Approved Minutes of the 30th Meeting of the EA Advisory Board
held on 18 April 2013
at the EFTA Secretariat, 12-16 Rue Joseph II, B-1000 Brussels

Participants:
M. Nitsche (NA, Germany) – EAAB Chair
M. Stadler (BUSINESSEUROPE), C. Priller (CEOC International) - EAAB Vice-Chairs
B. De Blaere (EUROCER Building), J. L. Sanchez Alvarez-Campana (EUROLAB), U. Sälzle (EFAC), R. Brockway (IFIA) – CAB College
A. Evans (CAPIEL), J. Hartge (ORGALIME, BDI), L. B. Hammer (ORGALIME, DI) – Industry College
K. R. Michaelsen (NA, Denmark), M. Freyssinet (NA, France), F. Farrugia (NA, Malta), P. Vrtacnik (NA, Slovenia)
D. Bell (CEN/CENELEC)
J. Drnovsek (EURAMET), A. Van Spronsen (WELMEC)
H. Ingels and N. Bönnen (EC), M. Asserson (EFTA)
T. Facklam (EA Chair), D. Pierre (EA Vice-Chair), V. Andersen (EA CPC Chair)
M. Blum (EA Secretary), F. Laudinet (EAAB Secretariat)

No apologies were received.

1. Opening of the meeting

The Chair opened the meeting, thanking EFTA for hosting the meeting. He welcomed the delegates and invited them for a roll call.

2. Approval of agenda; Report on 29th Meeting of the EA Advisory Board; Action list (actions not covered elsewhere)

The agenda was approved with an additional point relating to a membership issue of the Industry College to be covered under Agenda Item 4.1.

No further comments were made on the last report, which had already been considered as approved by email since no comments were raised by the end of the comment period. M. Stadler confirmed that this efficient procedure should be continued in the future, and thanked the EAAB Secretariat for the comprehensive report on the discussions.

Regarding the action list, all actions were considered to be either closed or tabled on the agenda for the meeting.

3. Key topics for discussion

3.1 Updating the EAAB’s expectations towards accreditation and EA

The Chair informed that no paper had been drafted for the meeting; discussions had rather been held within the Colleges. He opened the floor for these discussions to be exchanged now.
The Industry College stressed that because the Stakeholders’ Expectations from Accreditation document (EAAB02rev01) was written in 2002 before Regulation (EC) 765/2008 was adopted, there is a need to revise the document in order to reflect the stronger emphasis put by the Regulation on stakeholder participation. The updated version could include a first part with common expectations shared by all Colleges, and a second part with more specific expectations from each College. The role of accreditation to support regulatory conformity assessment should be enhanced in the paper, given the referential position of accreditation in Decision 768/2008/EC. Some language changes should also be made.

M. Stadler suggested setting up a small TFG to work out a revised draft, to be adopted at the October meeting.

The CAB College supported the Industry College’s views. Developments of EA’s role according to Regulation 765 should be added. C. Priller agreed that a specific section related to the CAB College should be introduced. The CAB College would be pleased to contribute to the proposed TFG. Some changes in the standards used for CAB should also be noted.

K. R. Michaelsen reported that the NA College continued to support the content of the current document in general. There may be however a need for stressing the importance of the national dimension of accreditation.

A. Van Spronssen said that WELMEC supported the document and agreed as well to stress the New Legislative Framework.

J. Drnovsek reported that within EURAMET, there are other systems to demonstrate and approve quality systems, to be used under special conditions for specific cases at higher level of NMLs, and he suggested referring to this in the document. Undoubtedly accreditation is crucially needed to support quality of conformity assessment on a confident basis.

M. Stadler and the Chair agreed that such a technical issue should be rather tackled in a separate forum.

The Chair pointed out that additional expectations from the Board either on EA (policy matters) or NABs themselves (process matters) should be discussed in the TFG before being introduced in the paper.

**Decision**

The Board:

- agreed to revise the Stakeholders’ Expectations from Accreditation document (EAAB02rev01) in order to update it in the light of the EC Regulation 765/2008;

- agreed that the revised document should contain a first section outlining the common expectations of the Board, followed by 3 separate sections showing the specific expectations of each college/stakeholder constituency;

- appointed Andy Evans (Industry College), Christian Priller (CAB College) and Muriel Freyssinet (NA College) to form a drafting group in charge of collecting and putting together all inputs from the colleges and members of their stakeholder constituencies with a view to coming up with a revised draft to be discussed at the next meeting in October 2013.

