

APPENDIX F

**Mutual Recognition Arrangement
between
Canada and the National Conference on Weights and Measures**

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Mutual Recognition Arrangement

MADE ON 19TH DAY OF JULY 2011

BETWEEN:

Canada¹

Measurement Canada
AN AGENCY OF INDUSTRY CANADA
STANDARDS BUILDING
151 TUNNEY'S PASTURE DRIVEWAY
OTTAWA, ONTARIO, CANADA, K1A 0C9

AND



the National Conference on Weights and Measures, Inc.

1135 M STREET, SUITE 110
LINCOLN, NEBRASKA 68508
UNITED STATES

1. PURPOSE

The Purpose of this Mutual Recognition Arrangement (MRA) is to establish a working relationship to implement a voluntary program for the mutual recognition of the device evaluations administered and performed by Measurement Canada (MC), a special operating agency of Industry Canada, and the National Type Evaluation Program (NTEP) of the National Conference on Weights and Measures, Inc. (NCWM) of the United States.

2. BACKGROUND

MC and NCWM operate ongoing type evaluation systems for commercial weighing and measuring devices. Canada, many states and several U.S. Federal agencies require the evaluation and approval of the design and performance of device prototypes prior to their sale for commercial use.

Rather than submitting commercial devices for the United States market to NTEP laboratories and essentially the same devices for the Canadian market to the MC's Approval Services Laboratories, manufacturers requested that United States and Canada (1) combine their evaluation tests and (2) recognize either NTEP laboratory or MC laboratory results of the combined evaluation as the basis upon which NTEP and MC would each issue their evaluation documents (either the NTEP Certificate of Conformance or the Canadian Notice of Approval). Expected benefits include: increase uniformity of test methods reducing unnecessary differences, misunderstandings, and unnecessary duplications; reduced cost and improved turn-around time by accessing a single source for type evaluation for both countries; increased competitiveness for both U.S. and Canadian manufacturers by accelerating the time from design to the end markets.

The following policy was adopted in January 1993 by the National Conference on Weights and Measures (predecessor to the National Conference on Weights and Measures Inc.) in concert with Measurement Canada (then known as Legal Metrology Branch):

"With respect to weights and measures devices, the parties agree that the most effective means to remove barriers to free trade is to achieve mutual recognition of device type evaluation testing. This necessarily involve the comparative analysis of type evaluation codes and test procedures together with the intent of streamlining and minimizing differences in so far as possible so as to enable efficient device evaluation while preserving the technical capability and competence of their mutual laboratories."

3. ARRANGEMENT

The United States National Type Evaluation Program (NTEP) of the National Conference on Weights and Measures Inc. (NCWM) and Measurement Canada (MC) agree to recognize each other's type evaluation results:

NCWM will recognize the results of the tests performed by MC for the purpose of issuing NTEP Certificates of Conformance for device types set out in the annex A and B to this arrangement.

MC will recognize the results of the tests conducted by NTEP Participating Laboratories for the purpose of issuing a Canadian Notice of Approval for the devices types set out in the annex A to this arrangement.

Each party will continue to issue its own document (either the NTEP Certificate of Conformance or the Canadian Notice of Approval).

4. COLLABORATION

Both parties will collaborate to eliminate or minimize differences in requirements and test methods so as to enable efficient devices evaluation.

Each party will:

Make all information available to the other party, maintaining confidentiality of proprietary information;

- Collaborate in the development of additional areas of mutual recognition;
- Collaborate in the development of requirements and tests methods for commercial devices and systems;
- Collaborate in the development and maintenance of proficiency and uniformity of evaluation; and
- Collaborate to preserve the technical capability and competence of their mutual laboratories.

5. RESOLUTION OF COMPLAINTS

This MRA does not create binding obligations under international law. However, each party will investigate complaints that the other party brings forward, and both parties will work together to seek satisfactory resolution of such complaints.

6. DURATION AND TERMINATION

This MRA will become effective on July 19, 2011. It will remain in effect for a period of five (5) years and may be extended by mutual consent. This MRA may be terminated at any time by either party upon six (6) months written notice to the other party.

7. APPLICATION FOR TYPE APPROVAL

Under this arrangement, any applicant for type approval is free to apply to either country when requesting type approval in both countries.

For Measurement Canada

For the National Conference on Weights and Measures



Alan E. Johnston
President



Tim Tyson
Chairman

ANNEX A MUTUAL RECOGNITION ARRANGEMENT

Devices for which NCWM and MC will recognize the results of the tests performed at the NTEP Participating Laboratories or MC Laboratory for the purpose of issuing NTEP Certificates of Conformance (USA) and Canadian Notice of Approval:

1. Electronic weight indicating elements (except those that are "software based" i.e. programmed by downloading parameters);
2. Electronic computing and non-computing bench, counter, floor and platform scales up to 1000 kg (2000 lb) capacity;
3. Weighing / load receiving elements with capacities up to 1000 kg (2000 lb); and
4. Mechanical scales with capacities not exceeding 10 000 kg (20 000 lb).

ANNEX B MUTUAL RECOGNITION ARRANGEMENT

Devices for which NCWM will recognize the results of the tests performed by MC for the purpose of issuing NTEP Certificates of Conformance:

1. Gasoline Dispensers;
2. High-Speed Refuellers; and
3. Electronic Registers for Dispensers.

Note: MC will provide NTEP with results of evaluations and tests for compliance to the Canadian requirements using Canadian work sheets and will perform and provide the results of additional evaluations and tests for compliance to the NTEP requirements as per the list below:

Reference to NCWM Publication 14 (most recent edition) Liquid Measuring Device Check List	
Sections 1.1 to 1.3	Device Identification;
Sections 1.16 and 12	Totalizers;
Sections 7.3 to 7.17	Agreement of registration;
Sections 7.18 to 7.21	Credit Card-or Debit Card-Activated Retail Motor-Fuel Dispenser;
Section 7.22	Money Value Divisions, Digital;
Sections 7.37 to 7.39	Display of Unit Price;
Section 7.40	Display of Product Identity;
Section 15, 16 and 17	Card-Activated Retail Motor-Fuel Dispensers and Cash-Activated Retail Motor-Fuel Dispensers.