

2010, August 18th

Subject: Proposal of a new work on Conformity to Type

Dear Mr. Magana,

CECIP was asked to give comments to the above mentioned proposal. We would like to do this as follows:

In Europe since many years there is a combined system for putting instruments into the market under legal control. CECIP manufacturers are used to this since 1993 and manufacturers of other measuring instruments since 2006. This system gives the possibility for manufacturers to have a certified and supervised quality management system (module D or H1) and to declare conformity to this by using CE marking + additional metrology marking. Many of our companies are doing so and by this a very high level of quality and conformity to the legal requirements is granted. To grant fair competition especially with others who do not establish such a certified quality system is as well an important issue of European law. Additional means are set up for this and in addition there is "market surveillance" (= national legal metrology control) required. All these things are important and shall work together. We can say a quality system module D or H1 gives high requirements to the manufacturer.

CECIP on a high level supports the claim that instruments shall have conformity to what is required by law. But to follow the given suggestion for an OIML CTT we fear that there will be additional cost intensive burden without return of investment for us.

Many questions are open like:

- What does a sticker say when the requirements are not harmonised in the countries taking part? See OIML R76 for example. There are differences and specialities in several countries.
- What are the requirements to instruments which are type-approved without using OIML certificate? In case golden sample method is assumed we cannot see the difference between getting type approval certificate via OIML certificate or via national type testing.
- OIML has no legal rights in countries. How can OIML achieve fair competition in a country between manufacturers which take part in an OIML CTT and those which doesn't?
- What about manufacturers who are coming from countries with a legal system of high guarantee of CTT like in Europe. How to take this into account without additional burden and costs for those?

We think these questions and many more have to be discussed before one can be able to judge a possible success of the proposed project. In any case this issue should not be mixed with the MAA issues, even if the discussion takes part in the same TC/SC. The way how to reach type approval certificate and the way how to guarantee conformity to type approval certificate in production are 2 different subjects.

Thank you for involving CECIP in your discussion.
Best regards

Veronika Martens
President CECIP LMG