

**No. 47288**

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**European Community  
and  
United States of America**

**Agreement on mutual recognition between the European Community and the United States of America (with annexes and joint declaration). London, 18 May 1998**

**Entry into force:** *1 December 1998 by notification, in accordance with article 21*

**Authentic texts:** *Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish and Swedish*

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*Only the authentic English and French texts are published herein, without the annexes. The other authentic texts of the Agreement are not published herein, in accordance with article 12 (2) of the General Assembly Regulations to give effect to Article 102 of the Charter of the United Nations, as amended, and the publication practice of the Secretariat.*

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**Communauté européenne  
et  
États-Unis d'Amérique**

**Accord de reconnaissance mutuelle entre la Communauté européenne et les États-Unis d'Amérique (avec annexes et déclaration commune). Londres, 18 mai 1998**

**Entrée en vigueur :** *1<sup>er</sup> décembre 1998 par notification, conformément à l'article 21*

**Textes authentiques :** *danois, néerlandais, anglais, finnois, français, allemand, grec, italien, portugais, espagnol et suédois*

**Enregistrement auprès du Secrétariat des Nations Unies :** *Conseil de l'Union européenne, 17 mars 2010*

*Seuls les textes authentiques anglais et français sont publiés ici, sans les annexes. Les autres textes authentiques de l'Accord ne sont pas publiés ici, conformément aux dispositions de l'article 12, paragraphe 2, des réglementations de l'Assemblée générale, en application de l'Article 102 de la Charte des Nations Unies, tel qu'amendé, et de la pratique dans le domaine des publications du Secrétariat.*

[ ENGLISH TEXT – TEXTE ANGLAIS ]

**AGREEMENT ON MUTUAL RECOGNITION  
BETWEEN  
THE EUROPEAN COMMUNITY  
AND THE UNITED STATES OF AMERICA**

The EUROPEAN COMMUNITY and the UNITED STATES OF AMERICA, hereinafter referred to as "the Parties",

CONSIDERING the traditional links of friendship that exist between the United States of America (U.S.) and the European Community (EC);

DESIRING to facilitate bilateral trade between them;

RECOGNIZING that mutual recognition of conformity assessment activities is an important means of enhancing market access between the Parties;

RECOGNIZING that an agreement providing for mutual recognition of conformity assessment activities is of particular interest to small and medium-sized businesses in the U.S. and the EC;

RECOGNIZING that any such mutual recognition also requires confidence in the continued reliability of the other Party's conformity assessments;

RECOGNIZING the importance of maintaining each Party's high levels of health, safety, environmental and consumer protection;

RECOGNIZING that mutual recognition agreements can positively contribute in encouraging greater international harmonization of standards;

NOTING that this Agreement is not intended to displace private sector bilateral and multilateral arrangements among conformity assessment bodies or to affect regulatory regimes allowing for manufacturers' self-assessments and declarations of conformity.

BEARING IN MIND that the Agreement on Technical Barriers to Trade, an agreement annexed to the Agreement establishing the World Trade Organization (WTO), imposes obligations on the Parties as Contracting Parties to the WTO, and encourages such Contracting Parties to enter into negotiations for the conclusion of agreements for the mutual recognition of results of each other's conformity assessment;

RECOGNIZING that any such mutual recognition needs to offer an assurance of conformity with applicable technical regulations or standards equivalent to the assurance offered by the Party's own procedures;

RECOGNIZING the need to conclude an Agreement on Mutual Recognition (MRA) in the field of conformity assessment with sectoral annexes; and

BEARING in mind the respective commitments of the Parties under bilateral, regional and multilateral environment, health, safety and consumer protection agreements.

HAVE AGREED AS FOLLOWS:

## ARTICLE 1

### DEFINITIONS

1. The following terms and definitions shall apply to this Agreement only:

- Designating Authority means a body with power to designate, monitor, suspend, remove suspension of, or withdraw conformity assessment bodies as specified under this Agreement.
- Designation means the identification by a Designating Authority of a conformity assessment body to perform conformity assessment procedures under this Agreement.
- Regulatory Authority means a government agency or entity that exercises a legal right to control the use or sale of products within a Party's jurisdiction and may take enforcement action to ensure that products marketed within its jurisdiction comply with legal requirements.

2. Other terms concerning conformity assessment used in this Agreement shall have the meaning given elsewhere in this Agreement or in the definitions contained in Guide 2 (1996 edition) of the International Organization for Standardization (ISO) and the International Electrotechnical Commission (IEC). In the event of an inconsistency between ISO/IEC Guide 2 and definitions in this Agreement, the definitions in this Agreement shall prevail.