**Action TFG for October meeting**
3.2 EAAB’s strategic input in identifying areas to be focussed by EA in light of renewed FPA for 2014-2017

The EA Chair made a short introduction. He indicated that document EAAB(13)12, which had been discussed in the EA Executive Committee, was still at a very preliminary stage of a development and was presented on purpose to the EAAB. It aims to support discussions for the EC funding of the work programme to apply for the next 4 years of the renewed FPA from 2014-2017.

The document focusses on 3 pillars:

1. The main delivery to the EC and EA members, which is serving the economy, is the peer-evaluation system. The increasing peer-evaluation workload relies on employees, but also on voluntary resources. It has proved necessary to re-think whether relying on voluntary resources to the current extent is the right approach.
   T. Facklam confirmed that EA has to make the EA MAC and peer-evaluation system more professional. A pilot project is developing, supported in 2013 by a specific budget for improving the peer-evaluation system.

2. The second pillar consists in continuing to serve the Commission and the market while improving the services on a cost-effective basis. EA has to support development of accreditation for the EC in order to develop accreditation-based schemes wherever requested. EA is striving to set up the structure to that aim as soon as possible.

3. The last main area is specific actions for specific projects. For instance, an action grant is about to be signed with EC DG CLIMA to support implementation of EU/ETS regulations. Another proposed project relates to defining a tool box for accreditation for notification purposes. The main aim of this project is to foster harmonisation of accreditation in support of notification.

The EA Chair concluded that EA was expecting funding from the EC. EA Members will have to discuss the issue from the point of view of EA’s internal funding and budgeting process as well.

The EAAB Chair called for comments from the Board.

D. Bell urged EA to cooperate with CEN/CENELEC for standardisation-related work and to raise the future profile of accreditation with the European Council and Parliament as well.

WELMEC stressed that the question of how to deal with notified bodies assessing without using harmonised standards was unsettled.

M. Stadler pointed out that notified bodies are required to be competent to evaluate conformity of a product also when harmonized standards do not exist or have not been used.

The Industry College agreed with the 3 pillars as identified in the document. EA is right to put the peer-evaluation improvement in the forefront.

Concerning additional guidance for accreditation of CABs for notification purposes, this is not necessarily a priority because legislation does not prescribe the type of the CAB to be used. What is important is that the CAB fulfils all the requirements, including specific ones. EA-2/17 already covers the relevant horizontal requirements.

Regarding EA’s consultancy role to the EC DGs in upcoming legislation, it is clear that this should be the main mission of the future EA Executive Secretary. However, it is also important for EA to continue to support conformity assessment in the non-regulatory field. Therefore, EA should be more ahead of future technologies and proactive with stakeholders.

Besides, promotion of European accreditation should not be limited to attending ILAC/IAF meetings, but should be extended to participation in international workshops and conferences. EA should promote the European model in ILAC and IAF.

The NA College supported the document and EA’s goals in general. The only concern was about resources: will EA have the relevant level of resources to meet its objectives?

T. Facklam asserted that EA is seeking to get more resources. If the budget proved insufficient, EA would look at defining priorities.

When A. Evans said he would welcome a list of priorities, the EA Chair pointed out that discussions on resources were still going on. The minimum by contract is to deliver the robust...
peer-evaluation system; this is the 1st priority. The other objectives may be slightly delayed but, at
the end, everything should be covered. If EA has to hire additional employees, it is a long-term
commitment to be established in a sustainable way.

Being part of the NA College, the EAAB Chair added that the basis for accreditation of CABs to be
notified should be discussed with Member States Authorities. During an Exchange of Information
among MS Notifying Authorities, it was discussed on how they managed to compile the needs for
accreditation with respect of notification against the CPR. Two EA HHC members attended this
meeting. Such a kind of information exchange between Notifying Authorities and EA experts could
be a template for a closer cooperation to discuss and possibly to harmonize on how to use
accreditation for notification.

The EA Chair replied that the appointed HHC Task Force is aware of this fact. A structure is to be
set up for communications between EA and NB groups and others involved. Nevertheless there is
a need for communication on resources before discussing with MS and elaborating any
recommendation document.

