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Sent: Monday, January 10, 2005 12:35 PM
To: Lee Zachos
Cc: Lori_Cooper@ita.doc.gov; FN-USTR-FR0439
Subject: EU meeting 1/10/05 2pm

Importance: High

Lee: I had RSVP for today's meeting, but find myself with quite a sinus infection and don't believe it would be in the best interest of the group if I come today. I do have some comments to the questions in your note from some of my colleagues at Brunswick from the recreational boating marine perspective that I send your way...

1. What are the major challenges you, your company, organization or industry face regarding standards issues in the transatlantic relationship?

Since there is no forum to discuss the intent of the standard or the "mind of the group" that helped write it, we are left to interpret on our own and at our own peril. While the Technical Advisory Group through the American Boat & Yacht Council offers some input to the process, most companies that need to apply the standard are left out of the development process. Also, we in the US have a lot of empirical data that does not get used in the creation of the standard. Finally, the cost associated with complying and exporting from this side far outweighs our European counterpart's export requirements to the US Coast Guard self policing regulations.

2. What strategies have proven successful in addressing these challenges?

Getting involvement into the notified body sectoral group and standards development process via the National Marine Manufacturers Association (NMMA) and other affiliated organizations such as ICOMIA give the boat builder some voice of reason to keep the complexity of the standards process at a minimum.

3. What other approaches would you suggest for government or industry?

We focus on trying to get a single rule for all manufacturer's world wide and that we simplify the compliance aspect as much as possible. Industry has forged the relationships that exist today - government is mired in their own rules that preclude them from making any changes within a timely manner.

4. How can the US and EU cooperate more effectively on standards issues?

The US needs to stop being reactionary and leaving the manufacturing sector at the whim of the EU regulators.

5. Impact of transatlantic standards issues in the global market place and international organizations?

We (US) are unfairly burdened with regulations that our competitors do not have here in the States. Our government rules keep the US Coast Guard from requiring the same from EU exporters because of the difficulty in changing the law in a timely manner.

6. Perspectives on the linkage between standards, the standards development process, and innovation...

While it is recognized that the American Boat and Yacht Council (ABYC) standards have been used as the impetus for many of the standards developed via the ISO process, the development process is really driven by the desires of what was the European classification society approach. The US took a less costly route with the Federal Boat Safety Act and the system works very well. ISO standards do not look to link with other standards while ABYC standards are constantly being evaluated against the ISO standards for alignment. We need to get their cooperation on that alignment.

Market surveillance does not match the standards development or notified body approach. The market surveillance is fractured, ill informed and in many cases takes a localized approach with rules and determinations to suit that locale. There is no actionable appeal structure for outlandish rulings, interpretations, etc. by this body that has played no role in the standards development or construction application of those standards.

I look forward to reading the comments from today's meeting. Thank you ...

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