



16 July 2008

OIML TC 3/SC 5 Meeting

27-30 May 2008

Venue: BIPM (Sèvres - France)

-- M I N U T E S --

1 Welcome and opening addresses by the Secretariat and the BIML

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2 Roll call of experts and confirmation of heads of delegations

Mrs. Régine Gaucher, OIML TC 3/SC 5 Co-secretariat, welcomed the participants and thanked them for attending. She summarized the context and the reasons for planning a four-day meeting as follows:

- To begin the revision of OIML B 3 *OIML Certificate System for Measuring Instruments*;
- To begin the revision of OIML B 10-1 *Framework for a Mutual Acceptance Arrangement on OIML Type Evaluations (MAA)*;
- To finalize the draft OIML Document related to the guidelines for the application of ISO/IEC Guide 65 to legal metrology (project p5);
- To finalize the draft OIML Document related to the guidelines for the application of ISO/IEC 17025 to legal metrology (project p4); and
- To define the scope of the OIML Publication to be developed on uncertainties by TC 3/SC 5 (project p2).

Mrs. Gaucher reiterated that several working documents had been drawn up to prepare the meeting discussions - these were available on the TC 3/SC 5 interactive pages of the OIML web site. All the participants confirmed that they had succeeded in downloading them.

She then explained that a marked-up First Committee Draft (1CD) had been drawn up to start the revision of OIML B 3. This 1CD was one of the meeting working documents listed above. She indicated that all the proposals for changes would not be discussed at the meeting, only the main issues. TC 3/SC 5 Members were invited to upload any additional comments on the 1CD by 20 June 2008.

Mrs. Gaucher went on to indicate that for the revision of OIML B 10-1, the Secretariat had decided to prepare separate working documents on the main issues to be discussed; she added that a 1CD would be drawn up after the meeting. Since the structure of the Publication would be profoundly changed, it might be difficult to prepare a marked-up version, and therefore a correspondence table would be compiled to facilitate the comparison.

She indicated that the following TC 3/SC 5 Members or liaisons had sent apologies: Finland, Norway, Poland, ILAC, IAF and ISO CASCO.

The list of participants is given in Annex 1.

Afterwards, a round table was organized to allow each Participant to introduce himself or herself. Dr. Charles Ehrlich indicated that he was participating as TC 3/SC 5 Co-secretariat and as representative of the US delegation.

Mrs. Gaucher thanked her colleague Mr. Samuel Just, who had accepted to assist her during the meeting and had agreed to be the meeting secretary.

3 Approval of the agenda

Mrs. Gaucher indicated that she had made some amendments to the agenda which was published in the working documents. She suggested adding the following two items:

- Implementing a period of validity for OIML Certificates; and
- Invoicing fees for registration of OIML Certificates.

The Agenda revision 1, dated 26 May 2008 and including the above amendment, was adopted.

4 Revision of OIML B 3: requirements for the designation of an OIML Issuing Authority

Mrs. Gaucher gave a short presentation based on the change proposed in section 4 of the 1CD of the revision of OIML B 3.

Further to the preliminary discussions, it was concluded that:

- OIML B 3 should define the general requirements for the implementation of the OIML Certificate System;
- Additional (or other) requirements should be identified for the implementation of the MAA. Those requirements should be defined in the revision of OIML B 10. In fact the MAA should be considered as augmenting the OIML Certificate System.

An introduction should be included at the beginning of both documents to clarify this philosophy, and it was decided to refer to the OIML Certificates either as OIML Basic Certificates (when issued under the OIML Basic Certificate System) or OIML MAA Certificates (when issued under the OIML MAA). In addition, it was suggested to add flowcharts in the Publications to highlight the procedure in the case of the OIML Basic Certificate System and the differences in the case of the MAA.

In order to emphasize the above concept, the title of the revised OIML B 3 should be *OIML Basic Certificate System for OIML Type Evaluations*.

It was decided that the criteria applicable to OIML Issuing Authorities would remain unchanged. This means that the OIML Issuing Authority (which is responsible for the evaluation of the measuring instruments and for issuing the OIML Basic Evaluation Report) should demonstrate its competence, in particular on the basis of ISO/IEC Guide 65. However, participants agreed that the Member State should continue to informally evaluate the OIML Issuing Authority in order to promote harmonization in designating OIML Issuing Authorities. It was decided that this recommendation would be included in a note in 4.2 of the 1CD together with examples for evaluations.

Conclusions regarding the wording of section 4 of the revision of OIML B 3

4.1 The CIML Member in a given Member State may designate one or several OIML Issuing Authorities in that State per category of instruments.

Note 1: The CIML Member may be a member of the staff of an OIML Issuing Authority in a given State.

Note 2: The OIML Issuing Authority that issues OIML Certificates may or may not be the same organization as the national body that issues national type approval certificates and whose responsibilities are governed by national regulations.

Note 3: A list of all OIML Issuing Authorities in the various Member States is maintained by the BIML and is permanently available to Member States and other interested parties on the OIML web site and on request.

4.2 An OIML Issuing Authority should demonstrate its competence to issue Certificates and associated OIML Type Evaluation Reports according to the requirements specified in this publication and the relevant Recommendation and in particular that it complies with the requirements in appropriate Standards, for instance in ISO/IEC Guide 65 “General requirements for bodies operating product certification systems” .

Note: The Member State is responsible for evaluating the competence of the OIML Issuing Authority. For instance, such an evaluation may be performed on the basis of accreditations, assessments of the OIML Issuing Authority by the CIML Member, or on behalf of the CIML Member, or at the request of an internal audit report to be submitted by the OIML Issuing Authority to the CIML Member.

