

# Existing and potential models and mechanisms for harmonisation, equivalence and mutual recognition

International Task Force Paper # 4

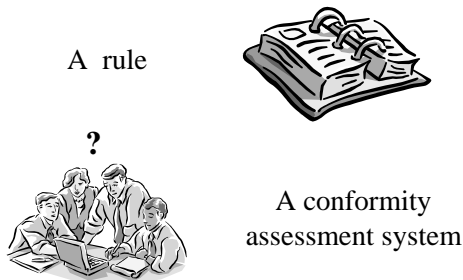
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October 2003

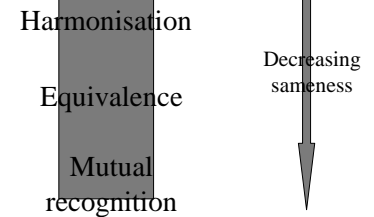
## What are we aiming for ?

- Integrity of organic products
- Free and equal access to markets
- Appropriate regulation

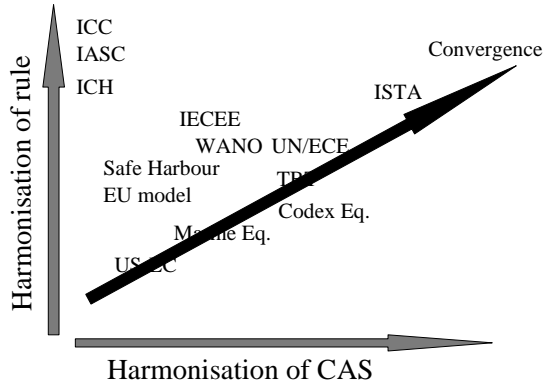
## Components of a regulatory system



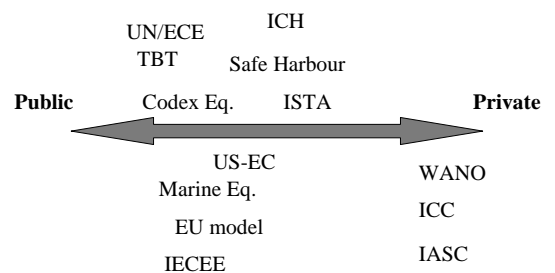
## Convergence



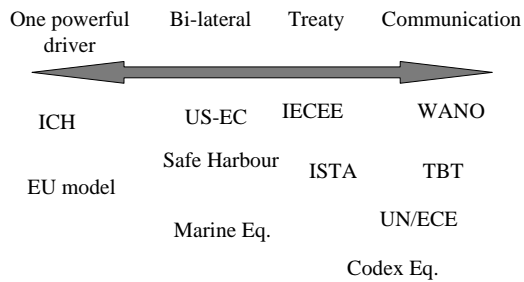
## Different approaches



## Who drives it



## Approach categories



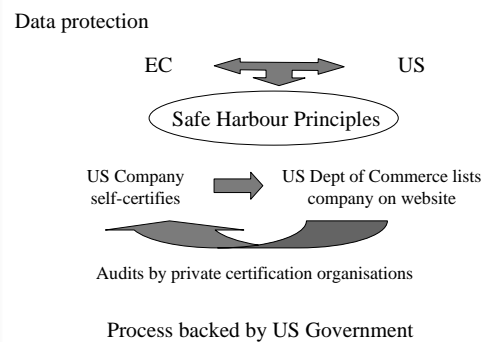
## International Conference on Harmonisation



## Issues from ICH

- European Leadership in ICH process
- EU has large internal market for which others comply
- Strong private sector involvement
- Initial impetus from government

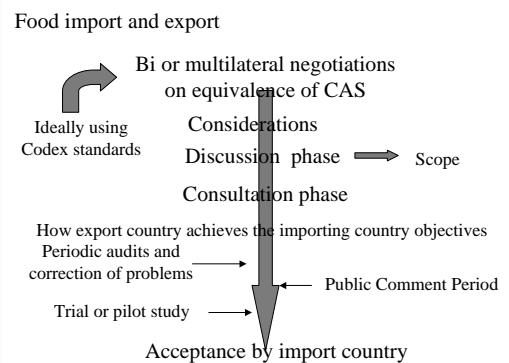
## US-EC - Safe Harbour



## Issues from Safe Harbour

- Unique one way process: addresses impacts of regulation of one jurisdiction on another
- Directly targets firm behaviour instead of government regulatory convergence
- Private and public sector components – resourcing issues

