
Subject: OIML TC 6: Proposal for a guidance document (type G) on the requirements for a certification system for prepackages.

1. On, or about 2011-12-01, the TC 6 secretariat (South Africa, Mr. Jaco Marneweck, hereafter: "the secretariat") circulated the 3CD for an OIML B-type publication "International system for the certification of prepackages as complying with requirements for the quantity of product and associated labeling" to the members of TC 6, with a deadline for vote and comment of 2012-03-01.

2. The voting form included the following note:

"At the OIML TC 6 Meeting in the USA (September 2011, WK) several country representatives were of the opinion that the project to develop a quantity system should be withdrawn due to lack of interest and factors such as perceived prohibitive costs and implications for countries who do not wish to participate. As this project was initiated at the request of the CIML, TC 6 can only recommend the closure of the project if the majority of P-members request this (see paragraph 4 of the "Record of discussions and decisions taken at OIML TC 6 meeting"). At the meeting only a few changes were made to the document and these can be seen as track changes on CD 3.

In order to give the CIML an idea of the reason for each member country's vote, the TC 6 Secretariat has decided to request P-members for additional information on the reasons for their vote. As it is extremely important to get the broad view of all OIML TC 6 P-members it will be appreciated if the following vote can be completed by all P-members. If the project is rejected for technical reasons these could be resolved to make the document acceptable."

3. It should be noted that the voting form asked the members of TC 6 to indicate, in case they voted against the 3CD, whether this negative vote was for "technical deficiencies", or for "reasons other than technical deficiencies".

4. As no information had been received from the secretariat concerning the outcome of the vote, the BIML (Willem Kool, BIML contact for TC 6, hereafter: "BIML contact") contacted the secretariat by telephone and asked for the result of the vote. As it became clear that a majority of those P-members of TC 6 that cast a vote (9 out of 15 votes of the 27 P-members) were against approving the 3CD, and the secretariat indicated that they did not see any possible way to reconcile the different views, the BIML contact asked the secretariat for a report, in accordance with the OIML Directives for technical work (OIML B 6-1:2011, hereafter "the Directives", clause 6.4.4), in order to initiate the procedure provided in that clause.

5. The BIML contact received the secretariat's report by e-mail on 2012-06-29. The report says:

"[...] At the last meeting of OIML TC 6 in September 2011 there was sustained opposition by various members to the project being continued as it was considered a waste of time. Most objections were not due to the technical content but rather outright rejection of such a system being implemented internationally albeit on a voluntary basis. It was therefore a resolution of the meeting that a further vote on the acceptance of the document/system should be held and if a majority no vote was received the BIML should be requested to consult the Presidential Council and the CIML with a view to scrapping the project (see Directives for OIML technical work, Part 1, clause 6.4.4).

Eighteen (64 %) out of 28 P-members responded to our request for voting. The result of the vote indicated that:

- 6 P-members (40 % of votes cast) voted "Yes"
- 9 P-members voted "No"
- 3 P-members abstained from voting

It is interesting to note that none of the negative votes were because of technical deficiencies in the document which means that no improvement of the content would change the situation. On the other hand, five of the positive votes were from countries that indicated that they would consider participating in such a scheme. The collated votes and comments are attached.

In line with the resolution of the TC 6 meeting the secretariat of TC 6, notwithstanding the support of various members, recommends the scrapping of the project subject to the outcome of BIML discussion with the Presidential Council and CIML."

6. At about the same time, the BIML prepared the working document for the CIML meeting. It was considered appropriate to include an "item for information" on the progress of the project in TC 6. It was not possible to include a proposal for approval by the CIML, because the consultation with the Presidential Council had not yet taken place. The text of the item in the working document (item 9.2.2 of the 47th CIML meeting agenda) was communicated to and agreed by the secretariat.
7. Subsequently, the secretariat consulted with the BIML contact on what could be done next. Previously, the secretariat had indicated that they wanted first to discuss the result of the vote in the upcoming TC 6 meeting (October 2012, in Tokyo). Now, however, the secretariat indicated that they preferred to see the Presidential Council discuss a proposal for a new project, abandoning the current project.
8. This new project concerns the development of a guidance document, on the basis of the 3CD. As the 3CD had not been rejected on technical grounds, the secretariat considered that such a guidance document, at least, would assist countries in setting up national systems for the certification of prepackages on the basis of OIML R 79 and R 87. The guidance document would also enable countries to set up systems in such a way that two or more countries could conclude bi- or multilateral agreements on the acceptance of each other's certificates.
9. The proposal for a new project replacing the current one and the way forward were discussed between the CIML President and the BIML on 2012-09-14. and it was agreed that the Presidential Council is would be asked for their opinion, before the proposal is submitted to the CIML for approval, in accordance with the procedure laid down in the Directives, clause 5.4. The views of the Presidential Council will be reported to the 47th CIML meeting.
10. The secretariat and the BIML contact have further developed the new project proposal and the draft as it now stands is attached. One of the key things is that the guidance will not include any role for the BIML, or the secretariat, or any other body within the OIML structures, except for explanatory purposes.

DRAFT PROPOSAL FOR A NEW PROJECT



Within: OIML TC 6

Date: 3 September 2012

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| <i>Proposer(s):</i> | OIML TC 6 secretariat |
| <i>Type of proposed publication:</i> | OIML Guide (new OIML Gxx) |
| <i>Title of the proposed publication:</i> | Guidance for defining the system requirements for a certification system for prepackages (<i>provisional title</i>) |
| <i>Scope of the project:</i> | To develop guidance and examples for the system requirements for the certification of prepackages concerning the quantity of product and associated labeling. |
| <i>Why should the OIML develop this publication?</i> | To assist OIML Member States and Corresponding Members, in particular developing countries, in setting up certification systems for prepackages. This guidance may be useful for those countries that wish to conclude bilateral or multilateral arrangements to accept each other's certificates. |
| <i>List of countries known to regulate or intend to regulate this category of interest:</i> | Many countries have some kind of certification system in place. Others have indicated they are considering introducing a system on a national level, either mandatory, or on a voluntary basis. |
| <i>Relevant associated OIML publications:</i> | As a basis for the guidance document, the 3CD for project p1 of OIML TC 6: " <i>International system for the certification of prepackages as complying with requirements for the quantity of product and associated labeling</i> " may be used. OIML R 79 <i>Labeling of prepackages</i> and OIML R 87 <i>Quantity of product in prepackages</i> are also relevant, as they contain the appropriate "product" requirements. |
| <i>List of appropriate liaisons and their work related to this proposed project:</i> | <ul style="list-style-type: none"> • The IAF: accreditation aspects of system certification, relevant for requirements on the assessment of packer's quantity control systems; • ILAC: accreditation aspects of testing, relevant for the requirements on the assessment of test activities; • WELMEC/WG 6: relevant for their experiences in operating the European "e"-mark system |