

List of Conclusions and Resolutions

agreed at the 38th Meeting of the EA Advisory Board
held on 12 October 2017

Agenda Item 2 - Approval of agenda; Approval of Minutes of 37th Meeting of the EA Advisory Board; Action list (actions not covered elsewhere)

▪ Action List

Due to Pierre de Ruvo's leaving from ETICS and the subsequent impossibility of completing the action he was involved in, and because it is an on-going issue, the Board agrees to close the pending discussions on the need for consistency and harmonisation among NABs, which should have been supported by a paper drafted by the CAB College based on the outcome of a survey made by ETICS.

Agenda Item 3 - Key topics for discussion

Agenda Item 3.1 - EA's current and mid-term priority activities

The Board:

- thanks Andreas Steinhorst for his comprehensive presentation of EA main activities, i.e. peer-evaluation and cooperation activities, which gives a clear and useful background overview of EA, and asks to have the presentation published among the meeting papers;
Action A. Steinhorst/Secretariat
- appreciates the elaboration of such a detailed EA Work Programme identifying all major activities of every EA committee, which proves very useful for the Colleges to report on EA work to their own constituencies, and asks EA to provide a summary of its activities very year to the EAAB;
- expresses strong concerns over EA's decision to introduce an EA mark, questioning the need and added value of having a regional European mark in addition to existing national and international marks, and fearing that the EA mark would bring more strain and confusion on the market than it would support international trade;
- asks therefore EA to rethink the introduction of an EA mark and inform the EAAB of the outcome of this reconsideration;
Action EA
- takes note that the Industry College invites the European Commission (EC) to discuss this issue at the next Internal Market of Products (IMP) expert group meeting in November 2017.
Action EC

Agenda Item 4 - EAAB matters

Agenda Item 4.1 - Reports from the EAAB HHC and MAC observers

The Board:

- regarding the meeting-related costs (registration fees for meeting rooms, etc.) incurred by the EAAB observers, positively greets EA's decision to compensate the fee for MAC meetings, and asks EA to reconsider its decision not to compensate the cost for HHC meetings and to rethink compensation for *both* EAAB observers in so far as, in their specific roles, EAAB observers carry out a function on behalf of the entire Board to ensure that it can effectively perform the tasks of the stakeholder structure as referred to in Regulation (EC) 765/2008 and in the Framework Partnership Agreement between the EC and EA.
- thanks Andrew Evans and Maureen Maria Logghe for their comprehensive written reports on, respectively, the last EA HHC and MAC meetings held on 19-20 September and 4-5 October 2017, and takes note of the various issues addressed in them;
- takes note of the CAB and Industry Colleges' strong concerns about the wording of the HHC resolution to be submitted to the EA General Assembly in November 2017 relating to consultancy provided by notified bodies, as follows:

*“Given that Article R17(4) refers to the activity for which a body is notified, this means that the notified body may not provide consultancy services (such as technical assistance or provide advice on how to pass conformity assessment procedures) **to manufacturers of the products it assesses.***

Otherwise, the independence provisions of Article R17(4) would be undermined as providing or having provided consultancy ~~to its own clients~~ on products or type of products the notified body is assessing would result in a conflict of interest for the notified body”.

- asks EA to produce, as far as possible, a full compilation of all those schemes that are either positively evaluated by EA Members (private schemes applied in Europe) or supported by EA through close cooperation (regulated schemes);
Action EA
- takes note that Maureen Maria Logghe felt very uncomfortable when she could not ask some questions at the last MAC meeting, and confirms that asking questions for a better understanding of the proceedings observed is implicit part of the EAAB observer's role;
- decides to prepare a proposal for a policy in order to clarify the task, duties and rights of the EAAB HHC and MAC observers and to provide this proposal to EA for further consideration;
Action EAAB for next agenda/meeting
- invites EA to clarify the connection between the ILAC/IAF mandatory documents and the related obligations for EA at the next IMP meeting in November 2017.
Action EA Chair

Agenda Item 4.2 - EAAB positions regarding the implementation of new ISO/IEC 17011 and new ISO/IEC 17025

The Board:

- requests EA to ask ILAC to reconsider the ILAC policy, especially ILAC P10, P14, G8, G17 and G24, in light of how new ISO/IEC 17025 addresses risks and opportunities and the actual needs for accreditation purposes;
Action EA

- in more general terms, draws once again accreditors' attention on how standards and requirements are applied.

Agenda Item 4.3 - Possible future merger of ILAC & IAF: EAAB position

The Board takes note that, for the CAB and Industry Colleges, one of the key issues to be considered in the possible merger of ILAC and IAF is how stakeholders can express their views, and how these will be *actually* taken into account. Both Colleges ask for any future merger to provide stakeholders with at least the same level of involvement as they currently have in IAF, notably to allow them to seat in steering committees and contribute to decisions.

