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Global Compliance News

APRIL 2006 VOLUME 3, NUMBER 4

International Standards

New Releases:

IEC 60191-2: Mechanical standardization of semiconductor devices – Part 2: Dimensions

IEC 60512-1-100: Connectors for electronic equipment – Tests and measurements – Part 1-100: General – Applicable Publications

IEC 60705: Household microwave ovens – Methods for measuring performance

IEC 60745-2-13: Hand-held motor-operated electric tools – Safety – Part 2-13: Particular requirements for chain saws

IEC 61000-4-6: Electromagnetic compatibility (EMC) – Part 4-6: Testing and measurement techniques – Immunity to conducted disturbances, induced by radio frequency fields

IEC 61223-3-5: Evaluation and routine testing in medical imaging departments - Part 3-5: Acceptance tests – Imagaing performance of coupled tomography X-ray equipment

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SIMCOM International was the first Company in North America to be awarded the coveted Consultative Agent Status for China's Compulsory Product Certification System by China's Certification and Accreditation Administration.

IEC 61400-2:
Wind turbines – Part 2: Design requirements for small wind turbines

IEC 62153-4-3:
Metallic communication cable test methods – Part 4-3: Electromagnetic compatibility (EMC) – Surface transfer impedance – Triaxial method

IEC 62282-3-2:
Fuel cell technologies – Stationary fuel cell power systems – Performance test methods

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Hot Topics in May's Issue

The Benefits of Successful Product Conformity Assessment!

With ever-increasing demands from product development managers, understanding target-market regulatory compliance is a must. In spite of indigenous requirements, when manufacturers adopt standardized "best practices" during the conformity assessment phase, meaningful benefits will be derived.

In the May issue of Global Compliance News, we will examine common mistakes made by manufacturers over a number of scenarios including: interaction with certification laboratories; discerning the nuances of indigenous regions and how to implement "best practices" during early stages of development to avoid costly retrofits or re-testing downstream.

China's Ministry of Public Security

Foreign manufacturers' of security products have additional burden before being able to sell in China. In addition to the CCC Mark for product safety, manufacturers must receive approval from the Ministry of Public Security (MPS). This article will cover the types of products affected by this legislation, labeling as well as the steps to getting this approval.

Compliance Requirements for Argentina

In the May newsletter, SIMCOM will cover the regulatory compliance scheme of the second largest country in South America. With a population approaching 40 million and GDP of $540 billion could make Argentina your next export market. Machinery and equipment, motor vehicles, chemicals, metals and plastics are in high demand.

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CB Scheme to Cover Electromagnetic Compatibility

With the onslaught of electrical devices from all parts of the globe; governments are pressured to devise and impose regulatory schemes to deal with all forms of electrical interference; with recent demand for testing of electromagnetic compatibility. This is in line with an increased global awareness of EMC conditions and manufacturer's desire for mutual recognition of test results.

Whenever test results are accepted under a plan of mutuality, it is advantageous for the manufacturer and tends to suppress product price increases; which might be caused by extensive indigenous testing requirements. Presently, many countries have EMC requirements but in various forms and conditions. The EU led the world over a decade ago, when they imposed "immunity" requirements on all products subject to the EMC Directive, coupled with the more traditional testing for emissions. In addition to the EU, countries imposing some form of EMC requirement include: US, Canada, Russia, China, Japan and Australia.

IECEE's CB Scheme represents the most logical choice for a global mutual recognition agreement structure, to cover EMC Test Reports throughout 43 countries. The CB Scheme, established by the International Electrotechnical Committee for Conformity Testing to Standards for Electrical Equipment (IECEE), is a cooperative system among member countries for their mutual acceptance of test reports related to electrical safety.

Products covered by the current CB Scheme are those within the scope of IEC Standards accepted in the IECEE System. A new IEC Standard is adopted for use in the Scheme when at least three member countries declare their adherence and willingness to participate in the Scheme for that Standard. The CB Scheme utilizes CB Test Certificates to attest that product samples are in compliance with the requirements of the relevant IEC standard, including declared national differences of member countries. The National Committee of each member country designates its National Certification Body or Bodies (NCB), which is responsible for recognizing and issuing CB Test Reports and Certificates. CB Test Laboratories (CBTL) under the Scheme are approved to conduct testing and issue CB Test Reports.