The EA Vice-Chair explained that discussion between NABs and NAs does exist. However the
outcome may differ from one MS to another and then result in lack of harmonization. That is the
reason why EA needs to establish a common approach such as the “1+ approach”. At least it must
be clear which standard cannot be used; it is acceptable that there is a choice of possible
standards for a particular directive. This has to be developed and agreed at the European level. EA
will make proposals for standards to be discussed and promoted with the EC, through the HHC
TFG.

M. Stadler reminded members of a SOGS paper about how to improve communication with NAs,
the EC services and NBs: for instance, EA could be present at the NB Group’s meetings and
included into the sectoral groups. The EAAB had also recommended in the past that EA should
continue to nominate one official person as the main contact for a particular sector in order for the
EC to be able to address contact points in EA. For N. Bönnen, this is more an operational aspect.
She advocated not being too prescriptive: the ambition paper should remain at the policy level and
should not embark in too detailed procedural aspects.

Regarding the EA database for modules to be established by the HHC, the EAAB Chair expressed
some doubts about the feasibility of the project due to the huge size of such a database meant to
include so much information. The EA Chair ensured that the HHC database will cover the
accreditation standard level only and focus on additional requirements.

The Board insisted further on the need for improving EA’s resources.

R. Brockway suggested that, since mutualising may come to its limits, moving to a peer-evaluation
system whereby the evaluated AB has to pay for the service which it gets may eventually have the
potential to solve the resource problem.

For M. Stadler, this should be part of the wider discussion of how EA can be developed into a more
professional organisation. Will EA remain at a cooperative level? A longer-term vision should be
developed. EA Members should be convinced that more resources and more contribution will be
needed in the near future. The prospective should be growing, and more resources should be
made available at the European level. Unless contributions come as expected from NABs, the only
possibility would be to transfer more of the workload to an EA permanent structure.

J. Drnovsek asserted that, whatever the route is, resources shall be invested in the system.

V. Andersen replied that the peer-evaluation system should evolve to adapt to the new
environment and Regulation. The peer-evaluation improvement project will be a prominent task,
but there is no doubt that the change has to be made to still ensure confidence in
reports/certificates under accreditation in the market place. The CPC Chair added that this
challenge relating to the peer-evaluation resources is also faced at the ILAC and IAF levels. He
agreed that professional evaluators would perform faster work than voluntary evaluators. A pool of
professional evaluators should be paid by ABs and then be taken into account in ABs’ budgets.

V. Andersen confirmed that the challenge is to convince ABs that they have to allocate more
resources to EA. Relying on volunteers restricts the amount of activities that EA can accept to take
on. In any case, EA will have to prioritize.
The EAAB will have a copy of the EA Work Programme where priorities will be identified in a transparent manner.

Conclusion
The Board:

- expressed its support to EA for the activities proposed for the future FPA and the adequate way in which they have been prioritized in document EAAB(13)12;

- encouraged EA to address relevant policy developments in a broader context, and not just limit activities to support for regulatory conformity assessment, such as through technical consultancy of EC DGs. EA’s plan should embrace the wider context, and also contemplate areas where accreditation services may be required by non-regulatory schemes within a 4- to 5-years’ timeframe;

- welcomed the EA proposal to address the issue of how EA is to be further developed in a more professional organisation;

- called upon EA and its members to promote the EU accreditation model also in ILAC and IAF;

- suggested that EA should try to establish closer relationships with notifying authorities at national level, either through the NABs or the EC and the IMP (former SOGs) in order to support greater efficiency and extended cooperation.

4. EAAB matters

4.1 Operational issues

- Industry College's membership

M. Stadler informed that NORMAPME, represented on the Board by H. de Pauw, ceased to exist as of 1 March 2013. While the EAAB Terms of Reference do not require representation by a specific organisation, they do provide that the Industry College members shall also represent SMEs. Given that there is a strong SME basis both in BUSINESSEUROPE and ORGALIME and other trade associations, the membership criteria are already fulfilled in that respect. The Industry College intends to launch a call to fill the vacancy to all relevant industry and trade associations.

Conclusion
The Board agreed that the Industry College launches a call for nominations to relevant European organisations representing also the interests of small- and medium-sized enterprises in order to fill the vacancy following the cessation of activities of NORMAPME.

Action Industry College

- Minutes of EAAB meetings

M. Stadler pointed out that there is sometimes a 6-month delay before interested parties can see the approved minutes of the Board’s meetings. So he proposed to come back to the earlier procedure of a list of conclusions and resolutions to be drafted by the EAAB Secretariat within a few days after every meeting of the Board. This list enables a swift, direct feedback and dissemination among the various constituencies of the Board, thus enhancing the Board’s profile and proving more rewarding for all contributing to the work.

