PERSONA GRATA / ALEXEY KHERSONTSEV

TESTED ONCE – RECOGNIZED WORLDWIDE

- **What preferences will domestic exporters obtain after the signing of APLAC MRA?**
- **Will testing laboratories have to undergo re-accreditation?**
- **Will the costs of Russian exporters go down after domestic testing laboratories are permitted to place the APLAC MRA Mark in their protocols?**

In June, during the annual meeting held between the Asia-Pacific Laboratory Accreditation Cooperation (APLAC[1]) and the Pacific Accreditation Cooperation (PAC[2]) in Bangkok, the Federal Accreditation Service (RusAccreditation) officially acceded to the Asia Pacific Laboratory Accreditation Cooperation Mutual Recognition Arrangement (APLAC MRA). The document was signed by Alexey Khersontsev, Head of RusAccreditation, Llewellyn Richards, Chairman of APLAC MRA Council, and Wong Wang Wah, APLAC Chairman. The signing of the Arrangement marked an important stage in the reform of the Russian national accreditation system aimed at the international recognition of accreditation results achieved by Russian testing laboratories and certification bodies.
The benefits that the Russian business will gain from RusAccreditation's becoming a party to the APLAC MRA and the consequences that this step will have for domestic testing laboratories and the agency's plans for the near future were discussed between Alexey KHERSONTSEV and Gennady VORONIN, Editor-in-Chief of Standards and Quality Journal.

[1] Asia Pacific Laboratory Accreditation Cooperation. — *Editorial comment*
[2] Pacific Accreditation Cooperation. — *Editorial Comment*

— Alexey, in the first place I would like to congratulate you on such outstanding achievement as the receipt by RusAccreditation of the APLAC MRA member status. How will the domestic business benefit from the APLAC MRA membership?

— The signing of the Arrangement was preceded by meticulous and serious work performed by RusAccreditation with support from the Ministry of Economic Development of Russia, the Ministry of Industry and Trade of Russia, Rosstandart and some other relevant federal executive authorities. I would like to give specific mention to the contribution of our Public Council and the All-Russian non-governmental business associations: RSPP, Opora Rossii, Business Russia, the Chamber of Commerce and Industry of the Russian Federation.

Increasing the export share of Russian goods is one of the key objectives for all agencies regulating the economic sphere; the RF Government included it in the 11 top priority national development goals for the coming years. It should be borne in mind, however, that export from one state always means import into another state. As a rule, countries build different barriers on the ways by which imported products come to their markets, including conformity assessment procedures. RusAccreditation deals with certification bodies, inspection bodies, testing laboratories, i.e. those agencies that may help overcome such barriers. For that reason, in 2010, when the decision to build a uniform national accreditation system was being made (recall that RusAccreditation itself was established in 2011), the main goal of the agency was to design an internationally recognized system meeting international rules.

What does it mean "internationally recognized" and what does business have to do with it? During the past thirty years of the previous century, as a result of globalization processes, the developed economies began to reduce the costs of their manufacturers connected with the confirmation of their products conformity with the requirements imposed both by buyers and third-country regulators. For this purpose, they brought into wide use international standards and launched the international standardization process for conformity assessment procedures. Over time, there appeared accreditation authorities which mission was to build trust in the conformity assessment bodies. It looked like the confidence in conformity assessment bodies accredited in different states may be built through the standardization of operations of accreditation bodies themselves and their mutual recognition of one another's work quality. This is what led to the establishment of global accreditation organizations — ILAC[3] (for the laboratory accreditation sphere) and IAF[4] (for the accreditation of certification bodies). ILAC's slogan is "Accreditation: Delivering Global Confidence", the principle that it promotes is "tested once - recognized worldwide". According to ILAC's web site, its ultimate goal is wide use and acceptance by the industry and public authorities of the results obtained by accredited laboratories and inspection bodies of different countries.

There are different levels of participation in ILAC: an associate, a full member, and a signatory of the Mutual Recognition Arrangement. This document may only be signed following the review of an accreditation body by its peers - accreditation bodies of other countries. According to the current regulations, to become a party to the Mutual Recognition Arrangement one shall be a party to a similar arrangement signed at the level of one of the regional laboratory accreditation organizations. In our case — this is APLAC. Thus, the signing of the APLAC MRA opens for us a direct way to the accession to the ILAC Mutual Recognition Arrangement.

At the end of 2016, RusAccreditation was reviewed by a highly respected APLAC group comprising experts from accreditation bodies of Australia, the USA, Canada, Singapore and Mongolia. Certainly, this was preceded by serious legislative, organizational and methodological work.