5 Revision of OIML B 3: designation of OIML Issuing Authorities by Corresponding Members (special situations)

Mrs. Gaucher explained the proposal which would be submitted for approval at the 13th OIML Conference in October 2008 in order to take into account special situations, for instance regional organizations or groups of countries which would have common facilities but which cannot be OIML Member States due to their status in OIML.

The example of the WAEMU (West African Economics and Monetary Union) was given. This Union operates in a similar way to the European Union for Type Approval of Measuring Instruments.

Mrs. Gaucher indicated that it would be proposed to create a new category of OIML Members called “Associates”. Associates would pay a contribution equivalent to that of OIML Member States and would be able to designate OIML Issuing Authorities and therefore participate in the MAA as Issuing Participants.

She pointed out that a contact person would have to be designated and registered by the BIML for each Associate Member to be responsible in particular for the designation of OIML Issuing Authorities and for administrative issues with the BIML.

Mrs. Gaucher concluded that depending on the decision of the Conference, the revision of OIML B 3 would entitle Associates to designate OIML Issuing Authorities.

6 Revision of OIML B 3: proposal for considering an OIML Type Evaluation as a type approval

This item was discussed on the basis of section 5.1.2 (g) of the 1CD of the revision of OIML B 3.

Most of the participants agreed that the wording of the requirement was very simple but that its implementation would be difficult and inconsistent according to the OIML Issuing Authorities (documentary examination at type evaluation, formal assessment of the manufacturer's management system, etc.).

Participants indicated that the OIML should develop appropriate tools (e.g. documents to provide guidelines for the evaluation of manufacturers) before implementing such a requirement.

TC 3/SC 5 concluded that 5.1.2 (g) should be removed. Participants agreed that the scope of OIML B 3 should clearly indicate that conformity to type is not addressed in OIML B 3. Consequently the Working Group on Conformity to Type should consider conformity to type from the very beginning (ability of the manufacturer to produce instruments which conform to the evaluated type).

Conclusions regarding the wording of section 5.1.2 of the revision of OIML B 3

5.1.2 The application shall include the following:

- (a) the name and address of the manufacturer and, if appropriate, of the authorized representative;
- (b) a statement that no concurrent application for OIML Type Evaluation has been made to any other OIML Issuing Authority;
- (c) a description of the type as distinct from other types, and any information related to testing; in the case of a family of instruments or modules, the description of the operation may include, as appropriate, information concerning each instrument or module that belongs to the family;
- (d) a description of the instrument's operation, including the manufacturer's operating instructions; in the case of a module, the description of the module's operation may include, as appropriate, information concerning the characteristics of the category of instruments of which the module may be part;
- (e) a list of the specified manufacturer's documentation, necessary and sufficient for the identification of the type submitted such as parts lists, serial or reference number for electronic components, software programs, etc.;
- (f) information on or details of the sample(s), representative of the production envisaged and to be submitted for tests and examinations on the basis of the relevant OIML Recommendations;
- (g) if applicable, results of Test Reports from previous OIML Type Evaluation(s) (see 5.3.4).

7 Revision of OIML B 3: revision of terminology

This item was discussed on the basis of section 3 of the 1CD of the revision of OIML B 3.

After discussions, participants agreed on the following terminology.

Considering the revision of the title of OIML B 3 (see 4 above), participants agreed that a clear explanation of this change should be included in the scope.

It was decided to include "module" in the appropriate definitions since the OIML Basic Certificate System, depending on the categories, might also be applicable to parts of measuring instruments (e.g. OIML R 76-1:2006 and OIML R 76-2:2007).

Conclusions regarding the wording of certain definitions in section 3 of the revision of OIML B 3

3.7 Type evaluation

Systematic examination and testing of the performance of one or more samples of an identified type of measuring instrument against documented requirements, the results of which are contained in an evaluation report, in order to determine whether the type may be certified (VIML 2.5).

Note 1: Measuring instruments could here include modules as defined in 3.4.

Note 2: The word “certified” should be understood as “conformity to the relevant OIML Recommendation”.

Note 3: Evaluation reports include Test Reports as defined in 3.13 and 3.14.

3.8 OIML Type Evaluation

Type evaluation conducted on the basis of the relevant OIML Recommendation.

3.11 OIML Basic Certificate System

Voluntary system for issuing and using OIML Basic Type Evaluation Reports and associated OIML Basic Certificates of Conformity and for registering OIML Basic Certificates of Conformity.

3.12 OIML Basic Certificate of Conformity

Document issued under the rules of the OIML Basic Certificate System by the OIML Issuing Authority providing confidence that the identified type of measuring instrument or module is in conformity with the requirements of the relevant Recommendation.

Note: If the additional rules defined in OIML B 10 are also met, the Certificates issued are called “OIML MAA Certificates”.

3.13 OIML Basic Type Evaluation Report

Report, issued by the OIML Issuing Authority that assesses the conformity of the type of measuring instrument or module to all the requirements in the relevant OIML Recommendation.

3.14 Test Report

Report issued by a Testing Laboratory that includes results of tests and examinations carried out on the basis of the relevant OIML Recommendation during OIML Type Evaluation on identified sample(s) of a given type of measuring instrument or module.

3.15 OIML Issuing Authority

Certifying body or person in an OIML Member State, designated by its CIML Member, that issues OIML Basic Certificates of Conformity and OIML Basic Type Evaluation Reports according to the rules of the OIML Basic Certificate System.