The EA Vice-Chair suggested that the list should replace the minutes which would be duplicated information otherwise. C. Priller opposed that some information and background would be lost with the single conclusion list. M. Stadler was wondering whether minutes have to be drafted anyway to comply with the Regulation. For the EC, minutes are considered not to be obligatory.
Decision

Finally the Board:
- decided that a list of Conclusions and Resolutions should be produced following each Board meeting and asked the EAAB Secretariat to prepare a relevant draft within 3 working days after the meetings;
- asked the EAAB Secretariat to draft and distribute a 6-8 page report on the Board’s discussions within 2 months after the meeting. In the absence of significant comments received by email, the report will be considered as approved.

- Publication of meeting documents

Decision

The Board also agreed that the final draft agenda and all documents for the meeting should be circulated by the EAAB Secretariat until one week in advance of the meeting at the latest. It is understood that flexibility must exist to allow for issues and papers of specific interest for the Board that come up at the last minute to be dealt with after the closing time.

At last, the Board asked the EAAB Secretariat to update the EAAB ToR and RoP according to the 3 above-mentioned decisions.

Action EAAB Secretariat

4.2 Reports from the EAAB MAC and EAAB HHC observers

- Report from the EAAB MAC Observer

No report could be presented on the EA MAC meeting which was to be held the week after this meeting.

- Report from the EAAB HHC Observer

J. Hartge went through his report, highlighting the following:

- the revision of EA-1/22: EA Policy for Conformity Assessment Schemes to include a new approach for the acceptance of schemes under the EA MLA. This new approach would provide that the scheme owner shall be in contact with the local NAB in order for it to conduct the analysis and inform EA of the results. If no comments or objections are made, EA will inform the members of this outcome to act accordingly. If substantial comments or objections are made, the “home” NAB will have to deal with them and check whether it is necessary to change the report and recommendation before being submitted to a new confirmation by EA.

- the HHC proposal for changing Directive Networks into Technical Networks (see Agenda Item 5.6);

- non-accredited activities of accredited bodies: the HHC came to the conclusion that such activities are possible in principle, provided that it is clearly communicated to the customer that there is no accreditation behind the assessment and that, in no case, the symbol of the accreditation body can be used on certificates.

The EA Vice-Chair indicated that the issue has been well known for years and ABs have given the same response for years. It is a question of educating both the market and NAs.

C. Priller confirmed that some customers do not want to get the full accredited package and, as long as everything is clear, this is current practice. Of course, confusion shall be avoided. For him, the issue should be dealt with at the international level.

For A. Evans, the issue is that this could be considered misleading for the customer’s customer.

V. Andersen pointed out that EA-3/01 provides that the CAB should put a disclaimer on the certificate when the service is not provided under the full set of the accreditation requirements.
M. Stadler stressed that transparency in the conformity assessment market and likelihood of unfair competition are the 2 issues. He supported that discussions happen due to the misleading risk for the market. Any move to increase transparency would be welcomed. U. Sälzle asked why a CAB does not put the mark on certificates. It is recognized that some customers want a cheaper service, but this is misleading to the user actually. All certificates whether they are issued with or without the mark must be evaluated by the NAB. R. Brockway suggested getting an idea of the real size of the problem. If this does not affect the market place so much, it would be not worth discussing it further.

**Conclusion**
The Board thanked the EAAB HHC observer for his report and agreed that the Industry College will further examine the scale and importance of the issue of non-accredited services provided by accredited CABs within its scope of accreditation before bringing up the issue for further discussions within the Board, if necessary.

**Action Industry College**

### 4.3 Report on the implementation of Regulation 765/2008: EC feedback to EAAB comments

H. Ingels thanked the Board members for their useful comments to the report. He could not however accommodate all comments to keep the paper to a reasonable size; he had also to reflect the EC opinion. The report is now published, with an accompanying paper about SOGS papers published over the past 2 years, which are very illustrative of the 2008-2010 developments.

While thanking for retaining other comments, C. Priller pinpointed that those on the cross-frontier issue, for instance, have not been retained. He expressed the wish that the point is addressed in a mid-term time, because the issue is stressed in the report and proves to be a repetitive problem which CABs constantly face with.

