

93nd NMO/UKWF JCC meeting

09 July 2014 – 13:00

National Measurement Office, G18

Notes

Attendees:	NMO	UKWF
	Paul Dixon (PD) - Chair	John Swinburne (JSW)
	Peter Mason (PM)	Steve Hart (SH)
	Richard Sanders (RS)	Jeremy Sage (JS)
	Christine Munteanu (CM)	Ian Turner (IT)
	Dianne Hughes (DH)	Julian Hope (JH)
	Lynnette Falk (LF)	
	Robert Harper (RH)	
	Gavin Stones (GS) - Notes	

1.	<p>Apologies for absence</p> <p>PD welcomed the attendees to the 93RD JCC meeting.</p> <p>Apologies were received from Jim Harper who was unable to attend.</p> <p>Due to staff changes at NMO the meeting had some new attendees (or existing attendees had new roles) so introductions were made by all.</p>
2.	<p>Minutes & Actions arising from notes of last meeting:</p> <p>CM informed the meeting of an error in Section 3 Update on developments at NMO. The presentation by Chris Smith (NMO Enforcement –ROHS) was at the Regional UKWF meeting not the Annual Metrology Seminar.</p> <p>There were no outstanding Actions arising from last meeting.</p> <p>The minutes were then accepted by the meeting.</p>
3.	<p>Update on developments at NMO (including NPL project):</p> <p>RS informed the meeting that he had taken on the temporary role of Acting CEO at NMO following Peter Mason's (partial) retirement and that Lynnette Falk had taken on the temporary role of Acting Regulation Director. Peter Mason has now taken on the role of Director International to support his activities as President of the OIML.</p> <p>The Enforcement team at NMO was growing and are working on 2 new contracts and would potentially be employing a further 20 members of staff.</p> <p>The NPL project was nearing completion, and NPL would be changing into a public body and "post graduate" campus. The Minister would be announcing the successful "partners" on July 10th (2014). Due to the NPL project and corresponding future shape of NMO projects, it had been decided that Scientific Metrology will move from NMO to BIS.</p> <p>The NMO Enforcement Directorate will remain as an Executive Agency within BIS The role of Regulation Policy and Certification Services Directorates is still being considered, with a decision anticipated in September</p>

	<p>JSW asked how this would affect the role of NMO and RS responded that at the moment our functions remain the same but in future will be without the NMS.</p> <p>IT asked if there was a way that the UKWF could support/provide a view regarding the good work of NMO. PM responded that there were channels but he would advise caution in the way that any response was made.</p> <p>SH asked what NMO were doing and RS replied that NMO is promoting the good work that NMO is concerned with regarding Legal Metrology Policy and Regulation to the BIS project leaders.</p> <p>JH asked if there was a risk to type approval and PD responded that the function would remain the same but the structure may change. RS commented that separately BIS were reviewing all their partner organisations (Agencies, NDPBs, etc.) with regard to making efficiencies.</p> <p>SH was of the opinion that separation (of the activities of NMO) would cause problems (for the industry). PM commented that emphasis should be made of the future rather than focussing on “historical” facts, and that good regulation was a benefit for Policy and Commercial activities.</p> <p>JH commented that there was a “UK Plc” advantage for the status quo to remain the same.</p> <p>JS asked if NMO could name individuals that could be “lobbied”. PM suggested that an approach could be made to the NMO Steering Board Chair (Isobell Pollock). JH asked if this should be done by the companies or by UKWF. PM suggested the UKWF and that individual companies may consider approaching their local MPs if they consider it is of significant importance, but he was not overly in favour of this approach. IT commented that the industry produces £150M of products a year and employs a large number of people.</p> <p>JSW added that the industry was a Net Exporter to Europe.</p> <p>JSW asked if there was timescale considering that the approaching general Election. RS responded that he was pushing for a decision by September. PM confirmed that there will be an announcement, concerning NPL, tomorrow (10th June).</p> <p>PD announced that there had been a restructuring in the Certification Services team and that a new Certification Body Manager - Max Linnemann - had been appointed. Max moved to NMO from IRCA and had experience with management system certification having also been previously employed by NQA. Max was unable to attend the meeting as he was on annual leave.</p>
4.	<p>An update from the UKWF on current projects.</p> <p>IT Indicated that this would be picked up on subsequent agenda items.</p>
5.	<p>Update on the OIML MAA and manufacturer test laboratories</p> <p>PD informed the meeting that at the last CIML meeting there was a seminar on the MAA. The outcome of the seminar was an agreement to:</p> <ul style="list-style-type: none"> • Raise awareness of the MAA • Improve the structure of management committee • Move towards a single certification system. <p>There was also (an Ad Hoc) meeting at NIST in March at which he provided some input and a number of task groups were formed. PD is a member of the various task groups and is leading the work on improving the structure of the management system. He reported that there were more MAA certificates</p>

