

USNC Conformity Assessment Policy Coordination Committee DRAFT MINUTES

WebEx Teleconference Tuesday, 6 October 2020 10:00 AM – 2:30 PM (EDT) (Meeting #33)

Members Participating

Intertek
NIST
EAPC Wind Energy
NextEra Energy
ECIA
Phillips
ABB
ABB Power
Sunset Technology
FDA
NEMA
Intertek
Intel
Intertek
ECC Corp
UL
USNC/ANSI
FM Approvals
Star Associates International

Members Not Participating

Timothy Duffy – Vice-Chair Don Baker Ed Donahue Gabriel Alsenas Jonathan Colby Lane Hallenbeck Matthew Williams Paul Kelly

Guests Participating

Amy Marasco Angus Low Rockwell Automation Component Trends Mutual Cornell Environmental Florida Atlantic University Verdant Power ANSI AHAM UL

Microsoft Rockwell Automation

Brent Hartman Byron Horak David Osborn Hae Choe Ivan Jovanovic Joe Tretler Kevin Lippert	CSA America, Inc. Intertek Philips AAMI G&W Electric Co ANSI Eaton
Laura Lindsay	Microsoft
Megan Hayes	NEMA
Philip Piqueira	Underwriters Laboratories
Reinaldo Figueiredo	ANSI
Ron Borowski	Eaton
Scott Colburn	FDA
Sonya Bird	Underwriters Laboratories
Steven Rood	Legrand
Timothy Jeffries	Futurewei
Wallie Zoller	Rockwell Automation
William Fiske	Intertek
Zekarias Bekele	CSA America, Inc.
Adelana Gladstein	USNC/ANSI
Megan Pahl	USNC/ANSI

Section 1 – Welcome, Opening Remarks and Introductions

1.1 Welcome, Opening Remarks, Introductions

Ms. Joan Sterling, CAPCC Chair, called the meeting to order at 10:00 AM (EDT). She thanked all those in attendance and USNC staff for hosting the virtual meeting. Ms. Megan Pahl reviewed the WebEx guidelines for the call. Introductions were skipped given the condensed meeting timeframe and since the group had the ability to view the attendee list independently via the WebEx platform tools.

1.2 Approval of Draft Agenda

Ms. Sterling called for any comments on the Draft Agenda. CAPCC members did not have any comments on the Draft Agenda and approved it unanimously.

VOTE #1 To Approve the Agenda (USNC/CAPCC 266A) (This motion was approved unanimously)

1.2.1 Approval of Consent Agenda

(a) Approval of the Meeting Minutes –

Ms. Sterling called to approve the meeting minutes from the 5 May 2020 meeting held virtually via WebEx Events.

VOTE #2 To Approve the Minutes from the May 2020 CAPCC Meeting (USNC/CAPCC 265) (This motion approved unanimously)

Section 2 – Outstanding Action Items

Ms. Pahl reviewed USNC CAPCC Resolutions from the May 2020 meeting:

#2020-5-1 – USNC staff to distribute the emails received from the WG 8 Convenor to the USNC elabeling TF. **Status: Completed**

#2020-5-2 – Add potential NPAG and IPAG issue as standing CAPCC agenda items, distribute a list of NPAG and IPAG members to CAPCC, along with information about the nomination process for those interested in joining. Status: Completed

CAPCC members noted that names are missing from the list distributed.

#2020-5-3 – Include in CAPCC debrief to USNC Council: Honorary Lifetime Membership has been discussed and CAPCC plans to be more active in using this moving forward. Status: Completed

#2020-5-4 – USNC staff to reach out to Kristen Califra (ANSI staff) to identify the US ICAC member(s) working ISO/IEC 17030. **Status: Completed**

#2020-5-5 – CAPCC e-labeling TF will call a meeting before May 24. USNC staff will send a Doodle poll to the TF. **Status: Completed**

#2020-5-6 – USNC staff to follow up with IEC CO regarding the information collected in the triennial survey.