**Conclusion**
The Board expressed its appreciation for the report and thanked the European Commission for taking on board the comments raised by EAAB members.

### 4.4 Reinforcing representation on the EAAB

The Chair reminded that the consumer representative has not been seating at a meeting for years. It had also been discussed at the previous meeting whether to extend representation to other constituencies. The Chair called for proposals by the Board.

For the Industry College, there may be benefit for the Board to have a representative of the environmental area, where accreditation has a developing role. An invitation could for instance be sent to ECOS, the European Environmental Citizens’ Organisation for Standardisation. There would also be a need to send a kind reminder to ANEC to remind them of their membership, and to enquire whether they still have an interest given the poor participation over the past meetings.

For trade unions, M. Stadler saw no need for a representation in the Board. Regarding the other sectors, he reported that the food and automotive sectors were actually informed through the Industry College, but did not show a specific interest in joining the Board.

J. Drnovsek and A. Van Spronsen confirmed that EURAMET and WELMEC, respectively, very much appreciate being given the opportunity to have a seat on the Board.

**Decision**
The Board:

- agreed that the Chair should contact ANEC in order to, referring to the low level of participation over the past years, enquire in writing whether ANEC still has an interest in their EAAB
membership. ANEC should be requested to confirm their willingness to attend the EAAB meetings in future and to contribute to the work of the Board;

**Action EAAB Chair**

- in view of the growing importance of conformity assessment in the field of environmental protection, agreed to extend its membership by one additional member to come from the European environmental organisations, who should represent the interests of environmentalists;

- asked the Chair to approach ECOS to enquire whether there is interest and availability of an expert of its constituency to participate in the work of the Board, referring to the membership criteria laid down in the Board’s Terms of Reference.

**Action EAAB Chair**

4.5 Lack of resources in small ABs: state of play

F. Farrugia reported that a paper had been discussed in the SOGS, and that the NA College asked him to extend consultation to other small ABs for a paper to be submitted to the Board.

**Conclusion**

The Board thanked the NA College for their proposal to submit a discussion paper at one of the next EAAB meetings.

**Action NA College**

5. EA matters

5.1 Relations with stakeholders - New applications for Recognised Stakeholder status

The EA Chair reported that the EA Executive Committee had discussed and recommended that EDQM’s, EFNDT’s and FAMI-QS’ applications for becoming EA Recognised Stakeholders can be accepted. All 3 organisations are already involved in some cooperation with EA.

The Industry, CAB and NA Colleges raised no objection.

**Conclusion**

The Board recommended accepting EDQM, EFNDT and FAMI-QS as EA Recognised Stakeholders, acknowledging that the final decision will be made at the EA General Assembly meeting in May 2013.

5.2 New EA projects and work items

- **Revision of EA-5/02: Guidance on the application of EN 45004 in recurrent inspection of motor vehicles**
- **Revision of EA-5/03: Guidance for the implementation of ISO/IEC 17020 in the field of crime scene investigation**

The EA Chair explained that the revisions of both EA-5/02 and EA-5/03 result from the issuance of new ISO/IEC 17020 standard, with which the documents have to be aligned.

C. Priller confirmed that the documents have to be updated in light of the new standard. He warned that several regulations are being prepared at the Parliament level, stressing that the way how accreditation will be introduced in the regulations may also affect the development of the work.

**Conclusion**

The Board endorsed the proposed new work items for revisions of EA-5/02 on vehicle inspection and EA-5/03 on crime scene investigation.
- Revision of EA-2/17: *EA Guidance on the Horizontal Requirements for the Accreditation of CABs for Notification Purposes*

The EA Chair presented the paper, indicating that the revision of EA-2/17 as well aims to align the document with the new standards. Moreover some mistakes have to be corrected.

**Conclusion**

**The Board:**

- endorsed the proposed new work item for revision of EA-2/17, guidance for accreditation of conformity assessment bodies for notification purposes, welcoming that EA is involving stakeholders in the regular revision process.

- welcomed the EA HHC’s intention to include the revised EA-2/17 into a comprehensive package designed for accreditation for notification purposes, and looks forward to contributing to the work through the relevant EA processes and procedures.