3.16 Testing Laboratory

Any laboratory designated by the OIML Issuing Authority to carry out examination and testing of sample(s) of a measuring instrument or module submitted for OIML Type Evaluation.

Note: The OIML Issuing Authority, and not the Testing Laboratory, is responsible for the OIML Basic Type Evaluation Report.

In addition, it was decided that the following note which was included in 3.13 would be moved to 5.5 of the revision of OIML B 3:

Note: The OIML Basic Type Evaluation Report is prepared according to the Format specified in the relevant OIML Recommendation, and includes all of the relevant OIML Test Report(s).

8 Revision of OIML B 3: content of a Test Report

This item was discussed on the basis of sections 3.14 and 5.4 of the 1CD of the revision of OIML B 3.

After the discussions, participants agreed on the following changes to section 5.4.

5.4.1 The Testing Laboratory conducting tests according to the relevant Recommendation shall issue a Test Report. In case there are several Testing Laboratories conducting such tests, each Testing Laboratory shall issue a Test Report which includes the results of the tests it has conducted.

5.4.2 All the Test Reports will be included in the OIML Basic Type Evaluation Report issued by the OIML Issuing Authority (see 5.5.1).

5.4.3 The Test Report shall give, as appropriate, the results of the various tests and examinations obtained for samples of the type. It shall include at least the following:

- a) name and address of the Testing Laboratory with a statement of compliance with the guidelines mentioned in 5.3.1 giving details of any accreditation, peer assessment, or assessment by other means;
- b) reference (number and year of edition) to the relevant Recommendation;
- c) identification of the category as defined in the relevant OIML Recommendation (e.g. check weigher, fuel dispenser);
- d) identification of the type or the family (e.g. commercial name or number);
- e) identification of specific samples tested;
- f) for each test or examination, dates of testing;
- g) for each test or examination, place of testing;
- h) for each test or examination, name of the person who conducted the test or examination;
- i) for each test or examination, the environmental conditions, if appropriate;
- j) for each test, a description of the test facilities;
- k) for each test or examination, information concerning the instrument's metrological configuration or the simulation setup used for testing, especially in the case of a module or family of modules;
- l) examination and test results including considerations on measurement uncertainties and a statement on traceability, as appropriate;
- m) for each test and examination, a conclusion (pass/fail) as to whether the samples meet the relevant requirement of the appropriate Recommendation.

5.4.4 The Test Report shall be dated, signed, and provided with a unique identification number by the responsible person of the Testing Laboratory authorizing the report.

5.4.5 The Test Report shall be in English and shall not bear any OIML logo.

Note: In some cases, translation of the OIML Test Report into additional languages other than English may assist in national or regional interpretation and implementation.

9 Revision of OIML B 3: content of an OIML Basic Type Evaluation Report

This issue was discussed on the basis of sections 3.14 and 5.5 of the ICD of the revision of OIML B 3.

After the discussions (see also 7 above), participants agreed on the following changes to section 5.5.

5.5 OIML Basic Type Evaluation Report

Note: The OIML Basic Type Evaluation Report is prepared according to the Format specified in the relevant OIML Recommendation, and includes all of the relevant Test Report(s).

5.5.1 The OIML Basic Type Evaluation Report shall give, as appropriate, the results of various tests and examinations obtained for samples of the type and shall be drawn up in the format provided in the relevant Recommendation. It shall include at least the following:

- a) name and address of the OIML Issuing Authority which is responsible for issuing the report with a statement of compliance with the requirements mentioned in 4.2, if available;
- b) name and address of the laboratory or laboratories identified according to the specific tests performed, with a statement of compliance with the guidelines mentioned in 5.3.1 giving details of any accreditation, peer assessment, or assessment by other means;
- c) reference (number and year of edition) to the relevant Recommendation;
- d) identification of the category (e.g. check weigher, fuel dispenser);
- e) identification of the type (e.g. reference to specific designation, description of the instrument, external and internal photographs, marking, software, inscriptions, specifications, etc. including, if applicable, the accuracy class); in the case of a family of instruments or a module or family of modules, additional information according to 5.1.2 shall be provided;
- f) identification of the specific samples tested;
- g) justification of the selection of samples, in particular in case of a family of instruments or modules or if specific requirements are mentioned in the relevant OIML Recommendation;
- h) identification of any authorized and agreed upon adjustments or modifications made to sample(s) during the testing;
- i) name and address of the manufacturer;
- j) name and address of the applicant for the OIML Basic Certificate;
- k) Test Report(s);
- l) identification of test results from manufacturers which have been taken into account, if applicable;
- m) general conclusion as to whether the samples conform to the relevant Recommendation;
- n) annexed listing of the manufacturer's documentation submitted with the application for an OIML Basic Certificate and used for identification of the type submitted (see 5.1.2).

5.5.2 The OIML Basic Type Evaluation Report shall be dated, signed by the responsible persons (e.g. evaluator and supervisor according to OIML D XX) of the OIML Issuing Authority that performed the OIML Basic Type Evaluation, and provided with a unique identification number. The OIML logo shall be affixed on the OIML Basic Type Evaluation Report.

Note: No other evaluation reports may use the OIML logo.

5.5.3 The OIML Basic Type Evaluation Report shall be in English.

Note: In some cases, translation of the OIML Type Evaluation Report into additional languages other than English may assist in national or regional interpretation and implementation.

10 Revision of OIML B 3: modification of a Certificate

This issue was discussed on the basis of section 9 of the 1CD of the revision of OIML B 3.