Status: Completed

Conformity assessment information starts on page 9 of C/2289A/INF. The document includes a robust analysis, however Ms. Sterling questions whether it accurately reflects a big picture view. This report gives insight as to what IEC Central Office wanted to project on the conformity assessment systems. The analysis in this report is not as detailed on the standards side. Ms. Sterling asks that CAPCC members please review this document if they have not yet done so.

#2020-5-7 – USNC/IECQ to file a request with USNC to waive USNC CA Systems fees. **Status: Completed**

This request resulted in a payment plan and the decision to drop USNC Premier Membership.

#2020-5-8 – USNC staff will inquire with IEC CO about CASCO Proposal to update Clause 33 of the ISO/IEC Directives Part 2. **Status: Completed**

#2020-5-9 – USNC staff to distribute ANSI comments on Mexico's NQI Law to CAPCC. Status: Completed

Section 3 – Conformity Assessment in ANSI

3.1 Conformity Assessment in ANSI

Mr. Tretler provided a verbal report and led a discussion on conformity assessment in ANSI. He opened with a review of the recruitment process for National Policy Advisory Group (NPAG) and International Policy Advisory Group (IPAG). The process for joining these groups is an annual solicitation of all ANSI members. Members are approved by the ExCo of the Board. During the year, ANSI will be approached by individuals who are interested in joining; these membership requests are reviewed and approved on an ad hoc basis. Updated NPAG and IPAG rosters will be shared shortly with CAPCC members.

Mr. Tretler spoke of a presentation that Mr. Joe Bhatia made to the ANSI Board of Directors in early June that focused on the future of conformity assessment at ANSI. During the meeting, Mr. Bhatia addressed conformity assessment for services versus conformity assessment for goods, and how the topic was treated at the World Trade Organization. Mr. Bhatia shared during the presentation that cybersecurity or artificial intelligence (AI), national or regional actions related to privacy, trust ethics and how countries address them, can all lead to market fragmentation, increased costs for manufacturers as regions and countries take different approaches.

A new joint task force (JTF) between IPAG and NPAG has been formed to address conformity assessment matters. The JTF's approach was discussed and presented to ANSI Board ExCo in late July. The scope of the new JTF is to discuss emerging conformity assessment related issues informed by the JTF's membership; to consider potential impact of standardization and technology environment; and to provide advice and recommendations to NPAG and IPAG. Membership will include individuals from industry, users of conformity assessment information, conformity assessment service providers, government, and others. An invite went out to NPAG and IPAG members to nominate individuals who have conformity assessment expertise, especially in conformity assessment policy activities, to serve on the JTF. ANSI recognizes that there are current ANSI members who are not on IPAG and NPAG, so this JTF membership will not be limited to PAG members. PAG members are invited to nominate individuals not on PAGs. The first JTF meeting is scheduled for Monday, 12 October 2020.

Ms. Sterling requested that the Joint Task Force roster be shared with CAPCC members. USNC staff will circulate the following rosters: corrected, current IPAG and NPAG rosters, and newly formed joint IPAG-NPAG task force on conformity assessment roster (ACTION ITEM #1).

A CAPCC member inquired about the duration of the Joint Task Force and rules around how to appoint the Joint Task Force Chair. Mr. Tretler responded that the rules for appointments for the Chair can be found in the PAG procedures; it is a joint appointment by Chairs of IPAG and NPAG. John Kulick (Siemens) was appointed as Chair of this Joint Task Force. There is no duration for the Joint Task Force at this time.

Ms. Sterling invited CAPCC members to reach out to her and USNC staff if they are interested in joining this Joint Task Force. Additionally, if CAPCC members have any specific items that they would like included in the Joint Task Force discussions, they should let her and USNC staff know. It was clear that this TF is not designed to discuss all issues surrounding CA policy and additional discussion was needed as to how to

address these additional areas.

3.2 ANSI International Conformity Assessment Committee (ICAC)

Mr. Paul Moliski provided a written report (USNC/CAPCC 281) and led a discussion on the ANSI ICAC.

ICAC has been active over the last few months, with several calls held during this time. ICAC is chaired by Keith Mowry (UL) and Warren Merkel (NIST).

