

**P005 ISEAL Code of Good Practice for Voluntary Process and
Production Method Standard-Setting Procedures
Public Draft 1- March, 2003**

1. Introduction

The ISEAL Alliance is facilitating the development of a Code of Good Practice for Standard-setting Procedures as a means to strengthen the credibility of voluntary standards on the basis of how they are developed. By adhering to procedures that constitute good practices in standard-setting, standard-setting bodies help to ensure meaningful results from the application of their standard. In addition, a Code of Good Practice can serve as a minimum bar against which to measure the credibility of voluntary standards. Good practices are set out here in the form of a Code, applicable to voluntary process and production method standard-setting bodies.

In order to be credible, these practices need to be based on relevant international normative documents, where appropriate. The two normative documents on which these criteria are based are *ISO/IEC Guide 59 Code of good practice for standardization*, and the *WTO Technical Barriers to Trade (TBT) Agreement Annex 3 Code of good practice for the preparation, adoption and application of standards*. Where the criteria in these documents are not appropriate to voluntary PPM standards, they have been excluded. In addition, excerpts from the *TBT Second Triennial Review Annex 4, Principles for the Development of International Standards, Guides and Recommendations with Relation to Articles 2, 5 and Annex 3 of the Agreement* have been incorporated where appropriate.

This draft document is intended to stimulate discussion among voluntary standard-setting bodies and other stakeholders to develop baseline good practices for standard-setting procedures. The ISEAL Alliance is seeking comments on this first draft from 1 April to 31 May, 2003. Please submit comments to <secretariat@isealalliance.org> and participate in the email discussion forum. A public workshop on 11 June, 2003 will seek consensus on a revised draft that will subsequently be made available for a second round of public comment. A number of the key issues that will require further discussion are contained in ISEAL document R021 Issues for Discussion.

2. Definitions

2.1 The definitions of ISO/IEC Guide 2:1991 apply to this Code. According to ISO these definitions apply to any body which approves standards using procedures based on the principles of consensus. For the purposes of this Code the definition of the term 'standard', given in Appendix 1 supersedes ISO/IEC Guide 2:1991. This means that this Code also applies to standards that are not based on consensus.

3. General provisions

3.1 This Code is intended for use by any standard-setting body that sets voluntary process or production method standards at an international, regional, national or sub-national level.

3.2 Adoption of this Code is voluntary. A standard-setting body that intends to adopt this Code should notify the ISEAL Alliance of its intention.

3.3 Where a standard-setting body that has accepted this Code receives a complaint regarding their compliance with the provisions of the Code, they shall make an objective and documented effort to resolve the complaint.

4. Procedures for the development of standards

4.1 Written procedures shall guide the activities of a standard-setting body. These procedures should contain an appeals mechanism for the impartial handling of any substantive or procedural complaints.

4.2 Upon commencement of any standards related activity, stakeholders and other interested parties shall be made aware of the activity and the mechanisms by which they can participate.

4.3 At least once every six months, the standard-setting body shall publish a work programme containing its name and address, the standards it is currently preparing and the standards which it has adopted in the preceding period. A standard is under preparation from the moment a decision has been taken to develop a standard until that standard has been adopted. For each standard listed in the work programme, a brief description should be included of the scope of the draft standard, including its objective and rationale.

4.4 All stakeholders should be provided with meaningful opportunities to contribute to the elaboration of a standard so that the standards development process will not give privilege to, or favour a particular interest group. Impartiality should be accorded throughout all stages of the standards development process.

4.5 Constraints on developing countries and disadvantaged groups to effectively participate in standards development should be taken into consideration in the standards development process. Provisions for capacity building and technical assistance within standard-setting bodies are important in this context.

4.6 Development of a new standard or revision of an existing standard shall include at least two rounds of comment submissions by interested parties. During each round of the standards development process, there shall be a period of at least 60 days for the submission of comments. However, this period may be shortened in cases where urgent problems of safety, health or environment arise or threaten to arise.

4.7 The standard-setting body shall take into account, in the further processing of the standard, the comments received during the period for commenting. The standard-setting body shall compile comments received according to the issues raised and shall prepare a written synopsis of how each issue has been addressed in the standard revision. This synopsis shall be made available to stakeholders upon request.

