

## I

*(Information)*

## COUNCIL

## COUNCIL RESOLUTION

of 21 December 1989

on a global approach to conformity assessment

(90/C 10/01)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

RECALLING its resolution of 7 May 1985 on a new approach to technical harmonization and standards <sup>(1)</sup> in which it stated that the new approach should be accompanied by a policy on the assessment of conformity;

RECALLING the objectives of the Single European Act, including the strengthening of economic and social cohesion;

STRESSES the importance of a global approach in this area, as outlined by the Commission in its communication of 24 July 1989 <sup>(2)</sup>, with the aim of creating the conditions which will enable the principle of mutual recognition of proofs of conformity to operate in both the regulatory and the non-regulatory sphere;

TAKING INTO CONSIDERATION the basic lines of that approach,

HEREBY ADOPTS the following guiding principles for a European policy on conformity assessment:

- a consistent approach in Community legislation should be ensured by devising modules for the various phases of conformity assessment procedures and by laying down criteria for the use of those procedures, for the designation and notification of bodies under those procedures, and for use of the EC mark,
- generalized use of the European standards relating to quality assurance (EN 29 000) and to the

requirements to be fulfilled by the abovementioned bodies concerned (EN 45 000), the setting-up of accreditation systems and the use of techniques of intercomparison should be promoted in all Community Member States as well as at Community level,

- the promotion of mutual recognition agreements on certification and testing between bodies operating in the non-regulatory sphere is essential for the completion of the internal market; the setting-up of a flexible, unbureaucratic testing and certification organization at European level with the basic role of promoting such agreements and of providing a prime forum within which to frame them should significantly contribute to the furtherance of that objective,
- possible differences in levels of development in the Community and in industrial sectors with regard to quality infrastructure (especially calibration and metrology systems, testing laboratories, certification and inspection bodies, and accreditation systems) such as are likely to have an adverse effect on the operation of the internal market should be studied with a view to the preparation of a programme of Community measures, possibly including budgetary measures, as soon as possible,
- in its relations with third countries the Community will endeavour to promote international trade in regulated products, in particular by concluding mutual recognition agreements on the basis of Article 113 of the Treaty in accordance with Community law and with the Community's international obligations, while ensuring in the latter case that:

- the competence of the third country bodies is and remains on a par with that required of their Community counterparts,

<sup>(1)</sup> OJ No C 136, 4. 6. 1985, p. 1.

<sup>(2)</sup> OJ No C 231, 8. 9. 1989, p. 3, and OJ No C 267, 19. 10. 1989, p. 3.

- the mutual recognition arrangements are confined to reports, certificates and marks drawn up and issued directly by the bodies designated in the agreements,
- in cases where the Community wishes to have its own bodies recognized, the agreements establish a balanced situation with regard to the advantages derived by the parties in all matters

relating to conformity assessment for the products concerned.

The Commission is requested to submit recommendations to the Council as soon as possible for detailed negotiating directives under Article 113 of the Treaty.

The Council also calls on the Commission to prepare the measures necessary to put this resolution into practice.

---