A proposal was recently submitted to ICAC for consideration; ICAC reviewed this proposal and agreed to send it to ANSI ISO committee. ICAC proposes to send a letter to CASCO asking them to review their Multilateral Recognition Arrangement (MLA) with ILAC and IAF due to consistent activity that does not align or follow rules or commitments in the MLA between ISO, ILAC, and IAF. ILAC and IAF have been creating mandatory documents that overwrite standards used in the CASCO toolbox. This has been repetitive activity throughout. The proposal was approved by the ANSI ISO Committee. ANSI will discuss with ISO and request a review from CASCO.

A second item ICAC has been working on is the status of ISO/IEC 17030 – "Conformity assessment – General requirements for third party marks of conformity". This document is currently in the committee draft (CD) review stage. This is out for ICAC ballot right now. ICAC would like to request that the NWIP be revised to include a wider scope than what was originally put forth in the NWIP to revise 17030. This widened scope would include first, second, in addition to the third party mark of conformity. As it is in the CD stage, we will have to wait to see what CASCO will do with the ICAC request.

CAPCC members discussed whether a new CASCO Secretariat has been identified as a result of Mr. Sean MacCurtain's impending retirement; and if so, how the US should work to network with the new Secretariat to ensure the relationship starts off on the right foot. A CAPCC member has heard through word-of-mouth that CASCO is currently looking for a replacement. It is possible that Mr. Laurent Charlet would be considered for this position. No official information has been released on this topic. As for building a relationship with the new CASCO Secretariat, once announced, CAPCC members noted that we are fortunate to have Reinaldo Figueiredo as the Chair of CASCO, and that the US should initiate a positive relationship through Mr. Figueiredo. Mr. Moliski will update CAPCC as new information is released.

<u>Section 4 – USNC CAPCC Subcommittee on the USNC Conformity Assessment Mirror Committee</u> <u>Operating Procedures</u>

Mr. Steve Margis provided a verbal report on the activities of the CAPCC subcommittee starting with a thank you to all of the members of the subcommittee for their hard work and efforts.

The subcommittee is introducing honorary life membership to the USNC Conformity Assessment Operating Procedures (CA-01). The ballot for this passed in August and the subcommittee is in the process of finalizing this addition. USNC staff will make an editorial change to Clause 10 of CA-01: Honorary Life Membership (ACTION ITEM #2). It was noted that quorum was not easily reached; members should be actively participating in ballots.

With the launch of the new ANSI website, the USNC/IEC toolbox location has changed and has also been renamed to "<u>USNC/IEC Resources</u>." The USNC operating procedures can be found in the resource section. You can view the new <u>USNC webpage here</u>.

Section 5 – Status Report on the USNC CAPCC Regulatory Labeling Working Group

Mr. Richard McDermott provided a written report (**ATTACHMENT A**) on the USNC CAPCC Regulatory Labeling Working Group. WG 8 has good US representation with Mr. McDermott, Mr. Paul Green and Mr. Joel Solis in the group. The USNC CAPCC Regulatory Labeling WG continues to maintain focus of publication for ISO/IEC 22603 Part 1 (**ATTACHMENT B**) and ISO/IEC 22603 Part 2 (**ATTACHMENT C**). In April, ISO/IEC JTC1-SC31-WG 8 issued a call for comment with an 8-week period, with a closing date in June. Comments were submitted by Germany, Japan and the Russian Federation. In a subsequent SC 31 meeting, these comments were all discussed and resolved.

ISO/IEC JTC1-SC31-WG 8 successfully voted in September, with 90% approval in an internal ballot, to move ISO/IEC 22603 Part 1 into enquiry stage (DIS). The title is: "Information Technology – Digital representation of product information – Part 1: General requirements". Similarly, for ISO/IEC 22603 Part 2 had a title change from: "Requirements for Electronic Devices" to "Requirements for Electronic Devices with Integral Display." ISO/IEC 22603 Part 2 was voted on with unanimous approval in an internal ballot to move into enquiry draft stage. Mr. McDermott recommends that CAPCC members read DIS copies of ISO/IEC 22603 Part 1 and Part 2.

