



11 April 2013

(13-1888)

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Committee on Technical Barriers to Trade

MINUTES OF THE MEETING OF 27-28 NOVEMBER 2012

NOTE BY THE SECRETARIAT¹

*Corrigendum**

In the document G/TBT/M/58, paragraphs 2.102 and 2.103 should read:

2.2.2.12 China – Administration on the Control of Pollution Caused by Electrical and Electronic Products (G/TBT/N/CHN/140, G/TBT/N/CHN/140/Add.1, G/TBT/N/CHN/140/Rev.1)

2.101 The representative of Korea understood that the Chinese authorities would apply a more flexible conformity assessment scheme – rather than a mandatory one – to products listed in the Management Catalogue of measure in question. His delegation sought clarification as to what type of conformity assessment China would adopt to determine compliance with the requirements of this catalogue, and to indicate the date that the revised regulations were scheduled to enter into force.

2.102. Additionally, the representative again requested that China permit a conditional Supplier's Declaration of Conformity (SDoC) in the State Recommendation Voluntary Certification for Electronic Information Products. For instance, China could allow companies with strong compliance records (e.g. those free from problems detected in post market surveillance) over a given period to use SDoC. He also requested that Chinese authorities accept test results issued by competent laboratories in third countries. In addition, he enquired about incentives offer by China for compliance with its voluntary certification procedure. His delegation believed that the use of such incentives – for example, tax relief for companies that have certified their products – could have the effect of rendering a "voluntary" system *de facto* mandatory.

2.103 The representative of China recalled that the Administration on the Control of Pollution caused by electrical and electronic products had been notified to the WTO at the end of 2010, and that it had since been revised according to comments from relevant countries and regions. According to China's process of legislative revision, public comments were sought through the website of the Legislative Affairs Office of the State Council P.R. China, from 4 June 2012 to 10 July 2012. He reported that the Administration had not yet been formally promulgated, and that the Management Catalogue and the corresponding conformity assessment schemes would be finally determined after promulgation. Finally, he said that the State Recommendation Voluntary Certification for Electronic Information Products was operational, and that interested enterprises could freely choose a qualified laboratory for product certification.

¹ This document has been prepared under the Secretariat's own responsibility and is without prejudice to the positions of Members or to their rights and obligations under the WTO.

* In English only.