Until recently, the CB Scheme only covered safety testing while excluding EMC testing unless EMC tests were specifically required by the IEC standard used; for example electrical equipment for medical use. The IECEE-CMC meeting in Kyoto overwhelmingly favored expansion of the CB Scheme to cover EMC, and an IECEE-CMC workshop that took place in October 2005 proposed the following:

- ✓ NCBs and CBTLs currently operating under the CB Scheme for safety are automatically accepted for EMC, provided they have capability, expertise and appropriate laboratory accreditation, for example UKAS accreditation in the UK.
- ✓ During 2006, procedures for EMC will be further developed by the IECEE making a CB Scheme for EMC fully functional.

The CB Scheme for EMC is based on the assumption that certain conditions exist:

- The CB Scheme Basic Rules (IECEE 01), Rules of Procedure (IECEE 02) and Operational Documents apply
- Safety-related EMC is already part of the CB Scheme
- A harmonized set of Test Report Forms (TRFs) for all countries will be developed
- NCB's ability to convince country regulators to accept a harmonized set of TRFs
- EMC testing and EMC TRFs are independent of safety testing and safety TRFs unless otherwise required by the related safety standard

- The EMC Test Certificate is independent of the Safety Test Certificate
- The EMC TRF with Test Certificate is acceptable for National mandatory marks through the Recognizing NCB's, where required.
- Existing accreditations would be considered for initial membership in the EMC category and a re-assessment program utilized for the safety scheme will apply.
- Like the CB scheme for safety, the proposed scheme for EMC would be based on application of IEC standards, but also include CISPR standards where appropriate.
- National Deviations will apply.

It is important to understand that the need to obtain country approvals will still exist; however, the prospect of mutually accepted EMC Test Report across all member countries would be very attractive and offer numerous benefits to manufacturers:

- Time and cost savings for suppliers and users;
- Unified recognition by Member Countries for compliance to Safety and EMC Standards;
- Lower certification approval costs for schemes such as CCC (for China), GOST R (for Russia);
- Faster access to growth markets provides;
- Increased confidence in suppliers that have successfully passed testing.

For additional information on this important development including listings of EMC standards approved or under development, please visit SIMCOM's standards page at:

http://www.esimcom.com/aak2_0_1_2/simcom_about/ab3_IQ_IEC_standards.asp

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"Administrative Measures on the Control of Pollution Caused by Electronic Information Products"

On February 28, 2006, The People's Republic of China formally released an administrative document to promulgate new regulations for the control of environmental pollution caused by electronic waste. The document entitled, "Administrative Measures on the Control of Pollution Caused by Electronic Information Products" is a summary document to provide transparency to the legal administrative system, which will have mandatory compliance as of March 7, 2007. The document was authored based on three existing Chinese laws:

1) Law of the People's Republic of China on Promotion of Clean Production;
2) Law of the People's Republic of China on the Prevention and Control of Environmental Pollution by Solid Waste;
3) Law of the People's Republic of China on Product Quality.

SIMCOM International has direct communication with Chinese government officials having been named the first Consultative Agent in the western world by, The Certification and Accreditation Administration of the People's Republic of China, (CNCA). During the week of March 13th, SIMCOM interviewed senior officials with the Ministry of Information Industries, (MII) and The China Electronics Standardization Institute, (CESI) to gain clarity as to existing documents and details of future processes planned by the Chinese government. SIMCOM is pleased to offer the following update and explicit detail regarding China's new law on electronic waste:

Overview:

Lead Governmental Agency:
Ministry of Information Industry, (MII)

Supporting Cast:
Ministry of Commerce, (MoF Com)
National Development and Reform Commission, (NDRC)
General Administration of Customs, (Customs)
State Administration for Industry & Commerce, (SAIC)
General Administration for Quality Supervision, Inspection & Quarantine, (AQSIQ)
State Environmental Protection Administration, (SEPA)