The scope of ISO/IEC 22603 Part 1 says: "Electronic Product labeling could be applicable to any type of product. The scope of this standard (Part 1) addresses the general requirements which would be applicable to all types of product regardless of industry." Falling under this scope, Mr. McDermott shared that there is a continued interest on e-seal for hemp sampling, geotagging individual plants, and e-Seals with Kentucky Thoroughbred Racing Association. The USDA sees significant benefits to e-Chain-of-Custody because of previous litigation losses. A recent 1-year push-back of launch dates, has delayed pilots with 5 labs in 16 States, though these are expected by this time next year.

Since it was at the approval stage (FDIS), other countries have been making references to e-labeling schemes. Trade associations have submitted comments on the changes and referencing this standard during their transformation. There is some activity in Germany that seems to be developing in the same vein, "electronic labels." A note has been sent to Germany in attempt to establish coordination and reconcile models as their activity looks similar to ISO/IEC 22603.

A closing note was made that it is believed that Gary Schrempp may have retired.

Section 6 – ISO Committee on Conformity Assessment (CASCO)

ISO CASCO Chair, Reinaldo Figueiredo, provided verbal updates on issues surrounding CASCO.

The CASCO plenary meeting will take place virtually on 25-29 January 2021. Any decisions will need to be taken via electronic ballot. There will also be technical interface group meetings during that week. The strategic alliance and regulatory group will meet on 26 January 2021 from 12-3 p.m. Geneva time. This group is working hard and will have developed brochures and documents by the end of the month.

Mr. Figueiredo provided an update on other CASCO activities, beginning with the CASCO Toolbox Group, which was created last December. Due to the importance of the terms of reference of the task

force under the CASCO Centralized Traffic Control System (CTC), it was requested that ISO CASCO advise national committees to nominate members to participate in this task force. 41 nominations were received, however only 2 nominations per country will be accepted. The new additions will provide more representation in the group moving forward. The results and outcomes of this task force will be discussed at the CASCO plenary.

An update on various workings groups was given. WG 56 Code of good practice held a meeting in September and have a committee draft (CD) for discussions. WG 57 proficient testing also held a meeting in September. WG 57 is working on a more controversial document, though they will likely have a CD at the next meeting. ISO/IEC 17021 – "Conformity assessment – Requirements for bodies providing audit and certification of management systems" was circulated for vote which resulted in confirmation of the standard for five more years. WG 55 is working on third party marks of conformity, they circulated a CD to all ISO CASCO members for comment. The next meeting will be held on 3-6 November 2020.

CASCO has had several conference calls with different National Mirror Committees. The last one they had was with Asia; participation was high for this call. The objective of these calls is to bring more suggestions and new ideas from our members.

CASCO is also working on revisions of their structure, with a main focus being how to retain members. Further discussion on the structure will take place at the CTC, a small plenary-like meeting for CASCO.

ISO is in the last stage to select the person who is going to replace Mr. Sean MacCurtain. This will likely happen at the end of January, after the plenary. Ms. Sterling asked Mr. Figueiredo to speak further to Mr. MacCurtain's departure. Mr. Figueiredo noted that he is not participating in that Chair selection process since he is not employed by ISO. He does not have information on who applied for Mr. MacCurtain's position.

All ISO CASCO work remains virtual.

Section 7 – Reports on the Conformity Assessment Systems

7.1 IECRE and USNC/IECRE

Mr. Bob Sherwin reported on the activities of the IECRE and the USNC/IECRE (USNC/CAPCC 280).

The last USNC/IECRE meeting in July had high attendance. At this meeting, the group discussed the suggestion from Denmark to change the IECRE structure from Operational Management Committees (OMCs) to Sector Working Groups (SWGs). US voted against it with comments. Additionally, the US reserved its place to host the next face-to-face Renewable Energy Management Committee (REMC) meeting when travel resumes. The meeting concluded with a review of the current financial status and planning for 2021 budget. The US is on schedule to host the sector WG for wind and TC 88 in May 2021. This may be virtual or in person.

The US continues to hold good leadership roles in the IECRE. Most dues have been collected for the year; however, one large account is overdue.

