



# ASTM Standards, Regulations & Trade

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## Overview of ASTM International

- Organized in 1898, ASTM is the largest private sector standards development organization in world
- ASTM has a volume of 12,000 standards used worldwide by 90 industrial sectors ranging from fuels and materials to new areas such as nanotechnology
- Offices in U.S., Mexico, China and Brussels

# ASTM International and Trade

## ASTM International & Trade

- ASTM meets World Trade Organization rules and commitments relating to international standards.
- Thousands of ASTM standards are used as the basis for technical regulations in the US, China, and at least 80 other countries worldwide.
- ASTM serves manufacturers and purchasers of strategic importance to Russia including petroleum, timber, steel, aluminum, nickel, inorganic chemicals, tourism, and 90 other industrial sectors.

## ASTM Complies with WTO

- WTO Technical Barriers to Trade (TBT) Review: Global debate concerning what is an “International” standard for trade & technical regulation?
- 2002 WTO Committee rendered a Decision and published document G/TBT/1/REV 8 Section IX identifying principles for the development of international standards and rejected the premise that there is a list of recognized international SDOs
- ASTM develops international consensus standards in compliance with the WTO principles:
  - Transparency, Openness, Impartiality/Consensus, Effectiveness/Relevance, and Development dimension

## Why is WTO TBT is important?

- Recognizing international standards based on the TBT Decision is an official US position in the current US/Russia Bilateral Negotiation on WTO Accession
- When Russia's WTO Accession is completed, it will be party to the WTO TBT Agreement
- Utilizing ASTM standards in regulations and trade is globally recognized and TBT defensible
- To date, there has never been a WTO TBT dispute challenging the use of an ASTM standard in a regulatory or trade matter

# Regulations, Procurement and ASTM Standards

# U.S. Legal and Policy Framework

- National Technology Transfer and Advancement Act of 1994 and OMB A-119:
- “...all Federal agencies and departments shall use technical standards that are developed or adopted by voluntary consensus standards bodies, using such technical standards as a means to carry out policy objectives or activities determined by the agencies and departments....and shall, when such participation is in the public interest...participate with such bodies in the development of technical standards.”

## U.S. Government and ASTM

- ASTM standards continue to meet Government needs
  - 2006 NTTAA 10 year review demonstrates our value
- U.S. Government is both an equal partner and key stakeholder
  - 1000 units of U.S. Government participation in ASTM
  - Active in 93% of ASTM's committees
  - Wide array of agencies represented
  - Relationships with Federal Standards Executives
- State government officials are also engaged (47 states are represented, including California)

## ASTM Standards in U.S. Law

- Of the 6500 Voluntary Consensus Standards incorporated by reference in the *US Code of Federal Regulations*, ASTM standards are listed over 3000 times
- ASTM International is the number one SDO on the Government's Top Ten Regulatory SDO List

See: <http://standards.gov/sibr/query/index.cfm>



# Standards Incorporated by Reference in U.S. Regulations

ASTM International	ASTM	3348
<u>American National Standards Institute</u>	ANSI	805
<u>American Society of Mechanical Engineers</u>	ASME	666
<u>National Fire Protection Association</u>	NFPA	546
<u>Society of Automotive Engineers</u>	SAE	503
<u>American Petroleum Institute</u>	API	438
Reprographic Technologies		348
<u>Underwriters Laboratories, Inc.</u>	UL	339
State of Illinois, Administrative Code	I.A.C.	338
<u>International Maritime Organization</u>	IMO	330

## U.S. *CFR* Citations of ASTM

- Energy – 50
- Commerce – 12
- Consumer Products - 9
- Food and Drug – 129
- Highways – 279
- Housing – 320
- Interior - 17
- Labor – 56
- Environment – 692
- Shipping & Rail – 989
  - Federal Railroad Administration
- Agriculture - 240