Surveillance and Enforcement Cast:
Certification and Accreditation Administration, (CNCA)
Provincial offices of: Exit-Entry Inspection and Quarantine, (CIQ)

Standards Development Cast:
Standards Administration of China, (SAC)
China Electronics Standardization Institute, (CESI)

Mandatory Implementation: March 7, 2007

Legislative Framework:

Having watched the European Union adopt Directive 2002/95/EC on The Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment, (RoHS) and Directive 2002/96/EC on Waste Electrical and Electronic Equipment, (WEEE); China has longed to introduce indigenous legislation to the international community to demonstrate modern environmental policies.

On first read, one might believe China's legislation is a mere copy of the EU's Directives. However, as details are pronounced, one learns that China's approach is different from the EU's; as it will follow existing compliance schemes through the use of product catalogues and the type testing of listed products.

The best news we can report is that the scheme will evolve over two distinct periods:

1) Initial utilization of either a manufacturer's or importer's self-declaration followed by;
2) The use of a Product Catalogue for type testing and accompanied CCC Mark.

The real question is how quickly China can produce acceptable standards covering: labeling, testing and implementation processes. It is our belief that only minimal standards (labeling) will be produced by the implementation date of March 2007, while full-fledged product test standards will evolve over a number of years.

Important "Administrative Measure" Language:

The "Administrative Measures of the Control of Pollution Caused by Electronic Information Products" is somewhat obscure and thus SIMCOM posed explicit questions to senior Chinese officials for clarification purposes. In order presented in the document we offer the following interpretations:

Article 3: Definitions for terms used:

I. Electronic Information Products:

Written in a broad sense, China has left open the door to add, modify or amend products defined as "electronic information products". The following list of products was derived from an internal Chinese agency memorandum and it covers numerous industry categories and important products:

1) Most forms of transmitters and receivers, microwave terminals; satellite communication equipment; earth-station antennas; power amplifiers.
2) Most forms of telephony equipment: pagers, GSM cell phones; CDMA cell phones, etc.
3) Most forms of office and peripheral equipment: CPUs, generic or special purpose PCs; servers; notebooks; hand-held PCs; PDA's; scanners, displays, mice, keyboards, disk drives, CD ROMS, DVD equipment, printers, fax machines, etc.
4) Most forms of communication network equipment: modems, hubs; routers; switches.
5) Most forms of power supplies; industrial controllers.
6) Most forms of TV broadcast and receiver equipment.
7) Most forms of retail transaction equipment: cash registers, etc.
8) Most forms of gaming equipment: electronic keyboards; controllers.
9) Most forms of household appliances: cooking equipment, microwaves, etc.
10) Most forms of test and measurement equipment: frequency measuring instruments; voltage measuring instruments; oscilloscopes; spectrum analyzers; power meters.
11) Most forms of power control devices: resistors; IC sockets; cores; switches; relays; transformers; coils; inductors; LC filters; thermocouplers.
12) Most forms of: bridge rectifiers; electronic tubes; LCDs; cables; wire; fiber optics; batteries, etc.
13) Most forms of electronic medical equipment.
14) Most forms of surveillance and camera equipment

As you can see, the potential list covers virtually all forms of both household and industrial electronic equipment – without specificity as to use or intended operating environment.

II. Pollution Environments:

In this section, MII has listed any conceivable condition that affects: the environment, resources, human life and health and the safety of property due to a toxic or hazardous element; however the only reference as to toxic or hazardous "levels" is a reference to "future" national or industrial standards. We have been told the standards to support such as system will be in place prior to the March 2007 implementation date; however, it is our belief this will not happen as quickly as the Chinese government wishes.