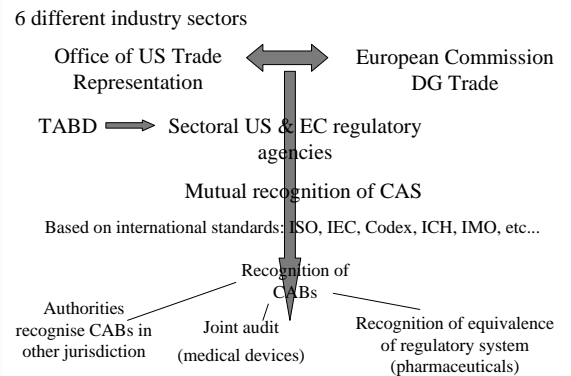
## Codex – Equivalence guidelines



## Issues from Codex

- Main intergovernmental body on food issues already active in organic sector
- 'Neutral' space and transparency in negotiation
- Possibility of multi-party discussions leading to multi-lateral agreements
- Role of private sector not specified

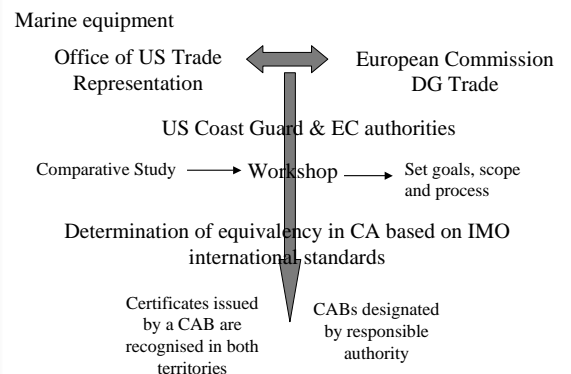
## US-EC MRAs



## Issues from US-EC MRA

- Bilateral but nevertheless complicated
- Structural differences were obstacles
- Anticipated benefits not fully realised
- Bilateral MRA as a stepping stone
- Contagion effect good or bad?

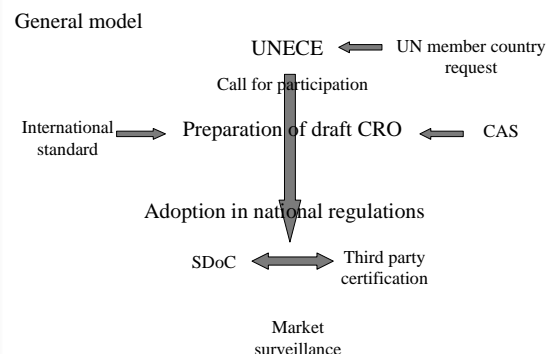
## US-EC Marine Equipment



## Issues from Marine Equipment

- Equivalence based on international standards: high degree of convergence
- Staged approach based on analysis of similarities and subsequent working on harmonisation
- Bilateral government negotiation

## UNECE Model

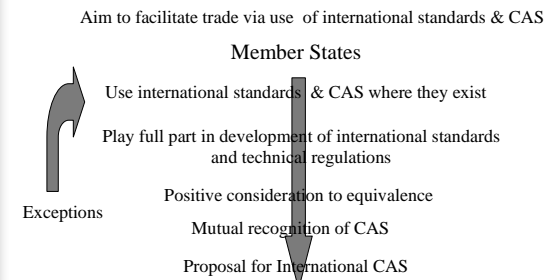


## Issues from UNECE model

- Use of international standards
- Agreement on common CAS
- Possible platform for organics
- Deterrent to additional requirements
- Requires government initiation
- What role for private sector?