7.2 IECEE and USNC/IECEE

Mr. Steve Margis provided a written report (USNC/CAPCC 283) on the activities of the IECEE and the USNC/IECEE, beginning with an overview of officers. Mr. Tim Duffy remains as the USNC/IECEE Chair. Mr. Paul Moliski and Mr. Margis serve as Vice Chairs. Mr. Paul Green is Treasurer. There are 26 members at this time (2 are non-voting). There is a good balance of stakeholder groups, however there are currently no users in the group.

Mr. Margis was elected to be the new IECEE Chair in 2022, pending a final decision by CAB. The CAB decision is expected at the November 2020 meeting and the formal endorsement will happen in June 2021. He will be Chair-Elect next year, therefore as of December 31, Mr. Margis will step down as USNC/IECEE Vice-Chair to avoid impartiality issues. He will remain an active participant of the USNC group without holding a leadership role to avoid conflict of interest.

The 2020 dues have been paid to IECEE and USNC. There is a contingency fund that could cover a year of USNC and IECEE funding in an emergency. The USNC/IECEE has funds remaining from the planned Certification Management Committee (CMC) meeting they were slated to host in June. This meeting was moved to a virtual format. They are now reassessing how to use these funds. They hope to host a meeting, and will continue to monitor the situation.

The next meeting is scheduled for March 2021.

7.3 IECEx and USNC/IECEx

Mr. Scott Kiddle reported on the activities of the IECEx and the USNC/IECEx (USNC/CAPCC 279).

The last meeting was held virtually in August. Between the April and August meetings, there was a change in USNC/IECEx officers. Mr. Kiddle serves as Chair with Ms. Katy Holdredge and Mr. Kevin Wolf serving as Vice-Chairs. A portion of this meeting was used to help prepare the US Delegates for the 2020 IECEx annual meeting, which was held at the end of September. Mr. Kiddle noted much of the IECEx attention is focused on the IECEx Conformity Mark Licensing System.

The USNC/IECEx plans to host the 2022 IECEx and TC 31 meetings in San Francisco.

7.4 IECQ and USNC/IECQ

Mr. Richard McDermott provided a written report on the activities of the IECQ and the USNC/IECQ (ATTACHMENT D).

The last virtual meeting of this group was conducted in mid-August hosted by ECCC. Discussion was centered around the current and future financial status and the prospects of meeting all the obligations by year-end. The majority of our certification bodies have been adversely effected by COVID-19 and are paying invoices late. Mr. McDermott is concerned certification bodies may switch member bodies if ECCC pursues collection too hard. The average age on invoices is 64 days.

Ms. Sterling asked if the information shared thus far is ECCC information, not IECQ information. Mr. McDermott responded that ECCC and IECQ are essentially the same

organization. IECQ has no revenue; it gets its funding from ECCC. Ms. Sterling noted that members should be supporting participation not the Secretariat; this will be further discussed at a later date.

Mr. McDermott continued with his update, assuring that ECCC has worked out a payment plan with USNC and ANSI. He reviewed USNC/IECEQ's participation in the USNC R&P Committee and USNC CAPCC Regulatory Labeling Working Group. Additionally, the US has members in the following IECEQ groups: WG 4 Avionics, WG 5 HSPM, WG 6 Counterfeit Avoidance, WG 7 Training, WG 10 Nuclear, and WG 14 Fuel Cells.

Mr. Zertuche commented on the language included on page one of the report. USNC IECQ is not an industry advisory group of the ECCC. ECCC does not own the USNC IECQ. That is not the MoA that was signed with ANSI. ECCC needs to abide by the MoA signed with ANSI. Mr. McDermott acknowledged the error and agreed to change the language. The USNC CAPCC Chair and Vice-Chair, along with USNC staff will review the wording used by ECCC in relation to their role as Secretariat for USNC/IECQ (ACTION ITEM #3).