III. Pollution Control Processes:

MII has again taken a broad-based approach as to how to the control of pollution caused by electronic equipment shall be implemented. Broad suggestions are made including:

1) Technical measures to adapt new product designs, production techniques and substitution of safer materials.
2) Measures shall be taken during the design, production, sale and importation to indicate the names and contents of toxic or hazardous substances. The key element here is that the manufacturer or importer will determine the "safe period", which relates to the perceived time period when the electronic product does not "leak" or, "mutate". **This is obviously subjective and there are no written provisions for conditions where the "safe period" is shorter than promulgated by the manufacturer or importer.**
3) A general requirement that manufacturers, importers and buyers each invoke procurement practices that will "reject" electronic information products that do not comply with yet to be announced national or, industrial standards. Again, the Chinese government hopes to have "threshold levels" determined through the publication of standards by the time the law is mandatory.
4) An outright ban on the sale of products that do not comply with the national or industrial levels. However, this is contradicted by the advent of a "catalogue" or, otherwise a list of products that must comply. One will have to guess when their product is NOT on the catalogue of products, yet they are held responsible for declaration of all names, content and location of any toxic substances or elements in the electronic information product.
5) A "catch-all" section to simply encumber all future measures is included in section.

IV. Specific toxic or hazardous substances or elements: Matching the EU's RoHS Directive:

There are six toxic substances or elements identified by the "Administrative Measure", which are identical to the elements or substances in the EU's RoHS Directive. However, China has included a catchall section under number seven, written as, "Other toxic or hazard substances or elements set by the State". SIMCOM specifically asked what this meant. Quickly the officials stated that it is written to allow China to add any other toxic substances or elements if or, when another sovereign country imposes new toxic substances or, elements in the future. In addition, they stated that if new materials are invented or determined to be "environmentally unsafe", China will add those substances or elements at their discretion.

The six toxic substances or elements cover:

1) Lead
2) Mercury
3) Cadmium
4) Hexavalent chromium
5) Polybrominated biphenyls (PBB)
6)Polybrominated diphenyl ethers (PBDE)

V. The "Safety Period":

The "safety period" will be determined by the manufacturer or importer and is defined as the period when the electronic information product does not leak or mutate. However, the Administrative Measure does not provide instructions or conditions for "non-compliance" whereby the electronic information product fails in a period of time that is shorter than what has been declared by the manufacturer or, importer of the electronic information product.

This causes SIMCOM great concern. It is an issue that will certainly cause litigation to define an "at fault" condition when products fail prior to the period stated. During questioning, the Chinese officials were surprised we expressed concern; but later admitted they had not really thought about the potential circumstances. The officials did state they would take it under advisement.

Key Agencies and Their Primary Roles:

The Ministry of Information Industries clearly has the lead position with this legislation but has enrolled the assistance of other powerful Chinese governmental agencies. The Chinese Electronic Standardization Institute, (CESI) is responsible for the development of a standard for labeling, while engineers within MII, The China Certification and Accreditation Administration, (CNCA) and The Standards Administration of China, (SAC) will develop technical standards for: testing, implementation and surveillance.

Upon full implementation, administration tasks will be managed by CNCA with provincial CIQ offices and Customs offices conducting surveillance and enforcement at the port-of-entry. It is important to note that upon full implementation – ALL products within the Catalogue will be required to obtain a China Compulsory Certificate or CCC Mark. This represents an enormous expansion of the Compulsory Product Certification Scheme, (CPCS) and additional details are provided later in this document regarding these processes.

Important Articles:

Article 9:

Design requirements – Under Article 9 of the Administrative Measure, a "designer" of an electronic information product shall comply with all national or industrial standards to: use hazardless materials or, use low-toxic materials which are easily degradable and/or recyclable. The core issue is that China is yet to develop and publish any national or industrial standards.

Article 10:

Manufacturing requirements – Under Article 10 of the Administrative Measure, the manufacturer shall comply with national or industrial standards in order to "control" the levels of toxic or hazardous elements for electronic information products. Again, the core issue is that China is yet to develop and publish national or industrial standards.

Article 11:

Safety Period – Under Article 11 of the Administrative Measure, the manufacturer or importer shall determine the "safety period" of the electronic information product and display the time period on the product label or, in the User's Manual. Beyond issues mentioned previously regarding products that become "unsafe" earlier than the manufacturer or importer declares is the fact that China has not yet finalized a "label standard". This standard development activity is in process by the China Electronics Standardization Institute. Their work will be submitted to MII for final approval.