Before starting discussions, Mrs. Gaucher clarified the fact that we should consider that the owner of the Certificate is the applicant and not the manufacturer according to the terminology used on the cover page of Certificates. It was also highlighted that the manufacturer should be considered as responsible for the design of the measuring instrument. It was pointed out that the manufacturer did not necessarily produce the instruments.

Participants agreed to include definitions of “manufacturer”, “producer” and “applicant” in the next CD. European countries confirmed that clarification was needed since the same terms did not have the same meaning in the European Directive for Measuring Instruments (MID).

After these clarifications, participants agreed on the following changes to section 9. It was decided to remove 9.2 of the 1CD.

9.1 Revision of a Certificate

9.1.1 It may be necessary to revise an issued and registered Certificate for reasons such as:

- a) to correct an error made by the applicant or the OIML Issuing Authority; or
- b) to modify the Certificate upon request of its owner, in particular when the certified type has been modified.

In such cases, the OIML Issuing Authority shall amend the Certificate using the same reference number as for the initial Certificate, indicating in addition the revision number (Revision 1, Revision 2, etc. together with a statement explaining the reason for the amendment – See 9.1.2) and a new date, if appropriate. Depending on the efforts required and the reasons put forward for amending the Certificate, the OIML Issuing Authority may decide if the owner shall pay an additional fee or not for issuing the amended Certificate. A registration fee equal to that of the registration of an initial Certificate shall be required to be paid to the BIML for an amended Certificate.

9.1.2 At the beginning of the revised Certificate, a statement shall indicate that the Certificate replaces the previous version(s) and summarize the reason(s) for the revision.

The revised Certificate shall indicate references to all the Evaluation Reports that have been used to determine conformity, including those attached to previous version(s) where still valid.

9.1.3 When revising a Certificate, the OIML Issuing Authority is responsible for determining any tests and examinations to be performed on the modified instrument. See also 5.5.6.

9.1.4 In case a revised Certificate is issued to correct an error, the previous Certificate shall be deleted from the lists maintained by the BIML when the revised Certificate is registered.

9.2 Transfer of a Certificate

9.2.1 When the name or address of the applicant is requested to be changed by a new applicant, the new applicant shall apply to the original OIML Issuing Authority for the transfer of the Certificate provided that the new applicant is also in possession of all of the technical documentation as defined in 5.1.2, and of the existing OIML Evaluation Report.

The OIML Issuing Authority should make any necessary inquiry to ensure the validity of the transfer.

9.2.2 The necessary fee for the transfer of ownership will be decided on by the OIML Issuing Authority.

9.2.3 The transferred Certificate will be transmitted to the BIML for registration and the latter will charge the applicable fee.

9.3 Issuing Additional Certificates

9.3.1 A new applicant may apply to the original Issuing Authority to issue an Additional Certificate to the one previously issued to the original applicant provided that the new applicant is also in possession of all of the technical documentation as defined in 5.1.2, and of the existing OIML Evaluation Report.

The OIML Issuing Authority should make any necessary inquiry to ensure the validity of the application.

9.3.2 The appropriate fee for issuing the Additional Certificate will be decided on by the OIML Issuing Authority.

9.3.3 The Additional Certificate will be transmitted to the BIML for registration and the latter will charge the applicable fee.

9.4 Revision of an OIML Recommendation

9.4.1 After revision of the relevant Recommendation for a given category of measuring instrument(s) for which Certificates may be issued, the owner of a Certificate issued on the basis of the previous edition of the relevant OIML Recommendation may apply for a new Certificate on the basis of the revised OIML Recommendation.

9.4.2 When reviewing the application, the OIML Issuing Authority is responsible for determining, depending on the modifications implemented in the revised Recommendation, whether the type complies with the revised Recommendation and, if applicable, defining the additional tests and examinations to be performed.

9.4.3 Upon successful completion of any additional tests and examinations, a new Certificate shall be issued to the applicant by the relevant OIML Issuing Authority. The registration by the BIML is performed according to 6.

9.4.4 After the publication date of a revised Recommendation, a transition period of two years is established during which it is possible to apply for a Certificate that may be issued based on the previous Recommendation. No other Certificates based on a Recommendation that has been replaced by a revised edition may be issued after this transition period.

11 Revision of OIML B 3: period of validity of OIML Certificates

Mrs. Gaucher requested participants to give their point of view about specifying a period of validity for OIML Certificates, as is often the case for national or regional type approvals (e.g. 10 years). Consequently applicants, if appropriate, should request renewal of Certificates.

Participants decided to retain the current situation and not specify any period of validity.

12 Fees for registration

Mrs. Gaucher reiterated the BIML procedure for registering OIML Certificates: she indicated that they are registered as soon as they are received and that invoices are established when Certificates are registered. It was pointed out that such a procedure repeatedly led to difficulties in receiving the payment for registration.

Participants concluded that such difficulties could not be solved by any requirement in OIML B 3 and that it was the BIML's responsibility to define the most appropriate internal procedure.

13 Revision of OIML B 3: transition period

This issue was discussed on the basis of section 9.5.4 of the 1CD of the revision of OIML B 3 and concerned a transition period during which it might be possible to apply for Certificates based either on the revised OIML Recommendation or on the previous edition (after the publication date of a revised Recommendation).

It was pointed out by participants that the "publication date" of an OIML Recommendation was neither defined nor recorded. Only the edition is available and recorded on the OIML web site. Mrs. Gaucher suggested that the "publication date" should be the date on which the OIML Recommendation is made available on the OIML web site. It was felt that the BIML should make this information available on the Publications page of the site.

