Statement on acceptance and recognition of activities under the EA MLA

PURPOSE
This document provides signatories to the EA Multilateral Agreement with the rationale for using the templates for statements on acceptance and recognition of activities under the EA MLA (attached to the document as Annex A-C) with a view to promoting the recognition and acceptance of accredited services provided by other EA MLA signatories and accredited conformity assessment bodies.
Authorship
This document has been written by the EA Communications and Publications Committee.

Official language
The publication may be translated into other languages as required. The English language version remains the definitive version.

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Further information
For further information about this document, contact the EA Secretariat. Please check EA website for up-to-date information (HTTP://WWW.EUROPEAN-ACCREDITATION.ORG).

Category: Information and promotional documents

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Implementation: Immediate

Transitional period: None
Cover Note to EA-INF/04 – Statement on acceptance and recognition

Following a recommendation from the EAAB, the EA Executive Committee requested that the EA Communications and Publications Committee prepare a set of common templates for use by National Accreditation Bodies (NAB) when responding to requests on the equivalence of accreditation activities (acceptance of accreditation activities of other NABs) and the validity of reports / certificates issued by accredited conformity assessment bodies (CABs) under the EA MLA.

EA-INF/04 “Statement on acceptance and recognition of activities under the EA MLA” is the result of this work. The document has been endorsed by the EA Executive Committee as an informative and promotional document.

The purpose of the document is to improve the consistency of information provided by NABs to the marketplace about accreditations granted and of responses regarding the acceptance and recognition of activities delivered under the EA MLA.

When using the templates EA members may need to amend or revise the text to meet the needs of the specific enquiry and so the document is classified as informative. EA Members are encouraged to use the templates as the basis for their response to requests from the market.
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1. INTRODUCTION

One of the impacts of the implementation of Regulation (EC) 765/2008\(^1\) has been that where conformity assessment bodies wish to be accredited, they shall apply to the local NAB. An accredited CAB therefore provides its services to the European market based on its accreditation in the country where the head office is established.

Further, national authorities in EU and EFTA countries are obliged to accept reports and certificates issued by conformity assessment bodies accredited by NABs which have been successfully peer evaluated and signed the EA MLA. In other countries, regulators may have imposed additional requirements for acceptance of reports and certificates issued by conformity assessment bodies under the EA MLA.

These changes underline the importance of transparency of activities delivered by NABs and accredited conformity assessment bodies under the EA MLA and the acceptance and recognition by the marketplace of these services.

The EA Full Member accreditation bodies that are signatories to the EA MLA have been evaluated by peers and demonstrated their competence. The specific agreement signed by each signatory accreditation body describes its scope of competence.

EA Associate members are eligible to enter into a Bilateral Agreement with the Full Members signatories of the EA MLA with the aim of establishing mutual confidence in the respective accreditation activities and in their accredited attestations of conformity.

To assist NABs when providing information to the marketplace on activities delivered under the EA MLA, EA has published three statements (templates) that can be used to provide common information to the marketplace regarding the acceptance and recognition of activities under the EA MLA.

2. BACKGROUND TO THE STATEMENTS

The EA MLA was introduced more than 20 years ago and accreditation bodies having signed the EA MLA shall\(^2\):

- Accept accreditation activities operated by other EA MLA signatories as \textit{equivalent} to their own accreditation activity(ies);
- Accept that all accredited activities performed by organisations accredited by EA MLA signatories which have signed the MLA for the relevant activity are \textit{covered} by the MLA.

Signatories to the EA MLA are obliged to inform the marketplace on the content of the EA MLA and its implications for the operation of the market, i.e. the equivalence of accreditation activities and the fact that activities performed by accredited CABs are covered by the MLA.

\(^{2}\) Cf. clause 4 in EA-1/06 EA Multilateral Agreement.
Further it is stated in EA-1/06 (clause 5) that:

**EA MLA signatories are obliged to promote the acceptance of accredited certificates and reports issued by bodies accredited by EA MLA signatories. There are two ways of promoting the recognition:**

**a.** An EA MLA Signatory is obliged to declare accredited certificates and reports issued by an inspection and certification body accredited by another EA MLA Signatory as **equally reliable** as work done by an inspection or certification body accredited by themselves when the work is performed according to:

- European or international standards; or
- EU regulations or directives; or
- Sector schemes which have an MoU with EA, ILAC or IAF; or
- Sector schemes which independent of all other factors have explicitly been endorsed by EA.