SIMCOM believes that the standard for labeling will be completed in sufficient time for manufacturers to meet the March 2007 deadline.

Under Article 12, MII is encouraging industry participation to submit guidance on the "safety period" driven by specific industries. If there is an interest in this type of participation SIMCOM has been approved by CESI to coordinate communication.

Article 13:

Labeling requirements - At this time and according to the Administrative Measure, the manufacturer or importer will be responsible for indicating the name, content level and location of toxic substances or elements as well as state the recyclability of the substances. This information may be presented on the label (depending on the final standard) or, in the User Manual with the product. MII is responsible for final decisions in this regard but current work has been undertaken by CESI.

Article 14:

Product packaging - In addition to listing the name and content level of listed toxic substances or elements, the manufacturer or importer will be required to comply with national standards or industrial standards related to product packaging. As of this date, China has not fully developed or published national standards related to packaging materials. It has been promulgated that the manufacturer will need to list the names of the packaging material either in the product label or in the User's Manual. This development activity is in process with other labeling requirements.

Article 15:

Procurement Processes - Article 15 causes the manufacturer to have incumbent deployment of rigorous procurement processes to assure that electronic information products are not constructed with restricted materials nor, shall they sell restricted products (once the toxic levels are determined) in China.

Article 16:

Use of National Standards - Article 16 is a broad statement to state that all imported products must comply with the national or industrial standards for control of toxic or hazardous substances. There is no language that defines penalties, surveillance or enforcement.

Article 18:

Agency Roles - Article 18 defines the roles of all agencies listed on the first page of this report with MII having responsibility to coordinate all activities relative to formulation and administration of the administrative "catalogue" which will list the specific products encumbered by the legislation. The article states that the Catalogue will list the products and shall be revised annually based on "scientific technology development."

Article 19:

CNCA's Role - Article 19 states that CNCA will have responsibility to enforce the compulsory product certification list, which means it will be added to the current CPCS (CCC Mark Scheme). Further, provincial CIQ offices will be responsible for inspection of the regulated products at the port of entry, which coincides with current processes under CPCS.

Article 20:

Other Rules - Article 20 is very important in the fact that it states although a product may not be listed in the Catalogue, it must meet all "other" rules with regard to the control of pollution caused by electronic information products. This will open numerous issues.

Article 21:

Industrial Development - Written as a broad statement, Article 21 states that MII shall have responsibility to coordinate with all other agencies and based on… "actual circumstances of industrial development" promulgate the… "timeline for the ban of toxic or hazardous substances or elements". SIMCOM asked many questions related to this topic. It seems as though this allows China to implement the legislation at their own pace, (if processes are not completed by March 2007) or, otherwise protect domestic industries under the auspices that the industrial development processes have not matured to a level where it is economically feasible to impose restrictions. In our opinion, this is a creative way to "pick and choose" which industries they force into compliance while taking favor to domestic industries that otherwise might not be able to meet WTO requirements.

Implementation – A Two-Step Approach:

To protect their reputation and provide integrity to the new law, China will implement a two-step approach, which is pragmatic.

Prior to full implementation and to have some assurance of success, China must first create two sets of documents:

1) A catalogue of listed products and;
2) National or international standards that support labeling and product testing coupled with transparent implementation guides to address: surveillance, enforcement and general administrative policies.

Step One – Self Declaration of Toxic Substances or Elements Supported by Labeling Standards:

In essence, China has not determined when they will actually prohibit or, ban toxic substances or elements; nor have they imposed the "levels" for each substance or element that will stand as a compliance "threshold" for any particular substance or element.

China's slower, two-step approach will benefit domestic producers.

Implementation Step One - March 7, 2007:

Under current plans China will formulate a labeling standard by March 7, 2007. At that time, all manufacturers or importers will be required to:

1) Label electronic products to communicate:
   a. The name of the toxic substance or element
   b. The "safe period" of the product
   c. The amount of the substance or element
   d. The location of the substance or element
   e. The recyclability of the substances or elements
   f. The name and contents of the packaging material and its recyclability.