Back on the question of benefits for the business, I will take the risk of saying that this event is of crucial significance among the measures that the state takes for bringing goods and services of domestic manufacturers to foreign markets. After signing the APLAC MRA, we have already sent our application for accession to the ILAC MRA. We believe that the signing itself will take place in Vancouver at the end of this year. Afterwards, we will be able to grant to the laboratories accredited by us the right to use the ILAC MRA Mark on their test protocols. Such protocols will comply with the global principle "tested once- recognized worldwide". Businesses will be able to present them for the conformity assessment procedure in the overwhelming majority of countries.

— Why exactly APLAC? Probably, it would be reasonable to join ILAC through the European Co-Operation for Accreditation (EA) or directly as, for instance, Kazakhstan did?

— As I said, the accession to the ILAC Mutual Recognition Arrangement requires a peer review of the accreditation body by equivalent accreditation bodies of other countries. The review itself is carried out at the level of a regional organization rather than at the ILAC level. In choosing APLAC, we reasoned that it unites the largest economies of the world and, what is important, probably the largest sales markets- China, India, Pakistan, as well as the USA, Mexico, Iran, etc. which, together with Russia, makes 26 economies of the Asia Pacific Region. And these are the largest economies with which we have either already established and developed cooperation or are going to start it.

I must admit that some time ago the EA option was considered, and rather closely. We even had an EA partnership program, and these ties are still being maintained. However, it is important to bear in mind that the EA activity constantly overlaps with formats of the European Union, that is, without the EU membership you will always have a special status in this club. We saw that mutual recognition within the EA does not automatically open the access to the European market for the countries that are not EU members.

The EU certification scheme is, so to

[3] ILAC (International Laboratory Accreditation Conference) — International organization for accreditation of laboratories. — *Editorial comment*

[4] IAF (International Accreditation Forum) — International forum for accreditation. — *Editorial comment*

"CONFIDENCE IN CONFORMITY ASSESSMENT BODIES ACCREDITED IN DIFFERENT STATES MAY BE BUILT THROUGH THE STANDARDIZATION OF OPERATIONS OF ACCREDITATION BODIES THEMSELVES AND THEIR MUTUAL RECOGNITION OF ONE ANOTHER'S WORK QUALITY."

speak, very complicated: depending on the type of merchandise, directive or region there is a dramatic difference even in the approaches themselves. For example, let us take the European wine import rules[5]. They expressly specify that the European Commission keeps the list of third-country laboratories authorized to issue test reports required for import. Laboratories are nominated by an official authority of a third country and this is in no way connected with their accreditation by the EA or ILAC signatory bodies. There is only one Russian laboratory in the list which was included therein after the recommendation of our Ministry of Agriculture. When these rules were issued it was determined that the regulation regime should be just like that. For other kinds of goods it will, most likely, be different. For example, the right to make a decision regarding the use of foreign certificates may be delegated to a certification body which, insuring its risks, will most probably require the performance of its own inspection, additional reviews, etc. Thus, the EA membership does not provide a coveted key to the European market and, the same as with APLAC, requires a day-to-day meticulous bilateral work with partner states on the "road maps" for nearly all kinds of merchandise. This, if one can put it like this, is only a prerequisite for the beginning of the work. After joining the ILAC, we will have to work with all countries worldwide, while now we are focused on the Asia Pacific states only.

You mentioned Kazakhstan. This state has really become a member of ILAC directly. But now the rules have changed, and in Bangkok Kazakhstan joined APLAC since this is a regional accreditation organization that performs the peer evaluation procedure and this is the procedure that our colleagues are about to be subjected in the nearest future. One should also keep in mind that at the level of regional organizations the interaction is closer, more focused. The meeting in Bangkok was attended personally by the heads of national accreditation bodies of the region, and for five days they were involved in an extensive dialogue: they discussed the most pressing issues, aspects of cooperation, etc. It is during the participation in such events that bilateral and multilateral confidence is developed; meaning, mutually advantageous agreements are concluded.

— Let us go back to such important topic as product exports. Are there at least approximate estimates of how much the costs of Russian exporters will go down after domestic testing laboratories are permitted to place the APLAC MRA Mark on their protocols?

— There are no specific estimates; moreover, the costs directly depend on the kind of business. For large enterprises they are mostly temporary. The money that they have to pay for foreign certification and conformity assessment is insignificant

[5] Commission Regulation (EC) No 883/2001 of 24 April 2001 laying down detailed rules for implementing Council Regulation (EC) No 1493/1999 as regards trade with third countries in products in the wine sector.