## WTO/TBT

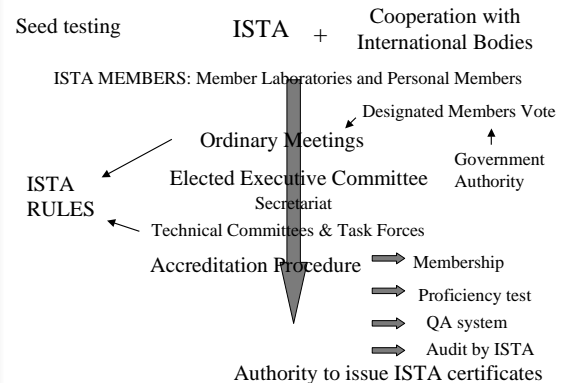
### Framework for Convergence



## Issues from WTO/TBT

- A broad guideline only
- Strong support for international standards and CAS
- Exceptions – climate, safety, health, environment
- Requires government initiation

## ISTA

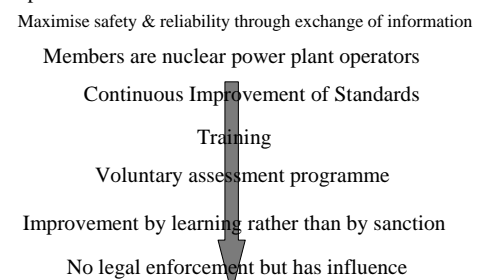


## Issues from ISTA

- Coordination with international organisations
- Hybrid regulatory system with government authorisation
- Sector specific, international accreditation
- One single certificate with colour coding

## WANO

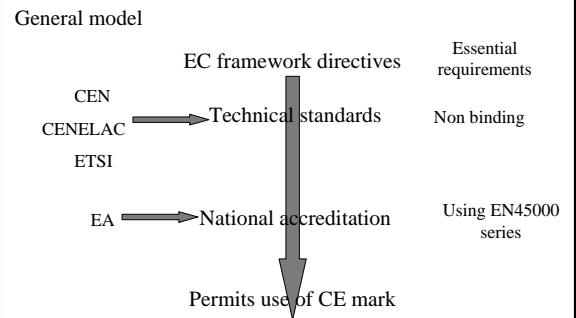
### Nuclear power stations



## Issues from WANO

- Capacity building, not conformity assessment
- Common fate notion
- No trade

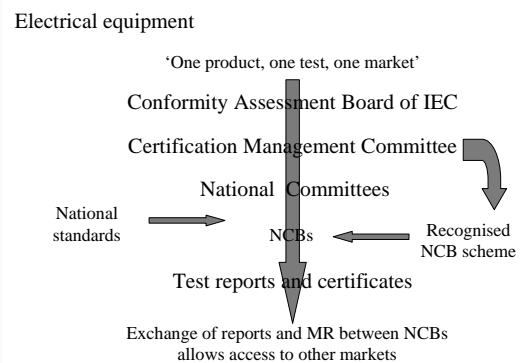
## EU – new & global approach



## Issues from EU new approach

- Integration of public and private actors
- Role of favoured certification marks
- Equivalence of national accreditors through MLA and use of common guidelines