Agenda Item 4.4 - EAAB Work Programme

The Board agrees to:

- keep the topic entitled "*Consistency and harmonisation among ABs*" mentioned on Page 1 as an ongoing topic discussed within the Board;
- add a topic dedicated to "*Implementation of EA Strategy 2025*" as an open topic.
Action EAAB Secretariat

Agenda Item 5 - EA matters

Agenda Item 5.1 - Relations with stakeholders

The Board:

- endorses the UILI's (International Union of Independent Laboratories) and FSSC 22000's applications for being granted the EA Recognised Stakeholder status, acknowledging that the final decisions will be made at the EA General Assembly meeting in November 2017;
- takes note that the CAB and Industry Colleges are in favour of scheme owners' participation in the EAAB provided that their contribution is clearly defined, especially in terms of the maximum number of members, the nature, sector and level (national, European) of their activity, as well as in structural terms (either individual seats, or a 4th College, or as part of the CAB College as direct users of accreditation);
- takes note that an internal audit in EA has recently put in evidence that EA-1/15: *EA Policy for Relation with Stakeholders* provides no specific requirements for EAAB Members;
- agrees therefore to reconsider the rules for EAAB Membership, especially to define how to deal with scheme owners' contribution to the EAAB, as a key topic for discussion at the next meeting of the Board, stressing that decisions will have to be made at this very next meeting before a call for nominations in view of the renewal of the Board in autumn 2018 is launched further to the spring 2018 meeting.
Action EAAB for next agenda/meeting

Agenda Item 5.2 - New EA projects and work items

The Board endorses the proposed new work items for:

- revision of *EA Articles of Association (AoA)*;

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- revision of EA-2/13: *EA Cross Border Accreditation Policy and Procedure for Cross Border Cooperation between EA Members*;
- revision of EA 3/12: *EA Policy for the Accreditation of Organic Production Certification*;
- elaboration of EA policy for accreditation of certification activities under EU Regulation 1151/2012 PDO/PGI/TSG; EU Regulations 606/2009, 607/2009 and 1308/2013 Wine Products; EU Regulation 110/2008 Spirits and EU Regulation 251/2014 Aromatised Wine Products.

Agenda Item 5.3 - Implementation of EA Strategy 2025 - close cooperation with stakeholders to strengthen accreditation at the European and international level

The Board:

- takes note that a specific TFG (TFG 6) is in charge of “*evaluating the size and composition of the EAAB*” in 2018 as part of the implementation of the *EA Strategy 2025*, and supports EA to get a still closer cooperation with the EAAB;
- for this purpose, invites EA to consider the following 2 documents previously achieved by the Board as a useful input:
 - *EA Stakeholders' Expectations towards Accreditation and EA*, dated April 2014
 - *The EA Advisory Board: Management review of role, operations and interaction with EA*, updated April 2016

Agenda Item 5.6 - Possible implications of the Brexit

The Board takes note that the Industry College strongly supports EA's will to keep UKAS within EA's membership.

Agenda Item 6 - Items for information

Agenda Item 6.1 - Information to the EAAB

The Board thanks EA for the oral reports provided under this item, including the additional update on the peer-evaluation reengineering project.

Agenda Item 6.2 - CETA - Implementation of the Bilateral Cooperation Agreement with Canada/SCC - Progress report

The Board takes note that the Industry College and IFIA confirm a real interest for CABs and the market in recognition of European conformity assessment by the Standards Council of Canada (SCC), and thank EA for its active cooperation in having CETA progress.

Agenda Item 6.3 - Report on complaints and appeals

Agenda Item 6.4 - IAF/ILAC Annual Meetings in Vancouver on 21-31 October 2017

Agenda Item 6.5 - Draft Agenda of the 40th EA GA on 22-23 November 2017 in Berlin, Germany

The Board thanks EA for the oral and written reports provided under these items.

Agenda Item 7 - Update on proposed revision of Regulations (EC) 765/2008 and 764/2008

The Board thanks Zacharias Bilalis for his oral update on the proposed modifications to be made in revised Regulations 765/2008 and 764/2008, and asks him to send the draft regulations to the EAAB Secretariat for them to be published among the meeting papers.

Action Z. Bilalis/Secretariat

Agenda Item 9 - Selection of dates and places of next meetings

The Board:

- agrees to meet on **Thursday 3 May 2018** and **Wednesday 17 October 2018**, while the location in Brussels should still be confirmed with ETFA;
- warmly thanks the EFTA Secretariat, namely Margrethe Asserson who is attending her last EAAB meeting, for their kindest invitations and superb arrangements made for the meetings so far;
- warmly thanks Thomas Facklam, who is leaving the EA Chairmanship by end of 2017 and attending his last EAAB meeting, for his long, most active and convinced involvement in establishing and improving the European accreditation structure over almost the past three decades, and wishes him all the best for the future decades.

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