

**AGREEMENT ON MUTUAL
RECOGNITION OF TEST RESULTS OF
MEASURING INSTRUMENTS**

BETWEEN

**THE FEDERAL INSTITUTE OF
METROLOGY (METAS)
OF THE SWISS CONFEDERATION**

AND

**THE GENERAL ADMINISTRATION OF
QUALITY SUPERVISION, INSPECTION
AND QUARANTINE (AQSIQ) OF THE
PEOPLE'S REPUBLIC OF CHINA**

The Federal Institute of Metrology (METAS) of the Swiss Confederation and the General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ) of the People's Republic of China, hereinafter individually referred to as a "Party" or collectively as the "Parties";

With a view to strengthening the bilateral economic relations between Switzerland and China;

Recognising that the strengthening of bilateral technical cooperation reduces barriers to trade and produces mutual benefits for Switzerland and China;

Recognising that no country should be prevented from taking measures necessary to fulfil a legitimate objective in line with the WTO Agreement on Technical Barriers to Trade;

Reaffirming the importance of international standards to enhance trade; and

Desiring to facilitate access to respective markets and further the implementation of the Chapter Technical Barriers to Trade of the Free Trade Agreement between the Swiss Confederation and the People's Republic of China (hereinafter referred to as the "Free Trade Agreement");

Have reached the following Agreement on the Mutual Recognition of Test Results of Measuring Instruments to strengthen cooperation in the area of metrology:

ARTICLE 1

Scope

- 1.1 The Parties agree to mutually recognise the test results of measuring instruments as a basis for their respective national type approval procedure, according to this Agreement.
- 1.2 The types of measuring instruments covered by this Agreement are specified in Annex I.
- 1.3 This Agreement shall apply only to test results obtained after the entry into force of this Agreement.

ARTICLE 2

Testing and Issuing of OIML Certificates

2.1 The implementing testing laboratories of this Agreement are the National Institute of Metrology (NIM) of the People's Republic of China and METAS.

When examining the documentation and instruments, the Parties agree to carry out tests based on related recommendations by the International Organisation of Legal Metrology (OIML), and if necessary, the national deviations set out in Annex I.

The manufacturer is responsible to apply for the Chinese or Swiss approval procedure, according to the relevant respective technical regulations.

OIML certificates of conformity and OIML test reports issued by Chinese or Swiss bodies in accordance with this Agreement shall be used by the other Party to issue the type approval certificate for its territory. The necessary technical documentation for the respective Chinese and Swiss approval procedure is laid down in Annex II.

2.2 The tests shall be performed by employees of NIM or METAS.

2.3 Except as required by the test procedure or by using the means at disposal of the user, all

tests shall be performed on the same instrument without adjusting it during or between tests.

In the exceptional event of an adjustment or an intervention, the test report shall indicate:

- (a) the reason for the adjustment or the intervention;
- (b) the nature of the adjustment or the intervention; and
- (c) the tests performed before the adjustment or the intervention, and the tests not performed thereafter.

If not all tests were performed on the same instrument, the list of the tests shall indicate which tests were performed on each instrument. If the instruments are not exactly identical, the report shall list the differences in detail.

2.4 Both Parties agree to issue a valid OIML certificate of conformity with the associated OIML test report and the technical documentation.

2.5 If, in the event of a malfunction of a testing instrument, the test needs to be stopped and the problem can be solved without influencing the results of the measurement, the test can be pursued. In that case, the test report shall mention the occurrence of a malfunction.

ARTICLE 3

Examining the Application for Recognition and Issuing of Type Approval Certificates

3.1 The manufacturer or its authorised representative shall apply for recognition of test results either at AQSIQ or METAS.

3.2 AQSIQ or METAS may request:

- (a) documents from the testing laboratory describing the instrument's pattern, to verify conformity with the tested pattern;
- (b) OIML test report(s) and technical documentation from the testing laboratory; and
- (c) the testing laboratory to certify the complete set of documentation submitted by the manufacturer.

3.3 AQSIQ or METAS shall issue the necessary approval certificate unless there is documented suspicion that the instrument does not comply with the national requirements.

3.4 AQSIQ and METAS shall support each other in case of difficulties during the recognition procedure.

3.5 AQSIQ and METAS agree to provide each other once a year with the names and signatures of authorised employees for signing the OIML test reports and OIML certificate of conformity. This information shall be submitted in writing.

3.6 Testing laboratories shall be assessed by peer assessment using requirements complying with ISO/IEC 17025 and OIML D 30 for the scope of this Agreement. Peer assessments carried out by testing laboratories from other countries than Switzerland and China shall be mutually accepted, as long as they are in accordance with the scope of this Agreement.

ARTICLE 4

Consultations

Each Party shall investigate complaints or problems that the other Party brings forward, and both Parties shall work together in order to find a satisfactory resolution of such matters. The contact persons are listed in Annex III.

ARTICLE 5

Confidentiality

5.1 Each Party shall, upon request, make available to the other Party all information pertaining to the tests and the instruments involved. The Parties are not required to disclose confidential information.

5.2 The Parties shall treat as confidential information submitted by the other Party which that Party has designated as confidential.