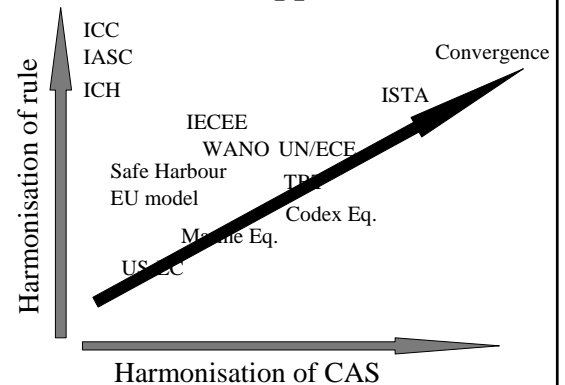
## IECEE

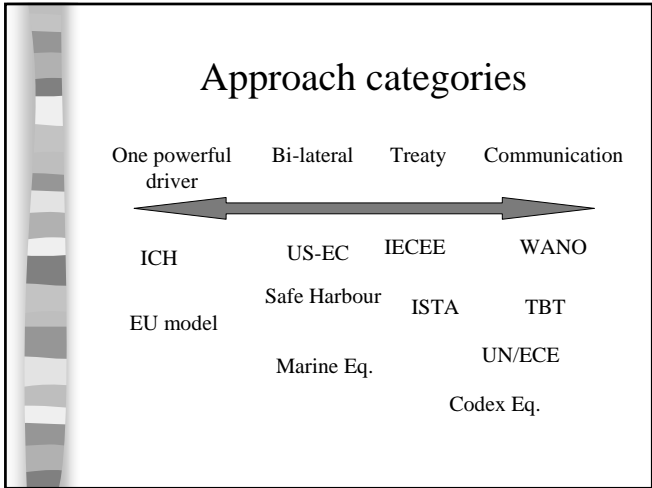
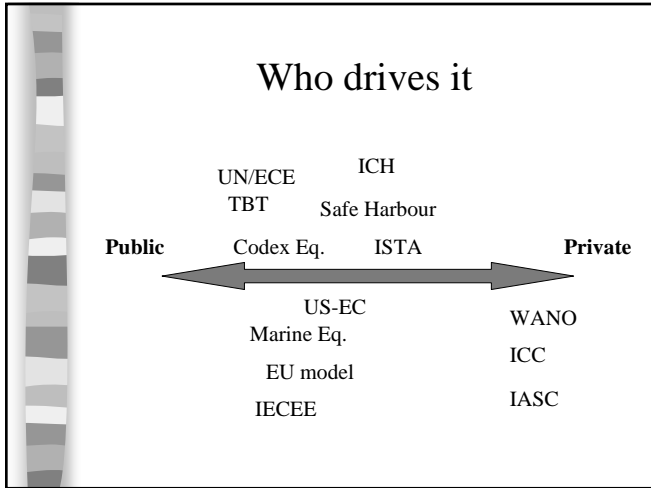


## Issues from IECEE

- International standard
- Allowance for minor national differences
- Mutual recognition of recognised CABs
- Recognising CAB uses report of export CAB
- Common report formats

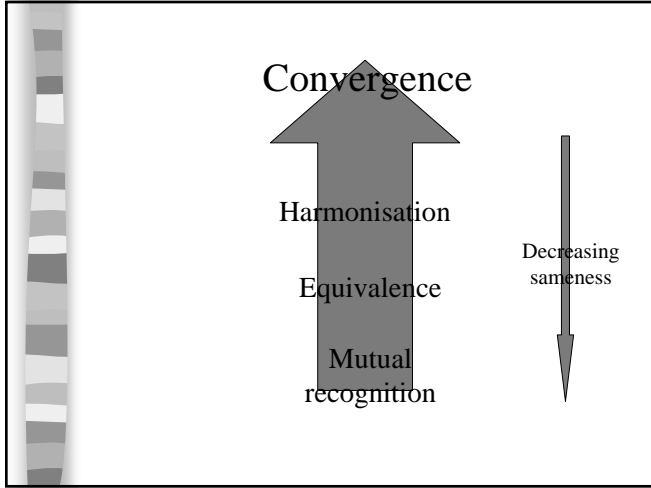
## Different approaches





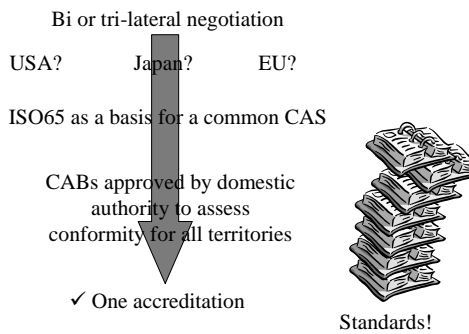
- ### Lessons learnt
- Mutual benefit of private-public interaction
  - Continuous development of organic standards
  - Process needs trust and confidence building
  - Equivalence
  - Harmonisation of CA procedures required for MR
  - Various models to judge consistency of CAS
  - International forum
  - Legislative/institutional imbalance?

