

EUROPEAN ECONOMIC AREA

STANDING COMMITTEE OF THE EFTA STATES

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WORKING GROUP ON TECHNICAL BARRIERS TO TRADE

EEA EFTA Comment on the revision of the Blue Guide

1. GENERAL REMARKS

As partners in the Internal Market through the European Economic Area (EEA) Agreement, the EEA EFTA States, Iceland, Liechtenstein and Norway, welcome the European Commission initiative to update the “Blue Guide,” the guide to EU legislation on industrial products. The EEA EFTA States contribute actively in shaping the development of EU legislation concerning the free movement of goods. EEA EFTA experts participate actively in Commission committees and working groups in the various product sectors, as well as in the more horizontal discussions on the free movement of goods.

In the context of the revision of the Blue Guide, the EEA EFTA States would like to emphasise three key issues:

1. The consistent and coherent reference to the European Economic Area when relevant;
2. The inclusion and most informative placement of a separate section that elaborates on the EEA Agreement as regards EU legislation on industrial products; and
3. The reference to the EEA EFTA States in relevant sections of the revised guide concerning mutual recognition agreements with third countries.

2. SPECIFIC ISSUES

2.1 General References to the European Economic Area

In the new guide to EU legislation on industrial products, the EEA EFTA States encourage the use of the term European Economic Area when referring to the geographical extension of the internal market for products. The consistent and coherent reference to the EEA is particularly important as each chapter provides guidance to different aspects of product legislation. Both the introduction of the guide

and its various chapters are likely to be utilised independently as points of references. Awareness of the extension of the internal market is beneficial for both EU and EEA EFTA businesses and consumers.

2.2 The Inclusion and Placement of a Separate Section of the Guide on the EEA Agreement

In addition to references to the EEA throughout the text, the EEA EFTA States would also welcome the inclusion of a separate section on the EEA Agreement in the future guide. Such a section is included in the current “Blue Guide” (Chapter 9.1). However, as the EU and the EEA EFTA States are partners in the EEA Agreement, the Agreement is not a mere international aspect of EU legislation on industrial products. The nature and dynamics of the EEA Agreement should be taken into consideration when determining the placement and content of a section elaborating on the Agreement in the new guide.

Furthermore, the EEA EFTA Technical Barriers to Trade Working Group would also offer to give further input to the drafting of this section.

2.3 Mutual Recognition Agreements.

Finally, the current guide contains a section on mutual recognition agreements and European conformity assessment protocols, as part of the section on the EEA Agreement (Chapter 9.1.4). The EEA EFTA States very much appreciate this reference to Protocol 12 of the EEA Agreement, and support the inclusion of such a section in a future guide. For the purpose of providing information to third countries concerning *[t]he mandate from the Council to the Commission to negotiate mutual recognition agreements and European conformity assessment protocols indicated the objective the third countries concerned will conclude with the EEA EFTA States parallel agreements and protocols equivalent to those concluded with the Community,* we would welcome a similar reference in the section on mutual recognition agreements and agreements on conformity assessment and acceptance of industrial products.