	<p>being issued, but these were issued by a small group of the signatories – the number of Issuing and Utilising Participants was not increasing. The next CIML meeting is to be held in New Zealand in November. The subject of Manufacturers Test Labs [MTL] and the acceptance of test results from the MTLs was discussed. There was concern from some countries (e.g. US / Canada / Australia / South Africa), and confirmation was given that acceptance of MTL test results would be voluntary. This would provide 3 “classifications” e.g. Basic, MAA & MAA (issued on the basis of MTL results).</p> <p>Agenda item 10 (Transatlantic Trade & Investment Partnership – TTIP) was brought forward to provide further information at this point.</p> <p>PM provided information that TTIP discussions might provide pressure for the US to accept OIML certificates. There are problems - at a US Federal level due to the rights of the individual States, for the mutual recognition of the MAA. PM then read from an e-mail message sent by David Henig [BIS]. At the National Conference [NCWM] there was an urge to accept OIML R76 (NAWIs) – but there had been no progress.</p> <p>IT commented that SMA (American Scale Manufacturers Association) were not enthusiastic as it might open up competition from the Far East (China).</p> <p>PD informed the meeting that whilst OIML R76 was not accepted, OIML R60 had been used to gain NTEP approval. PD added that he had attended the last OIML R60 meeting held at NIST {USA} and had provided input received from UK stakeholders. A Committee Draft is expected in late Summer (from the US secretariat).</p> <p>RS asked if there a reason for the industry’s limited take-up using MAA. JSW replied that for US, and other large countries, it was not mandatory to accept them. IT commented that there was only a small advantage to use the MAA.</p>
6.	<p>Revision of EN45501 and impact on certificates</p> <p>RH reported that the Revision of EN45501 had passed formal vote. IT commented that there would be a formal vote as the ZA Annex was missing, and requested that the transition period be the same across the member states [e.g. up to 3 years]. PD mentioned the date of publication and that during the transition period both versions (either old or new) would apply. He was aware that some Market Surveillance Authorities would look to use the new version, but informed the meeting that the Commission (Daniel Haneykuyk) had mentioned at a previous meeting that the Standard was not a Market Surveillance tool.</p> <p>RS asked PD (as WELMEC WG2 Chair) to update WELMEC WG 5 ACTION - PD</p>
7.	<p>Medical weighing project and future developments from this</p> <p>IT reported that a he is working with DH to produce a Code of Practice as the market is not following good practice, and he would like to see the market implement and operate good practice. As an initial step he had sent out an information sheet which included (especially for Hospitals) a 5 point calibration.</p> <p>DH commented on the “supply chain” and the use of Trading Standards. The Market Surveillance is expected to be completed by December with statistics available by January (2015). Training will be given (using equipment donated</p>

