

Comprehensive Economic and Trade Agreement (CETA) Ref: Ares(2023)3831133 - 02/06/2023
Reg: Ares(2023)8723902 - 19/12/2023

Regulatory Cooperation Forum (RCF)

Fourth meeting
By videoconference, 3-4 May 2022

BRIEFING NOTE

Scene setter/Context of the meeting/ Objective of the meeting:

This is the fourth meeting of the RCF. The first one took place in Brussels in December 2018 and laid the ground for cooperation between the EU and Canada on five priority topics: (i) cybersecurity and the internet of things; (ii) animal welfare – transportation of animals; (iii) re-testing of cosmetics-like products; (iv) co-operation on pharmaceutical inspections in third countries; and (v) exchange of information on the safety of consumer products. The second meeting took place in Ottawa in February 2020 to take stock of progress achieved in the priority topics, take note of the discontinuation of work on cybersecurity due to shifting priorities in the relevant departments and discuss new areas of cooperation: (i) paediatric medicines; (ii) standards; and (iii) wood pellet boilers. The third meeting took place virtually in February 2021; the three new areas of cooperation were further developed alongside the four remaining initial priority areas. The fourth meeting is also taking place virtually.

Canada is the organiser of this meeting. You will be taking the floor on behalf of the EU, together with DG TRADE's co-chair Rupert Schlegelmilch, Director of Directorate TRADE.D. and acting DDG. The co-chairs on the Canadian side are:

- [Art 4.1(b)] (Treasury Board of Canada Secretariat)
- [Art 4.1(b)] (Global Affairs Canada)

The detailed agenda of the meeting is presented in a separate document. The first day of the meeting (3 May from 15h to 17h) will be devoted to a brief discussion on horizontal matters and to the meetings between regulators from both sides. The second day (4 May from 15h30 to 17h30), the stakeholder debrief session will take place, to inform interested parties of the results of discussions the previous day and reply to their questions. The list of participants in this session is also attached separately.

[Art 4.1(a) third indent]

The objectives of the meeting are (i) to encourage regulators to pursue on the ongoing work with a view to achieving tangible results that can be publicised as CETA success stories; (ii) to reflect about possible new areas of cooperation ([Art 4.1(a) third indent] besides the current priority topics,

[Art 4.1(a) third indent] During the stakeholder debrief session, it will also be important [Art 4.1(a) third indent] to show that the process, based on voluntary commitments on the side of the EU and Canada, can lead to positive outcomes.

KEY messages

1. Horizontal issues

Discussion on work plan and reporting

The latest updated version of the [Work Plan](#) was published online in August 2021. In November 2021, we published [online](#) an additional document called “Other items of interest”, including updates on items not fitting in the Work Plan (wood pellet boilers and SCC/CEN-CENELEC cooperation). The two documents are attached separately as annexes. Since the RCF meeting takes place only a few months after these publications, it is too soon to have an update published in conjunction with the meeting. In discussions at working level with Canada, we agreed that it would make sense to have the next RCF co-chairs check-in in the fall (e.g. October 2022) and to have the next update of the documents put online at that time. This would give regulators the time to implement work on ongoing priorities and at the same time stimulate them to produce results before a given deadline.

During the meeting, Canada will also inform about an online stakeholder consultation (not limited to the CETA RCF) that they have just launched.

Role of RCF moving forward in areas of emerging regulatory needs

Ideally, the RCF could be used as a tool to work together with Canada on the post-COVID recovery and in the current geopolitical situation where the EU and Canada are together facing Russia’s attack on Ukraine, by focusing on the two areas that are the pillars of the current Commission action, namely the digital and the green transition. Work with Canada on the topical issue of raw materials is taking place in a dedicated Bilateral Dialogue under CETA.

As regards the **digital agenda**,

[Art 4.1(a) third indent]

As for the **green/sustainability agenda**,

[Art 4.1(a) third indent]

[Art 4.1(a) third indent]

[Art 4.1(a) third indent]

2. Work plan implementation

Work plan items

- **Cosmetics-like drug products**

This cooperation has been a RCF success with the exemption from re-testing/quarantine in Canada of EU sunscreen products, anti-dandruff shampoos and toothpastes. No other products are foreseen for further work so this item is to be considered concluded.

[Art 4.1(a) third indent]

EU comments to be provided by Outi.

List of regulators (not participating for this point):

EU	Canada
[Art 4.1(b)] (DG GROW)	[Art 4.1(b)] (Health Canada)

- **Consumer product safety. Rapex (EU)/Radar (Canada)**

The cooperation between the EU (DG JUST) and Canada is functioning well. After the signature of the administrative arrangement in 2018, a first exchange of information between the two systems took place in June 2019. Both sides are carrying out regularly awareness raising campaigns (the last one took place in summer 2021 on children's water safety) as well as market surveillance activities (such as the first one on heavy metals in children's jewellery). Recent updates are presented hereafter:

1) Some further improvements have been made to **RAPEX – RADAR information exchange**:

- DG JUST revamped the IT application hosting the data in December 2021 to make it more user-friendly.