It was also pointed out that countries might decide to keep their national regulation on the basis of a previous edition. Consequently, a transition period could be detrimental to them.

Therefore, participants agreed that a transition period might not be appropriate and suggested submitting the following two resolutions to the CIML for approval at its 43rd CIML Meeting in October 2008 in order to improve the operating rules of the System and not delay the applicability of the Certificate System to new or revised OIML Recommendations (revision of 6.6.1 of OIML B 3: 2003).

Resolution 2008/01

A Draft OIML Publication (e.g. FR, FD, FB) approved by the CIML shall be available on the OIML web site immediately after the CIML approval, for reference purposes and in order to permit preparation.

However since the Draft could be changed before Publication, it is not permitted to issue an OIML Basic Certificate based on the Draft.

The official date on which an OIML Basic Certificate can be issued is the date on which the OIML Publication appears on the OIML web site. This date shall be recorded in the table of Publications available on the OIML web site.

Resolution 2008/02

As soon as the three parts of an OIML Recommendation are published, the relevant OIML Recommendation is automatically included in the OIML Basic Certificate System. The BIML will publish the appropriate information on the web site.

If a revised version of the OIML Recommendation is published, the earlier version is maintained in the OIML Basic Certificate System, together with the revised version.

A comparison document between the two versions, drawn up by the appropriate TC/SC Secretariat, is no longer required.

14 Revision of OIML B 10-1: Evaluation of Issuing Participants in a DoMC on the basis of ISO/IEC Guide 65

This issue was discussed on the basis of the OIML TC 3/SC 5 WD 2008/1.

Several participants recalled that the MAA concerned test results and not evaluation conclusions. Consequently, they suggested that no additional requirement to those already defined in OIML B 3 (see 4 above), should be defined.

Consequently, participants decided to delete references to ISO/IEC Guide 65 in the revision of OIML B 10-1.

15 Revision of OIML B 10-2: proposal for deleting

This issue was discussed on the basis of the OIML TC 3/SC 5 WD 2008/2.

Mrs. Gaucher reminded participants that the goal of the checklists was to provide guidance for conducting and recording the results of assessments of the competence of OIML Issuing Authorities and Testing Laboratories which participated in Declarations of Mutual Confidence (DoMCs).

These checklists were based on ISO/IEC Guide 65 requirements for OIML Issuing Authorities (section 3) and on ISO/IEC 17025 requirements for Testing Laboratories (section 4).

When starting the implementation of the OIML MAA, these checklists were very helpful for OIML Issuing Authorities and their subcontracting Testing Laboratories to prepare their application files.

In the meantime OIML TC 3/SC 5 has developed two OIML Documents:

- Project p4: Guide for the application of ISO/IEC 17025 to the assessment of Testing Laboratories involved in legal metrology testing; and
- Project p5: Guide for the application of ISO/IEC Guide 65 to assessment of measuring instrument certification bodies in legal metrology.

In addition, the OIML has reinforced its cooperation with ILAC in order to increase consistency in the evaluation of Testing Laboratories within the MAA implementation. The goal was to guarantee the equivalency of assessments by accreditation and peer assessments. The two above OIML Documents, developed with the support of ILAC, were intended to achieve this objective.

Mrs. Gaucher pointed out that in the meantime, the 2 CDs of projects p4 and p5 had already received a good consensus within OIML TC 3/SC 5 and that it was expected that this meeting would result in the required votes being cast to upgrade these projects to the status of “Draft OIML Documents” with a view to submitting them to the CIML for approval at its 43rd Meeting in October 2008.

Consequently, it was suggested to withdraw the checklists and to request Testing Laboratories to use ISO/IEC 17025 and the appropriate OIML Documents D XX above to conduct and record the results of assessments.

The proposal to delete OIML B 10-2 was accepted.

In addition, participants agreed on the principle to develop an “assessment material set” in particular to assist assessors responsible for evaluating Testing Laboratories. Such an assessment material set would be developed independently of the OIML B 10 revision and could include:

- Assessment formats which would compile the text of the Standards (ISO/IEC Guide 65 and ISO/IEC 17025) and the text of the two OIML Documents related to the application of these Standards to legal metrology;
- An assessment report format;
- An assessment agenda format;
- General guidance on the use of these various formats;
- etc.

Mrs. Gaucher highlighted the fact that some of these formats and guidance documents had already been developed to start the MAA implementation (assessment report format, assessment agenda format, OIML MAA 03 *The peer assessment process*, OIML MAA 04 *Guidelines for filling in the Peer Assessment Report*, OIML MAA 05 *Memo for Peer Assessment closure session*) and could be appropriately revised taking into account experience and be included in such an “assessment material set”.

16 Revision of OIML B 10-1: operating rules of the CPRs

This issue was discussed on the basis of the OIML TC 3/SC 5 WD 2008/3.

Participants concluded that:

- It was unnecessary to set up a horizontal CPR;
- One CPR per DoMC should be kept except in the case of closely related fields (e.g. R 60/R 76);
- In the event that there is more than one Participant (either Issuing or Utilizing) per country in a DoMC, each Participant might be represented in the relevant CPR;
- The rules defined in section 5 of OIML MAA 01 should be maintained for CPR decisions. They would be included in the revision of OIML B 10-1.

17 Revision of OIML B 10-1: keeping the alternative means for evaluating conformity of Testing Laboratories to ISO/IEC 17025 (i.e. accreditation and peer assessment)

This issue was discussed on the basis of the OIML TC 3/SC 5 WD 2008/4.