	<p>by Marsden) by NMO. RS mentioned that Local Authorities are now responsible for public health and promoting the risk of medical errors due to inadequate weighing might interest local politicians, and help to preserve the trading standards function within their local authorities.</p> <p>IT had information that the MHRA were not accepting scales as instruments under the Medical Devices Directive. This was creating problems when trying register weighing scales as MDDs.</p>
8.	<p>The publication of the new regulations under the NLF</p> <p>IT was interested to know how the regulations would be rolled out so that Annex D / Annex F Notified Bodies can continue to operate (e.g. re-designation)</p> <p>JSW asked if TSDs will still be able to remove the stamp, which was confirmed by CM/DH</p> <p>RH reported that the alignment package was being taken forward by BIS for NAWI and MID, which would be in a Horizontal (rather than vertical) format, e.g. one document rather than multiple. This was part of the Red Tape Challenge – which would produce an Omnibus version and the removal of 12 Regulations and 3 Amendments. The re-verification of NAWIs will remain (within the Regulations) unlike the MID which is only for first placing onto the market.</p> <p>IT asked if Annex F Notified Bodies (will NBs) will need to re-apply to the Secretary of State (for designation), which was confirmed by RH who further commented that they will also be re-notified to the Commission and that it was expected that they would be accepted unless there was comment to the contrary within a period of 2 months. CM confirmed that the notification period was in the Directive(s). IT commented that the process may lead to a reduction in the number of NBs. PD enquired about the process, and CM/RH replied that it could start before the implementation of the NLF (so that it is seamless). RH reported that a Regulation would come into force later this year [December] to enable NBs to be designated.</p>
9.	<p>The new NAWI Directive requires one D of C. How will this operate?</p> <p>IT reported that there was a requirement for one (1) single declaration of conformity for the product (incorporating LV, EMC NAWI etc.). This would be an agenda item for the next UK Technical Group meeting to be held on 4th Sept at the UKWF offices in Birmingham. Items are placed onto the market at different times the manufacturer may put DofC for EMC in the manual, but cannot issue DofC for NAWI until it has gone through the full conformity assessment “process”.</p> <p>RS commented that this should be raised at the next WELMEC WG8 meeting to be held in Paris in January 2015 ACTION – UKWF to contact Peter Edwards</p>
10.	<p>Update on Transatlantic Trade & Investment Partnership</p> <p>Covered in agenda item 5</p>
11.	<p>Changes brought about by the Food Information Regulations and how this may work for non-prepacked foods</p> <p>IT commented that there was a potential to review the regulations for items supplied by weight (e.g. loose foods). LF explained the legislative requirements which are covered by EU legislation, and which will be subject to review in 2015.</p> <p>IT explained that there is a “large” selling of loose food which do not include the use of a weigh scale (which have Unit price / Price computing facilities) for the sale of “package” items , e.g. “5” potatoes, “6” apples etc.</p>

	<p>PD asked about the timescales. LF replied that review for the loose foods regulations was expected to be completed next year (by December), but there is no deadline date.</p>
12.	<p>Potential changes in software control and future developments in WELMEC Software</p> <p>IT commented on the current process of approving of Software using Welmec Guide 7.2, and that a proposal for a new guide is being proposed which would enable the development process for software to be ‘certified’. The approval of the software would then be produced in accordance with the approved process rather than by an individual technical assessment (e.g. using similar principles to those in GAMP 5).</p> <p>JH enquired about timescales, and IT replied that it was expected within the next 12 months. RS asked if it was within the WELMEC WG7 work plan, to which IT replied that it was a CECIP project. RS commented that it would need to be incorporated within the WG7 work plan to enable it to go forward. IT mentioned that the Test Procedure will need to be agreed by the NB. PD asked if the s/w will need to be documented (e.g. in a Test Certificate), IT replied that it was be an H1 “concept”. SH commented that s/w is so complex nowadays that, due to the multiple permutations, it is not possible to write a process guide.</p>
13.	<p>WELMEC WG2 update</p> <p>PD informed the meeting of the publication of a new WELMEC 2 Guide. The main work of WG2 will be a review of the structure of guides 2, 2.1-2.8. It is likely that there will be an overarching guide covering the administrative aspects of the modular process, with either specific annexes or separate guides covering the technical aspects for each module.</p>
14.	<p>Consistency of type approval documents and the methods by which can resolve differences</p> <p>IT commented on the CECIP project regarding the inconsistency in Type Approval Certificates, e.g. the use of a scale for postal use, which requires a (reduced) minimum of 5 scale intervals.</p> <p>PD replied that this should be being raised to WELMEC WG2 and NoBoMet to address the inconsistency in approach.</p>
15.	<p>Update on NMO Market Surveillance activities</p> <p>CM reported that Market Surveillance had been conducted on 16 instruments (which had undergone Annex B+D or B+F). The seals and marks were OK on all but one. This one instrument was not sealed and did not have a data plate. It was believed to have undergone Annex F, but was being used as a Checkweighing instrument. This year the focus will be on NAWIs (which NMO will buy and then subject to test), and in NAWIS which are newly put into use to check compliance with the DofC and the TAC. This will involve working with the UKWF for market intelligence.</p> <p>WELMEC did not get funding from the commission for market surveillance of NAWIs used in factories, e.g. market surveillance in factories, and this was considered to be “inspection.</p>