ARTICLE 6

Final Provisions

6.1 The Sub-Committee on Technical Barriers to Trade established in Article 6.7 of the Free Trade Agreement shall oversee the activities under this Agreement.

6.2 This Agreement is concluded pursuant to and in conjunction with the Free Trade Agreement, and is one of the side agreements referred to in Article 6.9 of the Free Trade Agreement.

6.2 This Agreement enters into force on the same date as the Free Trade Agreement. A Party may terminate this Agreement at any time upon six months' written notice to the other Party.

Signed in Beijing on 5th July 2013 in two originals each in the English, Chinese and French language, each text being equally authentic. In case of divergence between the language versions, the English text shall prevail.

For METAS

For AFSIQ

Annex I
Type of instruments

Non-automatic weighing instruments (NAWI)

NIM, National Institute of Metrology (China)

	Class I	Class II	Class III	Class IIII
Maximum testing capacity (kg)	60	3 000	3 000	3 000
Maximum number of verification scale intervals (Max /e)	1 000 000	100 000	10 000	1 000
Minimum verification scale intervals (g)	0.001	0.001	0.1	5

Federal Institute of Metrology METAS (Switzerland)

	Class I	Class II	Class III	Class IIII
Maximum testing capacity (kg)	50	100	100 000	100 000
Maximum number of verification scale intervals (Max /e)	500 000	100 000	10 000	1 000
Minimum verification scale intervals (g)	0.001	0.001	0.1	5

Note: The use of modules approach for testing may lead to higher capabilities.

National deviations from OIML R76-1:2006 / R76-2:2007

China: none
Switzerland: none

Load Cells

NIM, National Institute of Metrology (China)

	Class A	Class B	Class C	Class D
Minimum load D_{\min} (kg)	N/A	0	0	0
Maximum load D_{\max} (kg)	N/A	100 000	100 000	100 000
Maximum number of load cell verification intervals n_{\max}	N/A	100 000	10 000	1 000
Minimum load cell verification interval v_{\min} (g)	N/A	0.1	0.1	0.1
Type of loads to be tested	<input checked="" type="checkbox"/> Tension <input checked="" type="checkbox"/> Compression <input checked="" type="checkbox"/> Beam (shear) <input checked="" type="checkbox"/> Beam (bending) <input checked="" type="checkbox"/> Universal			
Type of tests related to humidity effects	<input type="checkbox"/> Damp heat, steady state <input checked="" type="checkbox"/> Damp heat, cyclic test			
Range for temperature effects	from -10 °C to +40 °C			

Federal Institute of Metrology METAS (Switzerland)

	Class A	Class B	Class C	Class D
Minimum load D_{\min} (kg)	5	5	5	5
Maximum load D_{\max} (kg)	11 000	200 000	200 000	200 000
Maximum number of load cell verification intervals n_{\max}	50 000	50 000	10 000	1 000
Minimum load cell verification interval v_{\min} (g)	11	11	11	11
Type of loads to be tested	<input checked="" type="checkbox"/> Tension <input checked="" type="checkbox"/> Compression <input checked="" type="checkbox"/> Beam (shear) <input checked="" type="checkbox"/> Beam (bending) <input checked="" type="checkbox"/> Universal			
Type of tests related to humidity effects	<input type="checkbox"/> Damp heat, steady state <input checked="" type="checkbox"/> Damp heat, cyclic test			
Range for temperature effects	from -18 °C to +50 °C			

National deviations from OIML R60:2000

China: none
Switzerland: none

Annex II

Technical documentation

Non-automatic weighing instruments (NAWI) and weighing modules

1. List of necessary documentation for Swiss or Chinese approval procedure
 - (a) OIML certificate if applicable;
 - (b) complete OIML test report (R76-2:2007), i.e. including the checklist; and
 - (c) descriptive documents according to OIML R76-1:2006, section 8.2.1.2 and if applicable section 5.5.2.2 d.
2. Documentation supplemented by the manufacturer for Chinese type approval can be in Chinese or English. Documentation for Swiss type approval shall be in English.

Load Cells

1. List of necessary documentation for Swiss or Chinese approval procedure:
 - (a) OIML certificate if applicable;
 - (b) complete OIML R60:2000 test report;
 - (c) picture that shows the approved type(s);
 - (d) schematic drawings;
 - (e) connection scheme;
 - (f) operating manual for the load cells equipped with electronics and weighing modules;
 - (g) specifications and the additional information required according to International Recommendation OIML R60:2000;
 - (h) the information necessary that should be presented on the individual instruments; and
 - (i) Drawings and technical data of electric circuits for the load cells equipped with electronics and weighing modules.
2. Documentation supplemented by the manufacturer for Chinese type approval can be in Chinese or English. Documentation for Swiss type approval shall be in English.

Annex III

Contact persons

Non-automatic weighing instruments (NAWI)

For METAS: Mr. Gulian Couvreur

For AQSIIQ: Mrs. Wang Yingjun, Mrs. Zheng Huaxin

For NIM: Mrs. Cai Changqing

Load Cells

For METAS: Mr. Christian Wüthrich, Mr. Gulian Couvreur

For AQSIIQ: Mrs. Wang Yingjun, Mrs. Zheng Huaxin

For NIM: Mr. Zhang Yue