



49th OIML Meeting

Agenda item 6.3 - Special project aimed at developing countries

**Terms of reference for a cooperation project aimed at countries with less developed legal metrology infrastructures (CoP2013):
“Reliable measurement for fair trade and consumer protection”**

22 October 2014



Reliable measurement for fair trade and consumer protection

*Cooperation project aimed at countries with less developed
legal metrology infrastructures (CoP2013)*

Terms of reference

(CoP2013-06: ToR Final – January 2014)

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1. Purpose of the project

The purpose of the project is to support countries¹ with less developed legal metrology infrastructures (developing countries and countries in economic transition) in order to safeguard consumer protection and fair trade. This implicates the implementation and enforcement of legislation and regulations for measuring instruments and measurements within the scope of the OIML.

The initial focus of the project activities will be on the implementation of regulations based on OIML Recommendations R 87 and R 79, pertaining to the control of the quantity of product in and the associated labelling of prepackages².

The main beneficiaries are consumers, producers and traders of prepackaged products who all rely on the quantity declaration to correctly reflect the actual quantity of product in prepackages.

The project also targets other relevant stakeholders, such as: policy and decision makers, regulators and other public authorities responsible for the implementation and enforcement of relevant legislation and technical regulations.

2. Objective

The primary objective is to increase confidence in statements of quantity in the trade of consumer products, in particular prepackaged products, through enhanced compliance with international standards.

3. Duration

January 2014 – December 2016 (3 years)

4. Cooperating agencies

The OIML is the lead agency. Any organization willing to contribute resources (financial, personnel, know-how) may be a cooperating agency, provided they accept these terms of reference and there are no objections from the other cooperating agencies.

The cooperating agencies and contact details of their representative(s) are listed in Annex C.

5. Project management

The project is managed by a project team consisting of representatives of all cooperating agencies. The project team defines and plans the project activities and deliverables, monitors the progress, and will work mainly by correspondence. Meetings will be held as necessary, but at least once a year. Decisions are taken by consensus³. Decisions of the project team are not legally binding upon the cooperating agencies.

¹ For an explanation of the term “country”, see Annex B.

² See Annex B for an explanation of “prepackage”.

³ See Annex B for an explanation of “consensus”.



The OIML as the lead agency provides the chair and secretarial support for the project team.

6. Methodology

The project follows a multi-level approach. At the *macro level*, predominately decision and policy makers will be addressed. At the *meso level* the relevant institutions and agents of the so called Quality Infrastructure landscape (e.g. certifiers, inspection bodies) are the main target group. The ultimate beneficiaries (consumer, producer, and trader) at the *micro level* will either be targeted directly or via their respective membership organizations.

Objective	Confidence in traded prepacked products increased through enhanced compliance with international standards		
Intervention Area	1 Awareness Raising	2 Advisory Services	3 Human Capacity Development
Level			
Macro	X	X	
Meso		X	X
Micro	X		X

The project design follows three intervention areas.

- (1) *Awareness raising*: production of information / awareness raising material (web site, documents; presentations); lectures/presentations at relevant events organized by the cooperating agencies and other relevant organizations,
- (2) *Advisory services*: On demand consultancy concerning equipment/measurement devices, organizational development, legislative environment etc.
- (3) *Human capacity development*: Guidance for legislators, regulators, market surveillance and inspection authorities responsible for the control of the quantity of product in prepackages;
Guidance for producers of prepackages;
Production of suitable training materials;
Organization of all forms of capacity development in this field.

As a major rule, activities should be organized at the regional level with participations from different countries in the region. Wherever possible, expertise from the region should be made available.

7. Activities and deliverables

Based on the methodology as described in the previous section, the project team draws up an overall planning for the project, a list of activities, required resources, deliverables, etc.

Where possible, activities should be planned and carried out in conjunction with, or as part of relevant activities organized by other organizations, preferably on a regional level. Such relevant activities may be meetings of regional bodies, seminars, trainings, etc.



8. Resources

A multi-donor support is expected, which may follow the approach of a basket funding mechanism.

Contributions to activities may be either financially or in kind (free of charge expertise) and will be agreed on a case-by-case basis.

In principle, however, each project partner bears its own expenses (travel, accommodation, etc.).

9. Review and reporting

At each of its meetings, the project team will review and update the agreed planning of activities and deliverables.

The chair of the project group will draft a progress report every six months and circulate it for acceptance to the representatives of the cooperating agencies. Accepted progress reports may be used by the cooperating agencies for communication to their members and stakeholders.

10. Information sharing and copyright issues

Information made available by the cooperating agencies in the framework of this project may be freely used by the other cooperating agencies, unless specifically marked as “confidential” and “not for distribution”.

Project deliverables in their final version shall, in principle, be publicly available, without copyright and free of charge. Deliverables that contain already copyrighted material, however, may themselves be copyrighted, provided that their use in project activities is not restricted (for instance: training material).