### 5.3 Review of the EA policy for conformity assessment schemes (EA-1/22)

The EA Chair presented document EAAB(13)06, outlining the main problems which EA has to face when evaluating sector schemes. Referring to issues with TBT, he added that EA will not be able to deal with various applications from schemes operating in the same sector. He reported that the HHC established a TFG to further develop the proposed new approach, based on the principle that the home AB of the scheme owner shall manage the analysis and information related to the scheme and how it operates, including possible negative feedback. The evaluating home NAB will have to be relied on by other NABs; a comment and objection process will be developed. An exhaustive mechanism has to be set up at the EA level in case of conflicting views. A database should also be established for endorsed schemes.

The Industry College welcomed the new approach in principle, recognising that the current system is burdensome, draws on EA’s resources, needs to be sped up and may lead to scheme owners’ dissatisfaction.

However, the Industry College did not entirely agree with the proposed process. Specifically, the College disagrees with the proposed automatic European recognition of a scheme evaluated by one NAB, since it is very unlikely that requirements are similar throughout Europe. Today there are already ABs that have difficulties in assessing schemes. It seems very unlikely to really check whether the evaluation has been carried out properly. Such an automatic mechanism across Europe is not appropriate. The Industry College would rather support that there should be an evaluation at the national level with some summary control at the EA level for schemes operating at the European level. The aim remains to avoid proliferation of schemes within the same field in Europe.

M. Stadler suggested that an EA body like a task force be in charge of performing such a summary control of the decision made at the national level in order to check that the process has been correctly carried out and the relevant EA requirements correctly checked.

The CAB College supported the move, while agreeing with the Industry College. C. Priller would recommend that the TFG in charge of EA-1/22 revision looks at the concerns raised by the Industry College.

The EA Chair confirmed that EA will take the comments on board, trying to answer the following issues:
- the evaluation performed by the local NAB would have to be checked a posteriori through the peer-evaluation system, which would create an additional control layer with all consequences in terms of workload and delay;
- a real concern, which has not been touched ever, is how to deal with the proliferation of similar schemes, with a large variety of requirements, developed in a same field by different competing
scheme owners. There would be a separate discussion item to be dealt with in a separate process. There would be a need to develop criteria for accreditability of these schemes.

The EAAB Chair pointed out that accreditation should not have a role in governing the market.

V. Andersen stressed that, in principle, NABs should be able to assess schemes. The EA Chair explained that the peer-evaluation system is initially checking ABs’ system to look at schemes, which is underpinned by a check of the assessment process of schemes performed on a sampling basis. In principle, by this method all schemes covered by the MLA are looked at in the peer-evaluation.

V. Andersen clarified that the main concern is when a scheme has additional requirements on the standard used for accreditation for the AB itself or for the CAB. Whether EA shall accept such a scheme remains to be discussed.

For M. Stadler and C. Priller, the issue lies in the scheme’s market relevance, which is very much dependent on the market volume and needs. Demonstrating schemes’ market relevance will facilitate their evaluation process.

The EA Chair indicated that the criteria for market relevance, which shall already be demonstrated in schemes’ applications for endorsement, will be reviewed and may be reinforced, taking for granted that EA is not expected to govern the market.

**Conclusion**

**The Board:**

- thanked EA for the information provided on this on-going revision project;

- expressed its support for the proposed “new approach” insofar as scheme assessment should be carried out by the local NAB concerned, but believed that EA should elaborate further on assessment guidance to the NABs, based on the criteria given in EA-1/22, especially with regard to the market relevance of schemes;

- had concerns over the proposed automatic acceptance of endorsed schemes across Europe, and asks that this point is reviewed by the EA HHC TFG in charge of developing the proposed new approach, in order to find a way to better ensure coherence of the system and to prevent the risk of proliferation of sector schemes with possibly contradicting requirements;

- asked EA to present a revised draft to be considered by the EAAB at its next meeting.

**Action EA**

**5.4 Establishment of European ABs competing with the NABs: formal opinion from the EC legal service**

N. Bönnen and H. Ingels reported that the EC legal service had been consulted: it has been confirmed that accreditation of CABs shall be made by the NAB. Further to a question from EURAMET, H. Ingels added that calibration laboratories are covered as well.

No formal opinion will be published by the EC. The advice from the legal service is an internal EC document; this is why the CERTIF document, which reflects the statement, was worked out.

H. Ingels also reported that contacts have been taken with ABs that are not NABs. According to the feedback received, they were not aware of the New Legislative Framework and need time to adapt to it.