OUR NOTE

The APLAC (Asia Pacific Laboratory Accreditation Cooperation) was initiated in 1992 as a forum for laboratory accreditation bodies in the Asia Pacific region. The APLAC Memorandum of Understanding (MOU), formally establishing APLAC, was signed in 1995 by representatives from 16 economies in the Asia Pacific region. APLAC is recognized by the Asia Pacific Economic Cooperation (APEC) as a specialist regional body that support the work of the APEC Sub-Committee on Standards and Conformance.

The inaugural signing of the APLAC Mutual Recognition Arrangement (MRA) occurred on 19 November 1997, with 7 accreditation bodies signing the MRA for testing and calibration. The MRA was extended in 2003 to include inspection, and in 2007 - reference material producers. In the same year medical laboratories formed a separate sphere (previously they were included under the “testing” scope of the MRA). In 2014 the Mutual Recognition Arrangement was extended to include proficiency testing providers.

The supreme body of the APLAC is its General Assembly which comprises one representative from each member. Currently APLAC has 45 Full Members (bodies engaged in the accreditation of laboratories, inspection bodies, etc.), 39 of them being signatories of the Mutual Recognition Arrangement (APLAC MRA). Besides, APLAC includes 11 Associate Members (organizations expressing an interest in accreditation of laboratories, inspection bodies, etc.). APLAC membership may be terminated by decision of the General Assembly by reasons of financial misconduct, violation of rules or regulations or otherwise.

APLAC official website: www.aplac.org.

in comparison with the production costs. The situation is quite different for small and medium businesses – for them the costs of testing abroad are perceivable enough. In both cases the principle "accredited once, accepted everywhere" should, in the first place, help reduce the costs and facilitate the introduction of products to foreign markets.

However, I will repeat myself, each economy, regardless of the declared free trade principles, seeks to restrict, now through regulatory procedures, the inflow of imported goods to its internal market. That is why the accession to the APLAC MRA shall be followed by efforts aimed at signing bilateral agreements with particular economies. This concerns both bilateral cooperation with national accreditation bodies of other countries and trade agreements on the higher - political - level.

— It appears now that the signing of the APLAC MRA does not automatically resolve the issue with the recognition of the certificates issued by domestic laboratories for the products exported by our manufacturers?

— Not quite so. APLAC unites different countries and each one has its own policy and specifics. For example, the test methods may be different. You may even be accredited directly by the accreditation body of another country, but your protocol will not be accepted because it refers to the method that is not used in the recipient country. To use foreign test practices, you must first of all translate, understand and adopt them in your own country, and this is a track for additional cooperation.

There are countries that require an additional notification procedure to be followed by laboratories. And the lists of products in respect of which such additional barriers are used may differ drastically from country to country. The signing of the APLAC MRA means that Russian products may be supplied with our protocols to the countries that do not require any additional procedures, and that now we can reach mutual agreements with those countries that have such requirements. I would like to emphasize once again that having such dialogue without the signing of the APLAC MRA would have been very difficult. As soon as the next day after the signing, right there in Bangkok, we held working sessions with the heads of accreditation bodies of a number of economies of the region regarding bilateral agreements in the context of which we would be able to pursue mutual accreditation programs. Thus, with the head of the accreditation body of the People's Republic of China, we reached a preliminary agreement that before the end of the summer we would come to the understanding of where, when and which protocols - ours and Chinese - might be used, including the relevant regulatory procedures. Besides, we plan to elaborate the launch of the mutual accreditation programs. But certainly these are just working discussions by now. We are having similar negotiations with a number of other economies of the region which are of utmost importance to us. I would not mention any particular countries yet as we are only at the very beginning of our journey.

It is important to understand that the recognition of test protocols is very effective in the context of B2B-relations[6], where the customers or international organizations impose special requirements for the products or services and the buyer is bound by corporate, rather than national standards. Importers often insist on testing their products in laboratories that are recognized under the ILAC MRA. During my last year as the Head of RusAccreditation I received from Russian manufacturers and testing laboratories quite a few letters with the question of when the recognition would take place as their counterparties wanted to see the ILAC MRA Mark on test protocols and certificates. For this particular reason, mutual recognition and accession to the APLAC MRA and then the ILAC MRA was specifically mentioned as a landmark event for the priority export support project launched by the RF Government.

— Will laboratories have to undergo additional accreditation to receive the APLAC MRA Mark?

— No additional accreditation will be required. We will not re-accredit our laboratories, given that they have already passed the statutory procedure. At the same time, according to laws and our agreements with APLAC and ILAC, we will have to enshrine in laws and regulations the status of the ILAC MRA Mark and its use by Russian testing laboratories, specifying certain conditions and requirements for those who would like to use this mark. It shall be understood here that global recognition is not only a right and additional possibilities, but an increased responsibility as well. This does not mean that the requirements that we impose on those working in the system now are low, but the right to enjoy additional advantages, including those related to the access to foreign markets, also imposes on the process actors additional obligations, in particular, regarding the exchange of information with the national accreditation body, faster response on identification of problems,

[6] B2B (Business to business) — a term defining the kind of informational and economic interaction classified by the type of the interacting parties. — *Editorial comment.*

enhancement of integrity and transparency.