4.8 Formal approval of standards should be based on evidence of consensus. All approved standards shall be published promptly and shall be placed in the public domain.

4.9 On the request of any interested party, the standard-setting body shall promptly provide, or arrange to provide, a copy of its standard-setting procedures, most recent work programme, draft standard or final standard. This service shall be free of charge, apart from any real costs of processing and delivery. It is important that procedures are in place to enable hard copies of notices, standards and other related materials to be made available upon request.

4.10 Proper records of standards development activity shall be prepared and maintained.

4.11 All standards shall be reviewed on a periodic basis for continued relevance and appropriateness and revised in a timely manner. This process shall occur at least every three years. Proposals for revisions can be submitted by any interested party and shall be considered by the standard-setting body through a consistent and transparent process.

4.12 The standard-setting body shall identify a central focal point for standards-related enquiries and for submission of comments. Contact information for this focal point shall be made easily available.

4.13 Administrative requirements relating to conformity assessment and marks of conformity should be presented separately from technical and/or performance requirements. Conformity assessment procedures should be no more onerous than necessary, and should be appropriate to the situation of the organization being assessed. In the interests of transparency, decisions on conformity assessment should be made publicly available to interested stakeholders.

5. Advancement of international trade

5.1 The standard-setting body shall take account of relevant regulatory and market needs, as well as scientific and technological developments in the elaboration of standards. Standards should not distort global markets or international trade in ways not directly in line with the expressed objectives of the standard.

5.2 Standards shall not inhibit commerce beyond that necessary to meet legitimate requirements for local compatibility, environmental protection, health and safety.

5.3 International standards should be used as the basis for corresponding national or regional standards, except where they would be ineffective or inappropriate, such as in the case of fundamental climatic, geographic or technological factors.

5.4 Standards shall include objective and verifiable criteria that do not create ambiguities in interpretation of the standard by consumers or other users.

5.5 Standards shall not discriminate among products on the basis of the place of origin.

5.6 Whenever possible, standards shall be expressed in terms of a combination of performance and management criteria, rather than design or descriptive characteristics. Standards should not favour a particular technology or patented item.

6. Participation in the standards development process

6.1 The standard-setting body shall ensure that participation reflects a balance of interests among stakeholders in the subject matter to which the standard relates. This balance of interests should include a balance of sectors, geographic representation, and gender.

6.2 Membership of a standard-setting body should be open on a non-discriminatory basis to relevant bodies that support the goals of the standard-setting body. This includes openness without discrimination with respect to the participation at all stages of the standards development process, such as voting and adoption of standards, and dissemination and usage of the adopted standards.

6.3 With a view to harmonization of standards, the standard-setting body shall participate within its means in the preparation of international standards that address common subject matter.

6.4 In order for standards to be mutually consistent and free from contradiction for the largest possible user communities, standard-setting bodies should coordinate activities on a voluntary basis at and between international, regional and national levels.

Appendix 1: Definitions

Standard: Document approved by a recognized body, that provides, for common and repeated use, rules, guidelines or characteristics for products or related processes and production methods, with which compliance is not mandatory. It may also include or deal exclusively with terminology, symbols, packaging, marking or labelling requirements as they apply to a product, process or production method.

Explanatory note: The terms as defined in ISO/IEC Guide 2 cover products, processes and services. This Code deals only with standards and conformity assessment procedures related to products or processes and production methods. Standards as defined by ISO/IEC Guide 2 may be mandatory or voluntary. For the purpose of this Code standards are defined as voluntary and technical regulations as mandatory documents. Standards prepared by the international standardization community are based on consensus. *This Code covers also documents that are not based on consensus.* (emphasis added)

(from Annex 1 of the WTO TBT Agreement)

Consensus: General agreement, characterized by the absence of sustained opposition to substantial issues by any important part of the concerned interests and by a process seeking to take into account the views of all parties concerned and to reconcile any conflicting arguments.

NOTE - Consensus need not imply unanimity.

(from ISO/IEC Guide 2)