Participants agreed that the evaluation of the competence of Testing Laboratories through accreditation should be encouraged. Nevertheless, the alternative to use peer assessment should be kept.

Participants concluded that the revision of OIML B 10-1 should keep the alternative. In addition, they suggested requesting the Issuing Participant to be responsible for the organization of the peer assessment and specifying this requirement in the revised Publication. This process should be easier since lists of lead assessors and technical and metrological experts were drawn up and are available on the OIML web site.

18 Revision of OIML B 10-1: modification of an OIML Certificate (issued outside the MAA) by an Issuing Participant in a DoMC

Mrs. Gaucher reminded the participants that as soon as an OIML Issuing Authority became an Issuing Participant in a DoMC, it should issue OIML MAA Certificates only for the relevant category.

She also pointed out that manufacturers could apply to an Issuing Participant for a revised Certificate which was issued under the OIML Basic Certificate System, without requesting an MAA Certificate and that the current requirement could penalize both the Issuing Participant and the manufacturer.

Consequently, participants suggested the following compromise which would be a resolution to be submitted for CIML approval at its 43rd Meeting.

Resolution 2008/03

When an applicant requests a revision of an OIML Basic Certificate based on the same version of the OIML Recommendation, which has been subsequently covered by the MAA, the revised OIML Basic Certificate may be issued by the original OIML Issuing Authority even it is not an Issuing Participant in the relevant DoMC, or by an Issuing Participant in the DoMC.

If a new Certificate is applied for, based on a revision of the OIML Recommendation, then an OIML Basic Certificate cannot be issued anymore. Rather, an OIML MAA Certificate shall be issued. Therefore the application can only be made to an Issuing Participant in the relevant DoMC.

19 Revision of OIML B 10-1: taking into account test results from manufacturers within a DoMC

This issue was discussed on the basis of the OIML TC 3/SC 5 WD 2008/5.

After intensive discussions, participants decided that results of tests performed by manufacturers should not be taken into account to issue any OIML MAA Evaluation Reports.

Nevertheless, participants agreed on the following resolution to be submitted to the CIML for approval at its 43rd Meeting in October 2008. This proposal should also contribute to revising the resolution adopted at the 41st CIML Meeting concerning the transitory period during which both systems (the OIML Basic Certificate System and the MAA) could be kept in parallel.

Resolution 2008/04

The OIML Basic Certificate System and the OIML MAA are maintained in parallel for categories under the MAA until the CIML decides to stop the implementation of the OIML Basic Certificate System. The proposal to stop the OIML Basic Certificate System shall be examined, as appropriate, by the CIML independently for each category covered by the MAA. It is anticipated that a two-year period would be allowed before the Resolution to stop the OIML Basic Certificate System for the relevant category becomes effective.

Discussions on the acceptance of manufacturers' test results are still ongoing within OIML TC 3/SC 5. For the time being, regardless of the outcome of the above CIML Resolution, Issuing Participants shall not issue OIML MAA Certificates in the event that results of tests outside the scope of the DoMCs are taken into account (e.g. test results from manufacturers) in the Evaluation Reports. In this case an OIML Basic Certificate may still be issued.

Note: Proponents of acceptance of manufacturers' test results will provide an explanation on conditions which could be requested to include manufacturers' test results in the implementation of the MAA and an example, to be submitted for CPR examination at the next CPR Meeting (possibly a combined R 60 CPR/R 76 CPR/R 49 CPR Meeting).

20 Revision of OIML B 10-1: designation of a new OIML Issuing Authority for categories under a DoMC

This issue was discussed on the basis of the OIML TC 3/SC 5 WD 2008/6.

Participants concluded that as soon as a category was covered by a DoMC, any new Issuing Authority to be appointed for the relevant category should apply to be an Issuing Participant in the DoMC.

21 OIML TC 3/SC 5 project p4: Guide for the application of ISO/IEC 17025 to the assessment of Testing Laboratories involved in legal metrology

Mrs. Gaucher reminded participants that very few comments had been received on the 2CD and that it would be easy to take most of them into account when drawing up the Draft Document. However, one vote from TC 3/SC 5 P-Members was missing before the Draft Document could be drawn up and she indicated that she would take the opportunity of the meeting to obtain the missing vote.

Consequently, a voting session was organized, the results of which were the following. The table below includes all the votes, including those already received by correspondence.

P-Members that responded	Votes
Australia	Yes
Austria	Yes
Belgium	Yes
Brazil	Yes
Canada	Yes
Czech Republic	Yes
Denmark	Yes
Finland	Yes
France	Yes
Germany	Yes
Japan	Yes
The Netherlands	Yes
Norway	Yes
Poland	Yes
Romania	Yes
Russian Federation	Yes
South Africa	Yes
Spain	Yes
Sweden	Abstention
Switzerland	Yes
United Kingdom	Yes
United States	Yes

Twenty-one “yes” votes were received, which is more than 2/3 of P-Members (18). Consequently, Mrs. Gaucher indicated that the Draft Document will be drawn up and posted on the OIML web site for a CIML preliminary online ballot and thereafter submitted to the CIML for approval at its 43rd Meeting.

22 OIML TC 3/SC 5 project p5: Guide for the application of ISO/IEC Guide 65 to assessment of measuring instrument certification bodies in legal metrology

Mrs. Gaucher reminded participants that very few comments had been received on the 2CD and that it would be easy to take most of them into account when drawing up the Draft Document but that 8 votes from TC 3/SC 5 P-Members were missing before the Draft Document could be drawn up and she indicated that she would take the opportunity of the meeting to obtain the missing votes.