Section 8 - Status Report on US Government Activities Related to Conformity Assessment

8.1 NIST Update

Ms. Amy Phelps provided an update on NIST activities related to conformity assessment. On 29 September 2020, NIST published the final version of 15 Code of Federal Regulations (CFR) Part 287 – Guidance on Federal Conformity Assessment Activities. Section 12 of the National Technology Transfer and Advancement Act (NTTAA) of 1995 directs NIST to "coordinate technical standards activities and conformity assessment activities of Federal, State, and local governments with private sector technical standards activities and conformity assessment activities, with the goal of eliminating unnecessary duplication and complexity in the development and promulgation of conformity assessment requirements and measures". The guidance outlines what federal agencies responsibilities are in terms of conformity assessment to meet their agency requirements. NIST has revised this guidance to reflect development in conformity assessment concepts and evolution in Federal agency strategies and coordination in using and relying on conformity assessment. This guidance applies to all agencies that manage, operate, or use conformity assessment.

The main changes between the proposed rule and final rule include: updated terminology and definitions and clarifications around the roles of NIST, interagency committee for standards policy (ICSP), and federal agencies in standards development.

8.2 FDA Update

Ms. Phelps and Mr. Scott Colburn provided a report on the FDA Accreditation Scheme for Conformity Assessment (ASCA) Pilot Program (**ATTACHMENT E**). The final guidance documents were published on 25 September, which included ASCA Pilot Program guidance, Basic Safety and Essential Performance standards-specific guidance, and Biocompatibility standards-specific guidance. CAPCC members are encouraged to review the ASCA website and ASCA guidance documents. There will also be a webinar on the guidance documents on 22 October, which is open to all stakeholders.

There are two other upcoming ASCA activities. First, a training for accreditation bodies on 29-30 October and 2-3 November. The next is a question and answer session for testing laboratories on 16 November and 23 November.

A CAPCC member shared that industry helped fund this ASCA initiative. Medical Device User Fee Amendments (MDUFA) negotiations for next round will occur in January 2021, and public meetings are coming up soon. It will be very important that the overall value and effectiveness of this program is made evident at these meetings.

8.3 International Trade Agreements

Ms. Sterling updated the CAPCC on international trade agreements and their impacts on the work of the CAPCC. Many negotiations have come to a stalling point. The US-EU discussion on conformity assessment are stuck. What has progressed is Mexico's new law; they are in the process of rolling it out and clarifying the details. It is hard to tell how the implementation will go moving forward, but the US would be wise to keep an eye on this.

The US-Brazil meeting took place recently. Brazil is looking to reform their conformity assessment systems. Brazil is very hesitant in participating in IEC systems and schemes. There may be a misunderstanding at a government and IEC member body level on how conformity assessment schemes work. Brazil may lack understanding of how participating in the schemes would help manufacturers gain market access.

A CAPCC member shared their experience on a recent call with Canada regarding the CETA agreement between the EU and Canada. On this call, Canada said they had a commitment from the EU that legislation was to be proposed this year for fixing the implementation issue related to CA in CETA. The proposal for new legislation was not even drafted this year; it could have never made it to the Commission for consideration. Canada is very upset about this and has been working with the CABs affected by the implementation issues they have experienced, with little hope for resolution by the EC.

Section 9 – IEC Conformity Assessment Board

9.1 Review of CAB Decision List from Meeting on 08-09 June 2020

Ms. Sterling reviewed the CAB Decision List (CAB/1991/DL) and highlighted the following items:

• Two new task forces have been created. One task force will analyze the top strategic priorities for CAB. Ms. Sterling is a member of this task force and will update CAPCC on the ongoing work. The second task force centers around discussing issues of high-level guidance on how the IEC decides to work with other groups outside of the IEC. This relates to MoUs and MoAs with other bodies, specifically the discussions/agreements with ITU as well as the IAF/ILAC/IEC MoU and the benefits associated with that agreement. This task force is currently drafting a proposal to the Council Board on items to consider. This work is ongoing.

- IECEE received a request from CAB for a referral to investigate domestic gas cooking appliances being added to the scheme. IECEE will make their decision on that soon.
- The difference between IEC vote and ISO vote on CAB decision 47/29 ISO CASCO proposed changes to ISO/IEC Directives, Part 2, Clause 33 will need to be discussed, and a plan forward will need to be identified. This will either become an ISO only document, or a middle ground that satisfies both IEC and ISO will be identified.
- IAF resolutions were also discussed. Mr. Margis is the US member on the IAF/ILAC WG that deals with the MoU between the three organizations and implementing the audit system. The CAB stopped short of terminating the agreement with ILAC and IAF, but has taken a strong stance in trying to rectify these issues and will continue to discuss this with them in the future.