[Art 4.1(a) third indent]

- A training for Canadian users of RAPEX data took place in February 2022 and a similar training for EU users of RADAR data is under preparation.

2) **Coordinated awareness-raising campaigns**. Participants agreed to the timing and overarching themes of the two annual joint communication campaigns:

- The **March** campaign would focus on **safe baby sleep**, coinciding with infant safe sleep weeks that are celebrated in several jurisdictions in mid-

March. This year, the campaign needed to be put on hold on the EU side because of the war in Ukraine.

- The **September** campaign would focus on **safe online shopping**, with possible variations every year (e.g. electronic products, young people).

3) Coordinated market surveillance activities

- [Art 4.1(a) third indent]
- Health Canada shared their experiences and best practices in **online market surveillance** in the context of an EU coordinated project on the issue.

4) Participants continue to hold **regular teleconferences** at working level to discuss consumer product safety issues (including emerging issues of common interest) and to identify possible areas of cooperation to improve the safety of consumer products in the markets within their respective jurisdictions.

[Art 4.1(a) third indent]

EU comments to be provided by Rupert.

List of regulators:

EU	Canada
[Art 4.1(b)] (DG JUST)	[Art 4.1(b)] (Health Canada)

- **Animal Welfare**

This topic is explicitly mentioned in the CETA text as one of the possible cooperation areas under the RCF. Initially, Canada was seeking information and advice from EU industry and regulators regarding options for industry in accommodating decreased animal transport times. Both sides had contacts in the course of 2019. Canada changed its regulations on long-distance transport of animals which entered into force in February 2020. In the course of 2020, two meetings were held, to discuss the implementation of the new Canadian regulations and the presentation of the EU's Farm2Fork strategy in the field of animal welfare. Another meeting was organised on 16 June 2021. Following the EU's suggestion made at the RCF meeting in February 2021, regulators from both Parties adopted a joint statement on animal welfare that was published [online](#) in the summer 2021. The last dialogue between regulators took place on 24 November 2021 with updates on the following topics:

- Information from Canada on challenges related to recent flooding;
- Information from EC about key animal welfare activities

[Art 4.1(a) third indent]

- [Art 4.1(a) third indent]
- Protection of animals during transport with a focus on sea transport
- Animal welfare labelling [Art 4.1(a) third indent]
- AOB and next meeting (planned for June/July 2022).

[Art 4.1(a) third indent]

EU comments to be provided by Rupert.

List of regulators:

EU	Canada
[Art 4.1(b)] (DG SANTE)	[Art 4.1(b)] (Agriculture and Agri-Food Canada)

- **Paediatric medicines**

This was a Canadian proposal made in 2019 to further develop the cooperation with us with the objective to facilitate the introduction of paediatric medicines in Canada. EMA confirmed its willingness to engage with the Canadians. Since the RCF meeting in February 2020, however, EMA had to focus its resources on the response to the COVID pandemic. A joint work plan with Canada was nevertheless agreed for future actions, taking into consideration expected resource constraints.

[Art 4.1(a) third indent]

Additionally, as requested by Health Canada, plans to revise the EU paediatric / orphan regulations were discussed [Art 4.1(a) third indent]

Other items of interest:

- **Standard Council of Canada (SCC)/ CEN-CENELEC Agreement**

This was a Canadian proposal. Given that the two organizations have already committed to cooperating, and their work in standards development fits well under the principles, objectives and activities of the CETA Regulatory Cooperation chapter, the SCC and CEN agreed there is value in using the RCF to encourage, support and promote joint regulatory cooperation initiatives.

[Art 4.1(a) third indent]

This cooperation is focused on the interface between regulations and standards and relates specifically to the development, adoption, and implementation of standards, including international standards, in Canada and Europe.

This cooperation aims to deepen mutual understanding, support the sharing of expertise, perspectives, and best practices, as well as to promote transparency and predictability in the development and implementation of standards. In determining potential areas for specific and direct cooperation, this work may identify new ways for SCC and CEN-CENELEC to cooperate on specific topics.

[Art 4.1(a) third indent]

EU comments to be provided by Outi.

List of regulators:

EU	Canada
[Art 4.1(b)] (CEN/CENELEC)	[Art 4.1(b)] (SCC)

- **Wood pellets boilers**

This is an EU proposal. The objective is to find a way to place EU wood pellet boilers on the Canadian market.

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[Art 4.1(a) third indent]

technical committees proposed to create a specific working group tasked with providing
[Art 4.1(a) third indent]

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[Art 4.1(a) third indent]

[Redacted]

EU comments to be provided by Outi.