Despite the decisions taken on implementing ISO/IEC Guide 65 in the OIML Basic Certificate System and in the MAA (see 4 and 14 above), the participants agreed to go on with this project which could be helpful to National Authorities, in particular to those which would request accreditation of Type Approval Bodies.

Consequently, a voting session was organized, the results of which were the following. The table below includes all the votes, including those already received by correspondence.

P-Members that responded	Votes
Australia	Yes
Austria	Yes
Belgium	Yes
Brazil	Yes
Canada	Abstention
Czech Republic	Yes
Denmark	Yes
France	Yes
Germany	Yes
Japan	Yes
The Netherlands	Yes
Norway	Yes
Poland	Yes
Romania	Yes
Russian Federation	Yes
South Africa	Yes
Spain	Abstention
Sweden	Yes
Switzerland	Yes
United Kingdom	Yes
United States	Yes

Eighteen “yes” votes were received, which is equal to 2/3 of P-Members (18). Consequently, Mrs. Gaucher indicated that the Draft Document will be drawn up and posted on the OIML web site for a CIML preliminary online ballot and thereafter submitted to the CIML for approval at its 43rd Meeting.

23 OIML TC 3/SC 5 project p2: uncertainties

This issue was discussed on the basis of the OIML TC 3/SC 5 WD 2008/7 prepared by Dr. Charles Ehrlich.

The intensive discussions at the meeting led to the following feedback from TC 3/SC 5 Members who reported that:

- Incorporating measurement uncertainty had already been done for a long time in legal metrology, but not always in a ‘correct’ way; it had just not been called that;
- Incorporation of measurement uncertainty could be done differently for different applications (e.g. type evaluation versus verification);
- The ‘Examples’ would be the most important part of the OIML Uncertainty Document;
- A ‘textbook’ should be written (that is, elaborate on what had been presented at the meeting in an explanatory text in the OIML Uncertainty Document);
- Distinction should be made between incorporating measurement uncertainty for consumer measurements versus health, safety and ‘public behavior’ (e.g. radar, breathalyzer) measurements. Appropriate coverage factors should be suggested for various measurement applications;
- The OIML Uncertainty Document should be kept as simple as possible, with the understanding that measurement uncertainty is complicated but must be taken into account;
- The costs associated with incorporating measurement uncertainty into conformity assessment decisions should be kept in mind (provide recent literature references);
- OIML Recommendations should identify sources/components of measurement uncertainty and should specify targets (MPUs) for each, whenever possible;
- It should be defined whether the ‘shared risk’ philosophy should be endorsed for all/most applications;
- The OIML Document should refer to existing documents as far as possible in order to avoid duplicating what already exists;
- How to interpret and apply ISO/IEC 17025, Clauses 5.4.6.2 and 5.4.6.3, as far as possible, should be discussed;
- The target audience of the OIML Uncertainty Document should be the OIML Secretariats and TC/SC members. However, the Document could also be used to provide guidance in developing national legislation involving measurement;
- A variety of options that TC/SC Secretariats can choose from but which do not specify particular values (“think about this, think about that ...”) should be provided;
- It should be considered whether influence factor and disturbance tests would require special treatment concerning measurement uncertainty;
- Every case was different, and the Document should leave the experts in each category to provide details;
- The issue related to how much effort should go into evaluating measurement uncertainty (say, for type evaluation) when there is a lot of variability in ‘production’ instruments, should be discussed;

- The issue of specifying test conditions (e.g. reference conditions, rated operating conditions) when considering measurement uncertainty should be discussed. It was suggested to specify tests in OIML Recommendations that would correspond to ‘real-life’ operating conditions of measuring instruments;
- ‘Scientifically sound’ text/terminology should be provided to be cut and pasted into Recommendations for specified applications.

To conclude on this issue, every Member was requested to send examples and references to be included in the OIML Uncertainty Document to Chuck Ehrlich (chuck@nist.gov) by June 16, 2008.

Some references were already highlighted at the meeting:

- www.ukas.com (Lab 12 and Lab 34);
- ILAC Guide;
- European Document on NAWIs.

Additional specific requests were made (to be provided possibly by June 27, 2008):

- Gep Engler and Régine Gaucher to write a clause on considering measurement uncertainty in influence factor and disturbance tests;
- Horst Roetteken and Wolfgang Mikovits to write a clause on minimum considerations of measurement uncertainty to meet ISO/IEC 17025 requirements;
- Chris Davies to write a clause on how to take ‘production meets type’ considerations into account when establishing guidance on incorporating measurement uncertainty into the OIML Uncertainty Document.

24 Closing session

Mrs. Gaucher presented the next step for the revision of OIML B 3 and OIML B 10-1. She indicated that a 2CD would be drawn up for the revision of OIML B 3 and a 1CD for the revision of OIML B 10-1. These CDs should be ready by the end of 2008 and circulated within TC 3/SC 5 for comments during a three-month consultation period (March 2009).

She reiterated that these CDs would be drawn up on the basis of the conclusions of the meeting and on the basis of the decisions of the CIML on the four resolutions that TC 3/SC 5 suggested submitting for CIML approval.

25 Additional information from the Co-Secretariat (after the meeting)

After the meeting, the TC 3/SC 5 Co-Secretariat reviewed the resolutions when drawing the Working Documents for the 43rd CIML Meeting and decided to slightly modify them for purposes of clarification.

The final wording of the four resolutions to be submitted for CIML approval is given in Annex 2.