Note: During Phase One, there will be no restrictions on the type or level of toxic substances or elements by any manufacturer or importer.

Step Two – Strict Enforcement (Time to be determined by MII):

Strict enforcement of the Administrative Measure for the Control of Pollution Caused by Electronic Information Products will occur when MII completes and publishes the:

"**Electronic Information Product Contamination Control Key Management Table of Contents**

Formulation Procedures"

This document is in draft stage and prior to public dissemination must be coupled with specific national or, international technical standards to address product testing of toxic substances or elements; including threshold levels for each substance or element. Full administrative details must be published at the same time.

A Catalogue of Electronic Products –

When the Catalogue of products is published, strict enforcement will occur presuming supportive standards have been published detailing threshold levels, methods for testing and supportive, administrative documentation.

New China Compulsory Certification for Electronic Information Products:

China has already determined that each product appearing on the list must not only undergo testing (in China) to prove compliance, but in addition the manufacturer must obtain a China Compulsory Certificate (CCC Mark) for the listed products. At present there are approximately 134 HTS Codes under mandatory certification per China's Compulsory Product Certification System, (CPCS). Most of the products that currently require CCC Marks are electronically oriented. However, the current list of Electronic Information Products obtained by SIMCOM – shows that the number of products under mandatory certification will be expanded exponentially.

What has not been determined is whether the current process for compulsory certification - (Submission of technical documents, type testing against various GB standards, factory inspections and label approval) will be imposed on the Electronic Information Product list. Early word is that they will be subject to the same scrutiny as currently mandated by CPCS.

In all regards, this may become the most onerous aspect of the Electronic Waste regulation.

No Exemptions or Exceptions:

Officials we spoke with at MII and CESI made it very clear there will be no exemptions or exceptions under the new law. Essentially, they stated that if your product is not on the list – you have obtained an exemption. If the product IS ON the list you must comply and under strict enforcement that will mean:

1) Elimination or restricted use of all listed toxic substances at the threshold level depicted in the yet to be published national standards;
2) Accurate labeling to communicate the name, amount, location and recyclability of the toxic substance or element;
3) Accurate labeling or user manual communication defining the name, content and recyclability of the packaging material
4) In-China type testing to demonstrate compliance to the threshold levels of the listed toxic substances or elements
5) Obtaining a CCC Mark for the listed product even though the product may not be on the Compulsory List at this time. What is unclear is whether or not the process will be identical to current requirements or have a new scheme only to cover toxic substances.
6) Processes in place to demonstrate design methods, procurement methods and manufacturing processes to assure compliance.

Current Status of National Standards Development:

MII began work on the development of standards to support the Electronic Waste legislation in

2004. Currently MII is working on eight national standards that they believe will support labeling and testing of products.

Under coordination with The Standards Administration of China, (SAC) China has actively sought cooperation with IEC TC 111. Specifically, TC 111 has formed Working Group 3 to cover China test and threshold issues related to substance density.

Eight standards are in formation process covering:

Labeling Requirements
Requirements for the Prevention of Pollution Caused by Electronic Products
Test Methods for Restricted Toxic Substances
Chemical Ingredients in Leadless Soldering Materials

Draft copies of three standards have been submitted to MII for review. A public commentary process is planned but cannot be assured if the final work is completed in China. After full submission MII will make the final decision on any national (GB) standards.

Summary:

As you have hopefully learned the Chinese government has made a great deal of progress, towards their goal of implementing a full-fledged, regulatory compliance scheme for electronic waste. However, it is clear that a great amount of work must still be completed prior to March 7, 2007 and certainly prior to any strict enforcement process.

Yet, it is also clear that manufacturers must begin preparation at this time to be compliant for step one with mandatory implementation in one year.

It is SIMCOM's goal to maintain close communication with all relevant agencies in China on this topic as part of our long-standing practice to support and facilitate product and component exports into the world's largest growth market.