9.2 Review of IEC CAB November 2020 Agenda

Ms. Sterling reviewed the CAB Draft Agenda (CAB/2015/DA) and highlighted the following items:

• 6.4 – WG 18 CA Radar.

This agenda item has been added with the intention to identify and evaluate prospective items on whether there is a new business opportunity for inclusion into different systems and schemes. WG 18 is chaired by Germany. USNC will want to be sure to participate in this group.

• 7.4.2 – To take action on IAF Resolution 2018-13.

This issue was discussed in the IECEE. No markings will need to go on certificates, but the overarching issue on the overreach will be discussed at the upcoming CAB meeting.

• 7.4.3 – To recognize the nomination for the 2022 – 2024 IECEE Chair.

Ms. Sterling recognized and congratulated Mr. Steve Margis on his nomination to IECEE Chair.

• 7.4.4 – To advise on IEC's ethical code and legal liability regarding ethically questionable products.

This vote will be on the issue of e-cigarettes and whether IEC should allow certificates to include the IEC logo if the product is questionable. Ms. Sterling will report on what comes out of the discussion at the CAB meeting.

9.3 IEC Governance Review Task Force (IGTF) Discussion

Ms. Sterling introduced a discussion around the IGTF's efforts relating to conformity

assessment and CAB. CAB has participated in an IGTF survey and met with the IGTF twice to discuss the proposed IEC governance changes. The survey results showed that the CAB was last in the groups that needed to be reorganized.

Conformity assessment has been a significant part of the IGTF discussions. Ms. Sterling provided an overview from the USNC President's Advisory Group (PAG) discussions. There are a few members of the IGTF that think the systems' money is not accounted for in the larger IEC numbers. An initial proposal to have a single management committee with one treasurer for all the systems was shared. The systems are separate business lines that roll up into the IEC budget.

Ms. Pahl pulled up the summaries from the IEC Secretary at the IGTF meeting (ATTACHMENT F). The summary shows there are huge misconceptions on how conformity assessment in the IEC works. There is only one person on the IGTF that has conformity assessment knowledge, Mr. Rafael Nava from Mexico. USNC President, Mr. Kevin Lippert, tried to recruit Mr. Shawn Paulsen to the IGTF to add additional conformity assessment knowledge to the group, but was only authorized to act as a consultant. IEC has concerns with operational issues within the CAB, but not governance. There is a clear problem with understanding conformity assessment issues at the higher levels of the IEC (Council and Council Board). The IGTF is struggling on how to address these deficiencies.

Discussions on the Business Advisory Committee (BAC) proposal made by the German NC are taking place within the IGTF. This is an effort to streamline and bring in experts on an ad hoc basis; there have been no agreements on changes to Statutes or Rules of Procedure at this time. Mr. Lippert will provide a more in-depth update of the BAC at the USNC Council meeting on Thursday.

Mr. Margis recommended that CAPCC members submit their issues to the IGTF ahead of the calls as that is what has proved to be successful in the past.

CAPCC members discussed Mr. Gilles Thonet's new role of Deputy to the General Secretary. Many members spoke in support of Mr. Thonet and his fair and thorough work.

Section 10 – IEC General Meeting

10.1 Virtual IEC General Meeting

Ms. Sterling reviewed the virtual IEC General Meeting schedule (AC/31/2020) and recommended that CAPCC members register for meetings in which they wish to participate.

Mr. Tony Zertuche is currently reaching out to USNC's counterparts to hold bilateral meetings. He commented that USNC's international colleagues are interested in meeting and suggested meeting only before or after the IEC GM. USNC staff will share the meeting schedule with the USNC policy committees once it is finalized.

10.2 IEC CAB Elections

Ms. Sterling reviewed recent CAB elections and nominations.