ANNEX 1

PARTICIPANTS IN OIML TC 3/SC 5 MEETING

Country	Delegates
P-Members	
Australia	Mr. Chris Davies
Austria	Mr. Wolfgang Mikovits
Belgium	Mr. Frans Deleu
Canada	Mr. Michel Maranda
Czech Republic	Mr. Pavel Klenosvsky
Denmark	Mr. Claudi Johansen
	Mr. Michael Moller Nielsen
France	Mr. Roger Flandrin
Germany	Dr. Roman Schwartz
Japan	Mr. Kazuo NEDA
	Mr. Tohru KOJIMA
Netherlands	Mr. Gep Engler
	Mr. Pieter van Breugel
Romania	Mr. Scurtu Florin
South Africa	Mr. Jaco Marneweck
Spain	Ms. Belén Martín Blasco
Sweden	Ms. Agneta Ebbesson
Switzerland	Dr. Philippe Richard
United Kingdom	Mr. John Goulding
United States and OIML TC 3/SC 5 Co-Secretariat	Dr. Charles Ehrlich
O-Members	
Serbia	Dr. Zoran M. Markovic
Liaisons	
CECIP	Mr. Martin Stoll
	Mr. Horst Rötteken
METLER TOLEDO INT.	Mr. Darrell Flocken
BIML	
OIML TC 3/SC 5 Co-Secretariat	Mrs. Régine Gaucher
Meeting secretary	Mr. Samuel Just
BIML Liaison Officer with JCGM	Mr. Willem Kool

ANNEX 2

REVISED WORDING OF THE RESOLUTIONS

Resolution 2008/01

A Draft OIML Publication (e.g. FDR, FDD, FDB) approved by the CIML shall be available on the OIML web site immediately after the CIML approval, for reference purposes and in order for manufacturers and OIML Issuing Authorities to begin preparing for issuing Certificates in the future.

However since the Draft could be changed before Publication, it is not permitted to issue an OIML Basic Certificate based on the Draft.

The official date on which an OIML Basic Certificate can be issued is the date on which the OIML Publication appears on the OIML web site. This date shall be recorded in the table of Publications available on the OIML web site. See note 2 below for the OIML MAA.

Note 1:

FDR: Final Draft Recommendation

FDD: Final Draft Document

FDB: Final Draft Basic Publication

Note 2:

The date on which an OIML MAA Certificate can be issued is specified in the corresponding DoMC.

Resolution 2008/02

As soon as the three parts of an OIML Recommendation are published, the relevant OIML Recommendation is automatically included in the OIML Basic Certificate System. The BIML will publish the appropriate information on the web site.

If a new version of the OIML Recommendation is published, the earlier version is maintained in the OIML Basic Certificate System or in the relevant OIML DoMC, together with the new version.

A comparison document between the two versions, drawn up by the appropriate TC/SC Secretariat, is no longer required.

Note:

The last part of the Resolution suggests withdrawing the requirement defined in 6.6.1 of OIML B 3: 2003. OIML TC 3/SC 5 considers that OIML Issuing Authorities are competent to define whether an instrument which complies with the previous edition of an OIML Recommendation also complies with the new version of the Recommendation, or if additional tests and examinations shall be conducted to issue the new OIML Certificate on the basis of the new edition of the OIML Recommendation. Drawing up a comparison document (under the responsibility of the TC/SC) to be confirmed by the CIML is not considered to be needed. In addition, it appears that such comparison documents were not always developed by the relevant TC/SC.

Resolution 2008/03

When an applicant requests a revision (see the Note below) of an OIML Basic Certificate based on the same version of the OIML Recommendation, which has been subsequently covered by the MAA, the revised OIML Basic Certificate may be issued by the original OIML Issuing Authority even it is not an Issuing Participant in the relevant DoMC, or by an Issuing Participant in the DoMC.

If a new Certificate is applied for, based on the new version of the OIML Recommendation, then an OIML Basic Certificate cannot be issued anymore. Rather, an OIML MAA Certificate shall be issued. Therefore the application can only be made to an Issuing Participant in the relevant DoMC.

Note:

A Certificate is considered to be a 'revision' when the basis for issuing the revised Certificate is the same edition of the Recommendation as was used when issuing the original Certificate. A Certificate is considered to be 'new' when the Certificate is issued on the basis of the new version of the Recommendation, even if some results of tests conducted when issuing the original Certificate are still valid and used for issuing the new Certificate.

Resolution 2008/04

The OIML Basic Certificate System and the OIML MAA are maintained in parallel for categories under the MAA until the CIML decides to stop the implementation of the OIML Basic Certificate System. The proposal to stop the OIML Basic Certificate System for a particular category shall be examined, as appropriate, by the CIML independently for each category covered by the MAA. It is anticipated that a two-year period (after the CIML decision) would be allowed before stopping the OIML Basic Certificate System for the relevant category.

Discussions on the acceptance of manufacturers' test results are still ongoing within OIML TC 3/SC 5. For the time being, Issuing Participants shall not issue OIML MAA Certificates in the event that results of tests outside the scope of the DoMCs are taken into account (e.g. test results from manufacturers) in the Evaluation Reports. In this case an OIML Basic Certificate may still be issued.

Note: Proponents of acceptance of manufacturers' test results will provide an explanation on conditions (in particular to guarantee that the acceptance of manufacturer's test data can be done in a fair manner for all manufacturers) which could be requested to include manufacturers' test results in the implementation of the MAA and an example, to be submitted for CPR examination at the next CPR Meeting (possibly a combined R 60 CPR/R 76 CPR/R 49 CPR Meeting).