For additional information or details regarding specific customized plans for your Company, we encourage communication either via email to: chinaelecwaste@esimcom.com or, contact us at: +1 (678) 690-8540 or by mail at:

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BRAZIL

Regulatory Compliance Requirements:

Brazil's economy is rapidly growing with increased trade around the globe. In 2004, Brazil had $96.5 billion in exports and $63 billion worth of imports comprising 25% of the country's GDP. Brazil remains to be the economic star of South America. This article provides an overview of Brazil covering product compliance requirements to assure legal sale in Brazil.

General Facts:

Population : 174.5 Million
Capital : Brasilia
Language: Portuguese (official)
Voltage: 127/220V (Single Phase); 220V (Three Phase)
Frequency: 60Hz
Requirements: Safety, EMC (for Telecom, RF and Medical Equipment)
Factory Inspection: Required
CB Scheme Member Country: Yes

INMETRO

The National Institute of Metrology, Standardization and Industrial Quality (INMETRO) is the national accreditation body for Brazil.

Products meeting Brazilian requirements and certified by an INMETRO accredited organization must carry the mandatory INMETRO Mark alongside the mark of the certification organization.

The INMETRO Mark can be applied to both mandatory and voluntary Brazilian Certification programs.

Some of the duties of INMETRO are:

- ✓ To provide technical support to CONMETRO - the National Metrology, Standardization and Industrial Quality Council, responsible for establishing the national policies on metrology and quality;
- ✓ To implement the national policies on metrology and quality set by CONMETRO;
- ✓ To maintain the national measurement standards in the country; to establish and maintain their metrological tractability to the units of the International System of Units (SI).
- ✓ To coordinate the compulsory and voluntary certification of products, processes, services and the voluntary certification of personnel;
- ✓ To plan and carry out the activities of accreditation of calibration and testing labs and certification bodies.
- ✓ To manage the Focal Point for Technical Barriers to Trade, responsible for maintaining the

Brazilian WTO/TBT Enquiry Point.

- ✓ To harbor the use Quality Management Systems by the Brazilian enterprises

Standards:

Three types of Brazilian standards can be used for certification process:

- NBR: Developed by ABNT (Brazilian Association for Development of Standards), available in Portuguese. Some of them similar to IEC.
- NBR IEC: Identical to the corresponding IEC standard.
- NBR NM IEC: Harmonized for MERCOSUR and are the full translation of the respective IEC standards.

Note: For mandatory certification, the applicant must request for certification according to one of the standards mentioned above, even if the standard is identical to an ISO, IEC or EN standard.

Products Requiring Mandatory Certification:

- Cords and cables for usage up to 1000 V (fixed installations)
- Flexible cables and cords for usage up to 750 V
- Plugs and socket-outlets for household and similar purposes (rated up to 250V, 20A)
- Switches for household and similar purposes
- Electro-medical equipment
- Circuit breakers, Fuses, Fuse-holders, Switches
- Hazardous location equipment
- Ballast for fluorescent lamps
- Automatic voltage regulators/stabilizers
- Natural and LP Gas Components
- Fire Safety Equipment
- Automotive Components
- Other

Product Certification Organizations/ NCB:

UCIEE – União Certificadora para o Controle da Conformidade de Produtos, Processos ou Serviços

The Certificates are valid for two years. Renewal is automatic, providing that factory surveillance is completed according to schedule and maintains compliance.
Certificates for Medical Electrical Equipment are valid for 5 years.

Telecommunications:

ANATEL mandatory certification

HHHH - AA - FFFF

Telecommunication equipment companies that export goods to Brazil need to find out prior to

export if their goods require mandatory certification.

The Brazilian Approval Authority for telecom is ANATEL, located in Brasilia, with branches in several cities throughout the country.
Telecom and RF products destined for Brazilian markets require ANATEL approval. Under the present law, products must demonstrate compliance to prescribed safety, EMC and telecom/RF requirements.