In the case of accredited testing and calibration laboratories all reports and certificates issued by accredited laboratories shall be declared as **equally reliable**.

**b.** In cases which are not covered by a), EA MLA signatories are obliged, as a minimum, to declare that the bodies accredited by other EA MLA signatories operate under an accreditation system which meets the requirements of international standards and that these accredited bodies therefore are competent for the activities defined in their scope of accreditation. Certificates and reports issued are acknowledged by EA MLA signatories to be **reliable**.

### 3. HOW TO USE THE STATEMENTS

Three annexes (draft statements) is enclosed the document.

EA recommends that signatory NABs (including bilateral signatories) use the statements to promote the acceptance and recognition of:

- Accreditation activities operated by national accreditation bodies in other countries, which have signed the EA MLA (annex A);
- Reports/certificates issued by conformity assessment bodies accredited by other signatories to the EA MLA (annex B and C).

When using the statements, NABs may modify the templates to suit the specific enquiry.

Information should be added to the templates where marked with <……>. The following information should be added:

- The appropriate indication of the conformity assessment body should be chosen among: “Laboratories / certification / verification or inspection bodies”.
- Names of NABs, (where shown in the templates as: <Local and Foreign NAB>), can be added for promotion, or the statement can be used on a more general basis.

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3 This is based on the fact that traceability of measurements to international definitions of units, PT and inter-laboratory comparisons and validation of methods are an integral part of the accreditation process for these two categories of services.
It should be noted that annexes B and C include the term “equally reliable”, which is the statement NABs shall use when the conformity assessment activity is performed according to the criteria stated in clause 5 a in EA-1/06. These criteria refer to requirements that internationally traded products and services may have to meet.

Translation into other languages is encouraged.

The statements or the text can be used as a letter, or as a part of other communication materials.

4. LIST OF ANNEXES

This document contains three annexes:

A. Statement of equivalence of accreditation activities – Template for use by the local NAB in support of acceptance and recognition at the local market of a foreign NAB;

B. Statement regarding European-wide recognition of accreditation - for use by the local NAB in support of recognition and acceptance on the local market of certificates/reports issued by a conformity assessment body accredited by a foreign NAB;

C. Statement regarding European-wide recognition of accreditation – for use by the local NAB (Bilateral signatories to the EA MLA) in support of recognition and acceptance on the local market of certificates/reports issued by a conformity assessment body accredited by a foreign NAB.
5. ANNEX A: STATEMENT OF EQUIVALENCE OF ACCREDITATION ACTIVITIES

<Local NAB> is a signatory to the EA Multilateral Agreement (EA MLA) for the accreditation of conformity assessment bodies on the terms and conditions stated in the EA Multilateral Agreement (document EA-1/06) (available on the EA website under publications at www.european-accreditation.org).

The objective of the EA MLA is to facilitate the free movement of goods and services and eliminate technical trade barriers by creating acceptance and confidence in accreditations provided by national accreditation bodies and in conformity assessment activities delivered by accredited conformity assessment bodies.

The EA MLA is managed and controlled by the European co-operation for Accreditation (EA), the body designated by the European Commission pursuant to Article 14 in the Regulation (EC) 765/2008 to operate the peer evaluation activity of national accreditation bodies in the Member States.

The Regulation (EC) No 765/2008 and the international standard ISO/IEC 17011 “Conformity assessment – General requirements for accreditation bodies accrediting conformity assessment bodies”, which set out the internationally recognised requirements accreditation bodies shall meet, are applied by EA for the peer evaluation of accreditation bodies.

The EA procedure for the evaluation of national accreditation bodies is set out in EA-2/02: EA “Policy and Procedures for the Multilateral Agreement” (available on the EA website among publications at www.european-accreditation.org).