M. Stadler thanked the EC for clarifying the issue. He asked whether IMP documents concerning accreditation could be put to the EAAB to be tabled with meeting papers.
H. Ingels did not have any objection. In the preparation process of EAAB meetings, contacts will be taken to spot any issue at the IMP level that are of interest to the Board and may be worth considering in the EAAB.

**Conclusion**
The Board:

- thanked the EC for taking the necessary steps to clarify the scope of application of Regulation 765/2008. It is understood that accreditation shall be performed by NABs only;

- thanked the EC for its readiness to send the Board, in the future, the IMP documents that are of interest to the Board for discussion at EAAB meetings. **Action EC**

**5.5 Revision of IAF PL 5.2012 Structure of the International Accreditation Forum Inc.**

The EA Chair presented Document EAAB(13)08, reporting that the EA Executive Committee has asked, if the new CABAC were introduced, that the proposed terms of reference (ToR) are modified in such a way not to give the CABAC the possibility to infringe on other IAF bodies authority.

For R. Brockway, the risk that the IAF Technical Committee is overruled is very limited. The presence of the User Advisory Committee in IAF has proved to be valuable. He would support EA if the risk turned out real.

The CAB College would support the setting-up of the CABAC as a potential good thing bringing added value to IAF, and therefore did not support the first part of the EA position. It however understood EA’s fears about the ToR.

The Industry College supported the EA position in full, notably agreeing on EA’s concern about the ToR.

**Conclusion**
The Board agreed to support the second part of the EA position that IAF should revise the terms of reference (ToR) of the new CABAC (Section 6.10.4 of IAF PL5), agreeing that the future committee shall not have the possibility to overrule or substitute the IAF Technical Committee, and recommending that the ToR of the proposed committee should be aligned with the ToR of the End User Advisory Committee.

**5.6 Review of the role and reengineering of operations of EA HHC Directive Networks**

The EA Chair went through Document EAAB(13)07. The EA Secretary added that a survey will be run to collect feedback on the operations and results of the Directive Networks (DN). This survey will be used to re-design the DNs as needed.

The Industry College reiterated its concerns over the lack of progress in this area over the last years and stated that it would support only concrete progress when it exists.

**Conclusion**
The Board took note of the proposed steps and asks EA to report on concrete progress at the next EAAB meeting. **Action EA**

**5.7 Improvement of the EA procedure for submitting comments**

The EA Chair explained that, when EAAB comments are called for, they shall be submitted with that status, under the aegis of the various colleges. Document EAAB(13)10 aims to clarify that
comments raised individually are comments by recognized stakeholders, not comments by an EAAB college. EAAB comments should go through the College Chairs’ channels; individual comments should go through the body itself.

**Conclusion**

The Board agreed on EA's approach that “EAAB comments”, to be considered as such, shall be submitted on behalf of one of the Board colleges – i.e. comments raised by an individual member of the EAAB cannot be considered as “EAAB comments”.

### 6. Items for information

#### 6.1 Report on the EA Strategic Session in January 2013

The EA chair said that this item was already covered because most strategic issues have been transferred into the “ambition” paper discussed under Agenda Item 3.2.

#### 6.2 Use of EA-2/17: EA Guidance on the horizontal requirements for the accreditation of conformity assessment bodies for notification purpose

This issue had already been discussed under Agenda Item 5.2.

#### 6.3 Lack of use of accreditation in recent EC legislative proposals

The Chair recalled that the issue had already been discussed at the last meeting. C. Priller added that EA should be involved at an early stage of the European legislation when accreditation is concerned.

H. Ingels indicated 2 possible ways for identifying areas with a potential for a role of accreditation in the different fields:
- to examine the EC annual work programme including 2 annexes (very strategic) to spot where conformity assessment and accreditation could develop;
- to look at the EC inter-service consultations to try and intervene to check any potential for accreditation to be used. The objective is to spot on a case-by-case basis where initiatives are likely to diverge from the model.

H. Ingels reported that, in some services, accreditation is well known, although there may be some confusion. Training is delivered internally to clarify the basic concepts of conformity assessment and accreditation. Workshops should be set up for promoting the added value of accreditation. The aim is to shatter the image that accreditation is very specific, and rather to promote it as a more far-reaching tool. This education is to be started in 2013 and should develop on a continuous basis.

D. Bell warmly welcomed the initiative to review the EC annual work programme. He reported that in the UK, e-learning activities are implementing. He also drew the Board’s attention on the fact that the European Council and Parliament may take their own initiatives.