- ### Organic is:
- ✓ Mostly food
  - ✓ Advantageous
  - ✓ Small producers
  - ✓ 3<sup>rd</sup> party certification
  - ✓ Process certification
  - ✓ Intl standards
  - ✓ Standards developing
  - ✓ Legislation unequal
  - ✓ Private & public CABs
  - ✓ Some dominant markets
  - ✓ Market value small
  - ✓ CA guidelines exist
  - ✓ Accreditation



- ### Potential models for organic CAS
- Mutual recognition

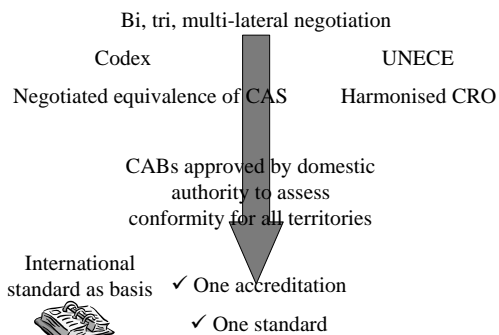
## Mutual recognition of CAS



## Potential models for organic CAS

- Mutual recognition
- Codex or UNECE model

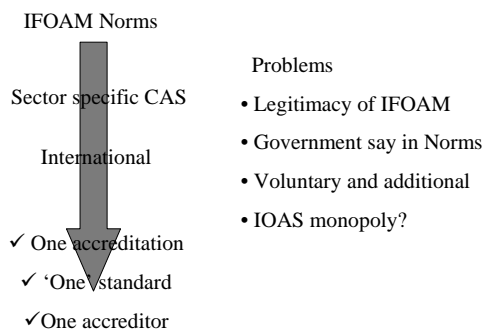
## Codex or UNECE model



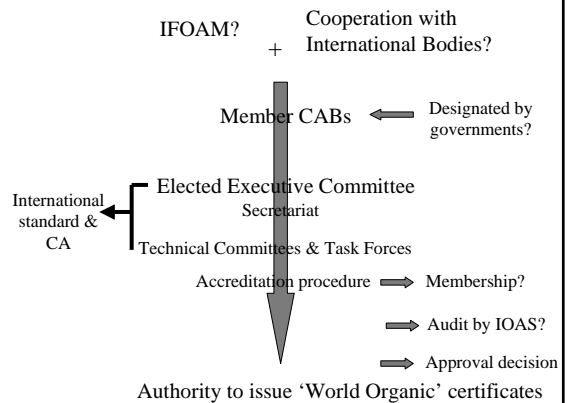
## Potential models for organic CAS

- Mutual recognition
- Codex or UNECE model
- International accreditation

## International accreditation model



## International accreditation model



## Potential models for organic

CAS

- Mutual recognition
- Codex or UNECE model
- International accreditation Standards
- International standards

## International standard



One standard cannot fit all

An international standard is likely to remain a guide

## Potential models for organic

CAS

- Mutual recognition
- Codex or UNECE model
- International accreditation Standards
- International standards
- Regional or national equivalence

## Regional-national equivalence



Basic Standard

Codex Guidelines

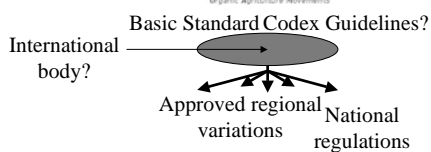
Approved regional variations

National regulations

Legitimacy with regulators?

No adoption so far?

## Regional-national equivalence



Increased legitimacy?

Adaptation and adoption of existing regulations?

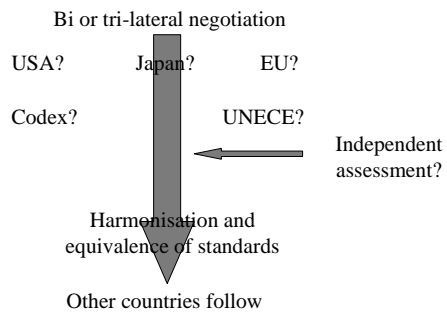
Private standards?

## Potential models for organic

CAS

- Mutual recognition
- Codex or UNECE model
- International accreditation Standards
- International standards
- Regional or national equivalence
- Bilateral harmonisation and equivalence

## Bi, tri-lateral harmonisation



## Ways forward

- Agree there is a problem
- Forum for participation and trust building
- Harmonisation measures and equivalence judgements
- System for monitoring conformity assessment