List of regulators:

EU	Canada
[Art 4.1(b)] (CEN/CENELEC)	[Art 4.1(b)] (SCC)

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[Art 4.1(a) third indent]

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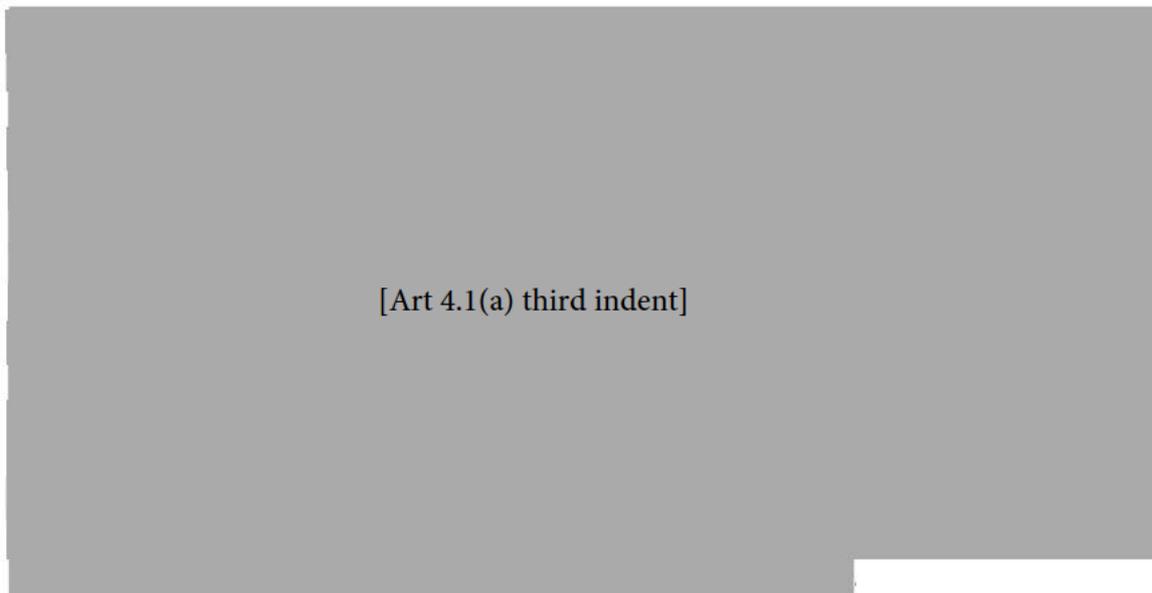
(DG GROW & DG ENV and Public Services and Procurement Canada). In April 2022, Canada informed us that in light of changing priorities, Canadian officials have decided to pause efforts to advance the topic at this time. They nevertheless recognize the importance of this issue and will keep the channels of communication open so that future opportunities for collaboration can be identified, potentially with respect to tools for low-carbon tenders, or the application of Product Environmental Footprint Category Rules (PEFCRs) in public procurement. On our side, the colleague working on the file in DG ENV informed us that his contract would end on 30 April 2022 and that any decision about possible future work should be discussed with his successor – to be appointed.

EU comments to be provided by Outi.

List of regulators:

EU	Canada
[Art 4.1(b)] (DG GROW), DG ENV.B1	[Art 4.1(b)] (Health Canada)

- [Art 4.1(a) third indent]



List of regulators:

EU	Canada
[Art 4.1(b)] (DG GROW)	[Art 4.1(b)] (Health Canada)

EU comments to be provided by Outi.

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[Art 4.1(a) third indent]

EU comments to be provided by Rupert.

List of regulators:

EU	Canada
[Art 4.1(b)] (DG SANTE)	[Art 4.1(b)] (Health Canada)

- [Redacted]

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[Art 4.1(a) third indent]

EU comments to be provided by Rupert.

List of regulators:

EU	Canada
[Art 4.1(b)] (DG TAXUD)	[Art 4.1(b)] (Finance Canada)

3. Stakeholder debrief session

58 stakeholders will attend the debrief session (registration still open). The list of registered participants is attached as a separate document. Most of the registrations are from representatives of companies or trade associations in the EU and Canada. Other registrations have been made by NGOs, academia and representatives of provincial authorities (in Canada).

A specific session in the afternoon of the first day of the meeting (3 May) is foreseen to discuss together with Canada how to prepare the stakeholder debrief. The debrief is relatively short (1.5 hours). A short introduction should be made by the RCF Co-chairs (to be determined who will take the floor first but in principle it should be for the Canadian co-chairs as they are the organisers of the meeting) and as much time as possible should be left to the Q&A session with the audience.

4. AOB

[Art 4.1(a) third indent]