M. Freyssinet reported on discussions with the French Health Ministry, which confirmed that accreditation is welcomed as a valid service, but regarded as not sufficient.

M. Stadler asserted that in some sectors, relations between NAs and NABs prove to be very delicate. However Regulation 765 gives NABs the status of exercising public authority. For him, a route could be to seek clarification on what the expectations of sectoral regulators are and then to see whether NABs can meet them. But it is likely that there are political stakes as well.
The Chair concluded that improvement of the issue is an on-going process, stressing that the situation may differ from one country to another.

6.4 Revision of “Blue Guide”

H. Ingels recalled that the EC distributed a first draft of the revised Blue Guide at the end of February 2013 after it had been announced in September 2012. Comments were called for from all stakeholder constituencies until 18 April. So far 280 contributions have been received. H. Ingels confirmed that further contributions from stakeholders should still come in the next days. The comments will be accommodated into one paper by this summer. Although the numerous, welcomed contributions will help to enrich the contents of the Guide, H. Ingels recognized that not all comments will be able to be accommodated, all the more since they are diverging in many cases. A general meeting with the industry, EA and Member States will be held after the summer to discuss the second draft and finalise the revision. H. Ingels indicated that the revised draft will be made available with an invitation to the Conference; detailed practicalities will be refined to allow for a most useful input.

**Conclusion**

The Board asked the EC to send the revised, second draft to EA Secretariat for its publication on the EAAB intranet page.

**Action EC**

6.5 Outcome of ballot on ILAC P10

The EA Chair recalled that ILAC P10 is used by both ILAC and EA, which has adopted the document. He indicated that, in most cases, the new policy will have no impact on the policies and rules applied by NABs, as it does not actually introduce any new requirements.

EURAMET was satisfied with the final document.

C. Priller indicated that the concept of in-house calibration covers different situations from one Member State to another. The ILAC document opens the door to various interpretations.

The EA Chair replied that there is indeed a need for harmonisation in EA, irrespective of ILAC P10. There may be a specific need to mandate the EA Laboratory Committee to communicate on the issue and clarify the meaning of ILAC P10 in this respect.

**Conclusion**

The Board:

- acknowledged the CAB College’s concerns about calibration requirements which are now overlapping with requirements for testing in ILAC P10, and noted that CEOC will lodge a complaint with ILAC on account of ILAC P10;

- asked EA to take action to ensure a harmonised implementation of ILAC P10 within EA in an appropriate way.

6.6 EA / CEN/CENELEC TC1 correspondence on ILAC P13

D. Bell indicated that the correspondence received from EA is satisfactory. CEN/CENELEC expects that an EA resolution will be adopted in the May General Assembly to clarify that the non-provision of PT services is a criterion for EA Membership.

**Conclusion**
The Board noted with appreciation that the EA Executive Committee will submit a resolution to the EA General Assembly in May 2013 clarifying that EA NABs do not and shall not provide PT services; non-provision of PT services will be introduced in the EA Criteria for Membership (EA-2/17 S1).

6.7 Report on complaints and appeals

The EA Vice-Chair presented his report briefly.

He informed that, since the publication of the paper, a new complaint has been lodged against NA by an Indian CAB. It seems that there has been a breach in the contract, NA having not been able to fulfil its duties in terms of surveillance. The handling process is still at its very start.

6.8 Draft Agenda of the 31st EA General Assembly on 29-30 May 2013 in Paris, France; EA Elections in May 2013

The EAAB Chair said he would attend the EA GA meeting.

6.9 EA Activity Report

The report will be distributed shortly after the meeting.

*Action EA*

7. EAAB Work programme

A duplication relating to smaller ABs was noticed between Pages 1 (M26) and 4 (M29).

The Board asked the EAAB Secretariat to combine the two following topics, to be further considered by the NA College: "Adaptability of the rules and conditions relating to EA membership and EA MLA signatory status for smaller ABs" (EAAB M26) and "Lack of resources in small NABs" (EAAB M29).

*Action EAAB Secretariat*

8. Any other business

No other business was discussed.

9. Selection of dates and places of next meetings

It was confirmed that the next EAAB meeting will be held on **Wednesday 30 October 2013** at the EFTA Secretariat.

The following meeting was planned on **Wednesday 9 April 2014**; the venue should be confirmed according to the availability of EFTA Secretariat’s room.

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