Let us take, for instance, the access of foreign assessors to our compliance assessment bodies. I remember, at the end of the last year, when we organized an evaluation visit of APLAC experts to our laboratories the attitude of the audited entities was different: some received their foreign peers willingly, some avoided meeting them, and some postponed the review to other dates. This clearly demonstrated the level of laboratories' interest to be involved in international processes, that is why we believe that those who were assessed by us together with our APLAC colleagues, as a certain bonus, will be able to use the ILAC MRA Mark in the very near future.

By the way, regarding the heightened requirements. APLAC and ILAC have a set of special documents containing the rules which must always be observed by all accreditation bodies who signed the arrangement and the corresponding testing and calibration laboratories. That is why the laboratories that would like to use the ILAC MRA Mark will have to undertake to apply these documents directly in spite of the fact that they have not event been published in Russia.

I must note that not many need the additional advantages from the receipt of the ILAC MRA Mark and moreover, the additional obligations connected with it. Business always watches its money and, if the laboratory's activity is not connected with the evaluation of goods for external customers, the receipt of the mark will have not practical sense for it. We have lots of internal production laboratories which are in no way connected with the product or labour environment evaluation system. Let us take, for example, the laboratories of water service companies evaluating the quality of the water supplied to the population. Do they need this mark? Unlikely. I think that only 20-30% of testing laboratories are potentially interested in the receipt of the international recognition mark, and how many of them will demonstrate real interest - that remains to be seen.

"IT IS VERY IMPORTANT TO MOVE TOWARDS THE IAF NOT ALONG THE PRODUCT CERTIFICATION PATH BUT ALONG THE MANAGEMENT SYSTEM CERTIFICATION PATH, FOR THIS IS THE AREA THAT ACQUIRES PARTICULAR SIGNIFICANCE IN THE PRESENT-DAY B2B-RELATIONS"

— Do the leaders of RusAccreditation consider membership in the IAF, especially in view of the complicated political environment existing nowadays on the global stage?

— Yes, certainly, we have such task, but the IAF is already a certification authority. And if we move towards ILAC through APLAC, with respect to the IAF we had a serious discussion. Originally, we planned to join the forum directly; the application was filed as early as in 2014. Eventually, we decided to join the IAF through PAC. On 27 June 2017, the RF Government issued a resolution allowing RusAccreditation to join the PAC as a full member. We sent our application and intend to launch this process within the shortest possible time. As expected, as soon as the second half of 2018, a group of international PAC experts will come to Russia for the assessment of RusAccreditation performance.

Still, I consider it very important to clarify that membership in international organizations supervising the standards of practice of certification bodies is, from the regulatory point of view, less significant than membership in laboratory accreditation organizations. Mainly due to the fact that now, besides the standard conformity assessment systems, a large number of alternative and upcoming trends connected with the certification of conformity with different standards, which fall beyond the scopes of regulatory systems, are emerging worldwide. The number of such systems and requirements is growing every year, and the trend-setters in this sphere are no longer regulators but major customers, especially if we speak about the cross-border trade. For this particular reason, it is very important to move towards the IAF not along the "product certification" path, but along the "management system certification" path, for this is the area that acquires particular significance in the present-day B2B-relations, making it possible for manufacturers to demonstrate, if you like, their compliance[7] on the international markets.

By the way, the road map "Promoting the Access to Foreign Markets and Export Support" includes special measures for the development of the relevant programs and accreditation in new areas. This will require certain re-formatting of the regulatory environment, in particular, adjustments of Federal Law No. 412 "On Accreditation in the National Accreditation System", making it possible to introduce different accreditation regimes in the statutory and voluntary spheres. We already have such initiatives.

— What in your opinion is more advantageous for the domestic business: RusAccreditation membership in ILAC or the IAF?

— I think that both are equally advantageous but only on the condition that both we and the business will manage to use the obtained advantages in the right way. For there are necessary conditions and there are sufficient conditions. So, membership in these organizations is neither sufficient nor necessary condition for the Russian products to come to foreign markets. After all, a business may spend money on conformity assessment procedures abroad. However, the export promotion plan sees membership both in ILAC and the IAF as a necessary condition.

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Compliance — agreement, conformity, acting in accordance with a request or an instruction, obedience. — *Editorial comment.*