10.2.1 Nomination for the re-election by Council in Geneva of the Chairman of the Conformity Assessment Board (CAB) and Vice-President of the IEC for a three-year term (2021-2023) (C/2284/INF)

Mr. Shawn Paulsen (Canada) is up for re-election.

10.2.2 Appointment/re-appointment by Council in Geneva of two "Automatically Appointed Members" of the Conformity Assessment Board (CAB) for a three-year term of office (2021-2023) (C/2287/INF)

Mr. Thorsten Arnhold (Germany) and Mr. Hiroshi Takahashi (Japan) have been appointed to CAB by Council.

10.2.3 Nomination for the election/re-election by Council in Geneva of five members of the Conformity Assessment Board (CAB) for a three-year term of office (2021-2023) (C/2288/INF)

Mr. Stephen Keeling (Australia), Mr. Marty Cole (Canada), Mr. Thijs Van Zanten (Netherlands), Mr. Torbjorn Hoffstad (Norway), and Mr. Georgii Feodoridi (Russia) are up for election/re-election. There are five seats and five candidates.

If CAPCC members have any comments on the elections, please reach out to Ms. Sterling or USNC staff.

Section 11 – USNC Interface with Other Regional & International Organizations

Mr. Zertuche provided an update on the USNC's regional outreach initiatives.

- **APCF** The next APCF meeting will be held in conjunction with IEC GM on 11 November 2020. They are finalizing how many individuals can have participate from each delegation as APCF has 30 members. Please see the APCF draft agenda (**ATTACHMENT G**).
- **COPANT and PASC** are scheduled to take place in April (Rio) and May (Vladivostok) respectively in 2021. They will likely be held virtually due to travel restrictions from organizations and countries.
- **FINCA** USNC to host virtual 2020 FINCA meeting on 23 October and remain FINCA Chair for 2021. The USNC's Young and Emerging Professionals and FINCA members' Young Professionals have been invited to observe the FINCA meeting first time and will hold a follow-on YP meeting in the weeks after the FINCA meeting. Please see the FINCA draft agenda (ATTACHMENT H).

Section 12 – Challenges Experienced Moving to Virtual Participation

Ms. Sterling opened the floor to CAPCC members interested in sharing their experience with virtual meetings. Mr. Lippert shared that he helped push for full virtual participation for the upcoming IEC

General Meeting, which was a success. He explained that a hybrid model would have given an advantage to those in the room versus those participating virtually. Mr. Lippert also emphasized that virtual meetings have led to greater participation and because of that reason, he encouraged USNC to be mindful of this option moving forward.

A CAPCC member noted the value of previously established connections. One reason the virtual meetings have been a great success is because, for the most part, members know each other. If USNC and IEC continues to hold meetings only virtually moving forward, that will not be the case. This is something of which to be mindful.

Section 13 - Meeting Schedule 2020 and Beyond

The following future meeting dates were reviewed:

<u>2020</u>

FINCA Meeting 23 October 2020 Virtual Meeting

84th IEC General Meeting 9 – 13 November 2020 Virtual Meeting

<u>2021</u>

USNC Management Meetings January TBD

The January 2021 USNC Management Meetings will likely be virtual. The situation will continue to be monitored regarding travel, COVID-19, and virtual participation. The USNC Officers will finalize 2021 USNC Management Meeting dates soon.

USNC Management Meetings May TBD UL, Fremont, CA

USNC staff are hopeful that the May USNC Management Meetings will be face-to-face. This would allow for a preview of the venue for the 2022 IEC General Meeting. The situation will continue to be monitored regarding travel, COVID-19, and virtual participation. If this set of meetings is held virtually, the group will do a separate trip to San Francisco later in the year.

CAB Meeting 15 June 2021 Geneva, Switzerland

USNC Management Meetings September TBD FM Approvals, Norwood, MA 85th IEC General Meeting3-7 October 2021Dubai, United Arab Emirates (UAE)

2022 86th IEC General Meeting 31 October – 4 November 2022 San Francisco, USA

2023 87th IEC General Meeting Egypt

Section 14 – Adjournment

Ms. Sterling thanked USNC staff for hosting the virtual Management Meetings and thanked attendees for their participation. She adjourned the meeting at 2:18 p.m. (EDT).