The project team shall agree a “house style” for project deliverables such as documents and presentations.

11. Final provisions

By accepting these terms of reference, the cooperating agencies confirm their intention to participate in and contribute resources to the project activities as agreed by the project team.

These terms of reference are not binding upon the cooperating agencies and do not create any legally enforceable obligations.

Acceptance of these terms of reference shall be notified by the representatives of the cooperation agencies to the lead agency by letter or e-mail.

Annex C lists the agencies that have accepted these terms of reference and the contact details of their representatives.



Annex A – Rationale for the project

In October 2012, the CIML approved the allocation of funding from the 2013-2016 OIML budget to support OIML activities aimed specifically at countries with less developed legal metrology infrastructures. It has been considered that such countries should receive more support from the OIML through:

- awareness raising activities,
- activities aimed at obtaining funding from other international organizations,
- access to training tools currently being developed,
- promoting collaboration between Regional Legal Metrology Organizations, and
- other similar activities.

According to its policies, the OIML does not provide direct assistance to developing countries, nor does it finance technical assistance projects in a particular country.

Based on experience of the interested parties, the particular needs of developing countries as well as anticipated impacts of the intervention, the initiative focuses on the implementation of technical regulations concerning the quantity of product in prepackages⁴ and associated labeling, based on relevant OIML Recommendations. The reasons for this choice are the needs of developing countries to set up legal metrology infrastructures, in particular for consumer protection.

An adequate control of the quantity of product in prepackages, imported or locally produced, will benefit consumers. Furthermore, developing economies or economies in transition are in need to raise their export capabilities, so that they can better compete in a global market. Nowadays, trade in commodities; food products, etc. are largely prepacked. The required technical infrastructure for the control of the quantity of product in prepackages is relatively simple and therefore, does not imply high investment.

⁴ For an explanation of “prepackage”, see Annex B.



Annex B – Explanation of some terms

B.1

country

There is no universally accepted definition of “country”. Terms such as: state, nation, territory and economy are also used to indicate more or less independent geographical entities. Some regional and international organizations commonly use the term “economy” to indicate such entities.

The OIML Convention recognizes “States” as entities eligible to become OIML Member States, while “*States, or territories which cannot or do not yet wish to become parties to the Convention*” may be Corresponding Members. The latter formulation opens the possibility for “territories” that are not recognized as “States” and, therefore, cannot become a Member State, to join the OIML as a Corresponding Member.

Within the OIML, the term “country” is used to collectively indicate “States” and “territories” as meant in the OIML Convention.

B.2

consensus

A common definition of “consensus” is: “*agreement in the judgment or opinion reached by a group as a whole*”. In the ISO Directives, “consensus” is defined as: “*General agreement, characterized by the absence of sustained opposition [...]. Consensus need not imply unanimity.*”

Within the OIML “Decision by consensus” is formulated as: all votes cast are in favor, while abstentions and failures to vote do not count as votes cast. This formulation, effectively, corresponds to the ISO definition.


B.3

prepackage

Prepackages (also called prepacked products, prepacked commodities or prepacked goods) are items for presentation as such to a consumer, consisting of a product and the packing material into which it was put before being offered for sale and in which the quantity of product has a predetermined value, whether the packing material encloses the product completely or only partially, but in any case in such a way that the actual quantity of product cannot be altered without the packing material either being opened or undergoing a perceptible modification.



Annex C – List of cooperating agencies and contact persons

Lead agency	
	<p>International Organization of Legal Metrology (OIML) 11, rue Turgot, 75009 PARIS, France</p> <p>contact: Mr Willem KOOL <i>BIML Assistant Director</i> E-mail: Willem.Kool@oiml.org</p>
Cooperating agencies	
	<p>International Trade Center (ITC) 54-56 rue de Montbrillant, 1202 Geneva , Switzerland</p> <p>contact: Mr Khemraj Ramful <i>Senior Adviser, Export Quality Management</i> E-mail: ramful@intracen.org</p>
	<p>Federal Institute of Metrology (METAS) Lindenweg 50, 3003 Bern-Wabern, Switzerland</p> <p>contact: Mr Henri Baumann Head of Domain, Mass and related quantities E-mail: Henri.Baumann@metas.ch</p>
	<p>Physikalisch-Technische Bundesanstalt (PTB) Bundesallee 100, 38116 Braunschweig, Germany</p> <p>contact: Ms Marion Stoldt <i>Head of Department, International Technical Cooperation</i> E-mail: marion.stoldt@ptb.de</p>
	<p>NMi Hugo de Grootplein 1, 3314 EG Dordrecht, Nederland</p> <p>contact: Mr Jeroen Rommerts <i>Senior Product Manager</i> E-mail: JRommerts@NMi.nl</p>