	<p>[However funding for market surveillance of Electrical and Heat meters was agreed]</p> <p>PD enquired about the types of NAWI to which CM replied shop scales. IT enquired about timescales for market intelligence to which CM replied ASAP.</p>
16.	<p>French requirements for load cells changes (for information)</p> <p>IT informed the meeting of a UKWF project regarding the agreed time period between changing a load cell (on an instrument) and the subsequent re-verification (of that instrument)</p>
17	<p>Operation of notified bodies and enforcement in Scotland should the independence vote be a 'Yes'</p> <p>IT raised this as a question received from a UKWF member (in Scotland). If the independence vote were to be a 'Yes' would there be a period of transition PM replied that it may be possible but the position is unclear at the moment. This may become an "International" matter, and is complex. It is estimated that there would be a similar level of co-operation</p>
18	<p>AOB</p> <p>DH is looking for help with Section 70 returns. The likelihood of failure of the system. The figures on the Industry (financial) worth.</p> <p>JS enquired if this was a "goods" worth. The goods passing across a (NAWI) weighbridge fall into different groups/sectors.</p> <p>SH replied that nobody knows, and suggested the use of the last CECIP figures (as a basis).</p> <p>PM suggested the use of the Deloitte report (2008/2009). The figures will not have changed that much (inflation etc.) and so would be a basis for change.</p> <p>RS suggested a change of emphasis from Financial input to Social input, e.g. the effect that this has in the social environment e.g. public health.</p> <p>CM enquired that as a follow on from the visits made by representatives from Chinese industry and metrology services under the MOU with China, would there be any interest in a reciprocal arrangement (UK industry visit to China. IT replied that this may be a possibility if incorporated with another visit in that area. JSW suggested attending the CWIA Interweighing Exhibition (April 2015 - Shanghai). PM reported that he will be in Beijing next week (w/c 14 July) and could promote the possibility of visiting the Shanghai Metrology Institute. SH asked about the size of the last Chinese delegation visit to UK. PM replied that it was 7-8 people with only 3 showing a positive interest. IT suggested raising the topic at the next UKWF board meeting (being held on 10th July).</p> <p>PM informed the meeting that the bi-lateral MAA between UK and China consisted of 2 signed documents:</p> <ul style="list-style-type: none"> • an MoU concerning cooperation, and • an MAA for the mutual acceptance of test results (for certain instruments e.g. R76) <p>which are up for renewal and extending.</p> <p>RS enquired if the UKWF were aware of the MoU and MAAs. JSW replied that trade is the other way i.e. China to UK. Chinese manufacturing costs are a fraction of the UK manufacturing costs. Russia is a bigger market and is more open. RS</p>

	<p>suggested it might be worth NMO looking at forming a Russian MoU. PM asked if the current MAA (with China) is a “relic”. JSW will raise the MAA topic at the next UKWF board meeting. They also are interested in being able to export onto the US market.</p> <p>PD announced that NMO Certification Services have gained an extension to their UKAS accreditation to include testing of Class I & Class II NAWIs</p>
19.	<p>Date of next meeting</p> <p>July 2015 (to coincide with NMO / UKWF cricket match). To be agreed between PD and IT.</p>