading System  
**IAF:** International Accreditation Forum  
**ILAC:** International Laboratory Accreditation Cooperation  
**IMP** expert group: Internal Market of Products expert group  
**NA:** national authorities  
**NAB:** national accreditation body  
**WG:** working group  
**WP:** work programme