When a NAB has successfully undergone peer evaluation by EA and signed the EA MLA, <Local AB>:

- Has confidence in the accreditation activity operated by <Foreign AB> and considers that the accreditation activity operated by <Foreign AB> is equivalent to our own accreditation activity;
- Considers and trusts that conformity assessment bodies accredited by <Foreign AB> are technically competent when performing activities covered by its accreditation scope.

This communication is intended to support and facilitate the acceptance in the marketplace of accreditations granted by other signatories to the EA MLA and of certificates/reports issued by accredited conformity assessment bodies.

National authorities in EU/EFTA countries are obliged to recognise the equivalence of services delivered by accreditation bodies which have successfully undergone peer evaluation by EA and to accept attestations issued by conformity assessment bodies accredited by EA MLA signatories as stated in Article 11 of the Regulation (EC) No 765/2008.

Note 1: <Local NAB> is also a signatory to the ILAC Arrangement and/or the IAF MLA and will also promote the acceptance of certificates/reports issued by conformity assessment bodies accredited by signatories to the ILAC Arrangement and/or the IAF MLA.
Issued date: <XX.YY.ZZZZ>

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Signature(s)

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Position(s)

<Printed on paper with <Local NAB> letterhead>
6. ANNEX B: STATEMENT EUROPEAN-WIDE RECOGNITION

To whom it may concern

Statement regarding European-wide recognition of accreditation

<Local NAB> is a signatory to the EA Multilateral Agreement (EA MLA) for the accreditation of conformity assessment bodies.

The objective of the EA MLA is to facilitate the free movement of goods and services and eliminate technical trade barriers by creating confidence in accredited conformity assessment bodies – CABs (laboratories, certification, verification and inspection bodies).

Under the EA MLA certificates/reports issued by <laboratories / certification- / verification- / inspection bodies> accredited by <foreign NAB> which is also a signatory to the EA MLA are accepted by <local NAB> as being as equally reliable as any comparable certificates/reports that have been issued by <laboratories / certification- / verification- / inspection bodies> accredited by <Local NAB>.

Note 1: Only reports/certificates issued by accredited <laboratories / certification - / verification - / inspection bodies> covered by the EA MLA bearing the accreditation symbol of the national accreditation body or a traceable reference to the accredited status of the <laboratory / certification - / verification - / inspection body> are accepted as equally reliable and giving the same level of confidence.

Note 2: <Local NAB> is also a signatory to the ILAC Arrangement and/or the IAF MLA and will also promote the acceptance of certificates/reports issued by conformity assessment bodies accredited by signatories to the ILAC Arrangement and/or the IAF MLA.

Issued date: <XX.YY.ZZZZ>

Signature(s)

Position(s)

<Printed on paper with <Local NAB> letterhead>
7. ANNEX C: STATEMENT EUROPEAN-WIDE RECOGNITION – BLA

To whom it may concern

Statement regarding European-wide recognition of accreditation

<Local NAB> is a bilateral signatory to the EA Multilateral Agreement (EA MLA / BLA) for the accreditation of conformity assessment bodies.

The objective of the EA MLA is to facilitate the free movement of goods and services and eliminate technical trade barriers by creating confidence in accredited conformity assessment bodies – CABs (laboratories, certification, verification and inspection bodies).

Under the EA MLA certificates/reports issued by <laboratories / certification- / verification- / inspection bodies> accredited by <foreign NAB> which is also a <bilateral> signatory to the EA MLA are accepted by <local NAB> as being as equally reliable as any comparable certificates/reports that have been issued by <laboratories / certification- / verification- / inspection bodies> accredited by <Local NAB>.

Note 1: Only reports/certificates issued by accredited <laboratories / certification- / verification- / inspection bodies> covered by the EA MLA bearing the accreditation symbol of the national accreditation body or a traceable reference to the accredited status of the <laboratory / certification- / verification- / inspection body> are accepted as equally reliable and giving the same level of confidence.

Note 2: <Local NAB> is also a signatory to the ILAC Arrangement and/or the IAF MLA and will also promote the acceptance of certificates/reports issued by conformity assessment bodies accredited by signatories to the ILAC Arrangement and/or the IAF MLA.

Issued date: <XX.YY.ZZZZ>

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Signature(s)

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Position(s)

<Printed on paper with <Local NAB> letterhead>