Current law is created by the Brazilian Government in order to:

- Authorize the use and commercialization of communication products in Brazil by certification
- Assure the electrical safety, electromagnetic compatibility, connection and interconnection of communications equipment
- Assure high quality and high performance of terminal equipment
- Prevent the public telecommunications network from harm as a result of the installation of terminal equipment
- Assure the effective use of radio frequency spectrum

The telecom approval process is the same for domestic and foreign products. Products will be evaluated by type examination, production quality assurance and total quality assurance.

Mandatory certification: test results and reports must demonstrate compliance of the equipment with the rules and regulations issued or adopted by the regulatory body. For products whose certification is mandatory, the certificate is a prerequisite for use and commercialization.

ANATEL has defined the following categories of equipment as requiring mandatory certification:

- **Category I**
  - Terminal equipment connected to a fixed switch telephony service (FSTS) network through a termination point.
  - Equipment that connects any private telecommunications network to the FSTS network.
  - Equipment that is connected to FSTS network for the purpose of offering value added service.
- **Category II**
  - Any equipment that is not included in Category I, but uses radio frequency, such as low power devices, unlicensed equipment and antennas
- **Category III**
  - Any equipment that is not in Categories I or II, but that is subject to Anatel's rules and regulations

Market Surveillance:

Customs will check all shipments at the border. ANATEL and INMETRO also conduct market surveillance inspections. If an uncertified product is found, the applicant (manufacturer or importer) may be fined up to $1.3 Mil by ANATEL and $500,000 by INMETRO. If a certified product is causing a problem (non-compliance), the same fines may apply to both certification body and applicant (manufacturer or importer).

For further information or to schedule a conference with SIMCOM International please contact SIMCOM at: (678) 690-8540 **or,** service@esimcom.com **or, visit us at:** www.esimcom.com

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International Compliance News

China Institutes New Regulations Affecting the Auto Industry

Effective April 1, new tax rates are being implemented to promote fuel efficiency and further development of fuel-efficient models. The current tax rate of 8% will be raised to 20% for any vehicles with engine displacements greater than 2 liters. For vehicles with engines between 1 and 1.5 liters the rate will be reduced to 3%. Motorcycles with engines smaller than a quarter liter will be tax under a new rate.

On a different note, the newest regulation recently released by the National Development and Reform Commission mandates China's auto manufacturers stamp their Chinese name on the rear of every domestically made model. The rule also applies to foreign manufacturers in China as well and becomes effective to all cars sold after May 1, 2006. This new regulation was instituted to protect consumer rights and increase brand awareness for domestic manufacturers.

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Happenings with WEEE Legislation

With problems arising with the implementation of the Waste Electrical and Electronic Equipment (WEEE) directive, the EU Commission will propose new legislation. Three major hurdles causing the delay are: lack of EU-level clearing mechanism, standard SOP for compiling national registers of producers, and three EU members not transposing the Directive essential requirement into their national law.

Additional information will be published and released at a later date.

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EU Trying to Ban Measurement Instruments Containing Mercury

The Commission of the European Union is trying to institute a mercury ban in order to lower mercury emissions. The Commission estimates that 33 tons of mercury is used every year in the production of measuring and control devices. Over the 33 tons, 75 – 90% is used on thermometers.

First the ban would create universally rules for the EU and would include: fever and room thermometers, barometers, blood pressure gauges, manometers and sphygmomanometers. Specialty devices where a substitute for mercury has not been found would still be allowed for sale on the market.

This ban will soon be presented to the European Parliament and EU Council of Ministers.

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China's CNCA Announcement 6

Recently CNCA announced six new implementation guides relating to CCC Certification of toys and their materials that went into effect on March 1, 2006. The rules cover the following:

CNCA-13C-068: 2006 - Implementation Rules for Baby Carriage Class Products

CNCA-13C-069: 2006 - Implementation Rules for Electric Toys

CNCA-13C-070: 2006 - Implementation Rules for Plastic Toys

CNCA-13C-071: 2006 - Implementation Rules for Metal Toys

CNCA-13C-072: 2006 - Implementation Rules for Toys with Discharge Mechanism

CNCA-13C-073: 2006 - Implementation Rules for Baby Toys

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