## U.S. Procurement Standards

Defense Supply Center	DSC	1526
<u>General Services Administration</u>	GSA	736
ASTM International	ASTM	502
<u>Institute for Printed Circuits</u>	IPC	474
<u>Society of Automotive Engineers</u>	SAE	451
<u>U.S. Department of Energy</u>	DOE	157
<u>Compressed Gas Association</u>	CGA	105
<u>Naval Air System Command</u>	NAVAIR	90
<u>American Society of Mechanical Engineers</u>	ASME	70

# ASTM Standards in Global Regulations (or as the basis of a national standard)

Asia (11)	Europe (32)	Latin America & Caribbean (18)	Middle East & North Africa (9)	Sub-Saharan Africa (12)
AFGHANISTAN	RUSSIA	BOLIVIA	EGYPT	BOTSWANA
CHINA	EU - 27	CHILE	GCC (Gulf States)	CONGO
INDONESIA	Members*	COLOMBIA	IRAQ	ETHIOPIA
KOREA	BOSNIA	COSTA RICA	ISRAEL	GHANA
MALAYSIA	CROATIA	DOMINICA	JORDAN	KENYA
MONGOLIA	KAZAKHSTAN	ECUADOR	MOROCCO	MAURITIUS
PHILLIPINES		EL SALVADOR	PALESTINE	MOZAMBIQUE
SINGAPORE		GRENADA	TURKEY	NIGERIA
SRI LANKA		GUATEMALA	QATAR	SOUTH AFRICA
TAIWAN		HONDURAS	SAUDI ARABIA	UGANDA
VIETNAM		JAMAICA		ZAMBIA
		PANAMA		ZIMBABWE
		PERU		
		NICARAGUA		
		ST. LUCIA		
		ST. VINCENT & GRENADINES		
		TRINIDAD & TOBAGO		
		URUGUAY		

## Global References to ASTM

- Access to U.S. and North American market often requires ASTM in regulations and procurement
- Industry buyers of steel, aluminum, nickel, petroleum and other materials often require ASTM specs in contracts and orders
- Growing references in ASTM outside of the U.S.
  - China, South Africa and 10 other countries require ASTM blendstock specification for fuel grade ethanol imports
  - ASTM specs facilitates petro trade between China and producers in Africa including Nigeria and Congo

## References to ASTM in the EU

- Since 2001, there have been at least 311 references to ASTM standards in European legislation
  - Mostly in the areas of fuels, lubricants and chemicals
- One challenge to ASTM is the EU's New Approach to Regulation
  - Use of CEN standards triggers presumption of compliance to essential requirements of directives
- Bad policy: EU regulations under New Approach are rigid and don't recognize the flexibility to select standards based on quality and relevance

## ASTM in the EU

- While there are regulatory hurdles, industry use of ASTM standards in EU is strong
  - 1500 members from all EU countries
- New ASTM activities in emerging areas have heavy EU participation:
  - Nanotechnology, Pharmaceuticals, REACH/ROHS and DecaBDE Declarations
- Industry and consumers concerned about the pace and effectiveness of CEN and prefer certain ASTM standards (toys, fire safety, environment, etc).

# Summary: Benefits of Working with ASTM International

## Benefits to Russian Industry

- Access to regulators from the U.S.(Federal and State) and other countries
- Early and direct knowledge of emerging technical regulations in the US and abroad
- Ability to shape the instruments of global regulation
  - ASTM Committee F40 doing developing tools for REACH/ROHS and DecaBDE compliance (Europe, US, China and Korea)

## Benefits to Russian Government

- Eliminate/reduce costs of developing standards
- Decrease costs of good purchased
  - Commercial off the shelf procurement
- Promotes efficiency and economic competition
- Relies on the private sector to meet needs
  - Access to industry experts and technology
  - Process is faster and more dynamic

## Summary Message

- ASTM meets World Trade Organization (WTO) criteria for “international” standards
- Knowledge of ASTM standards is important for complying with U.S. regulations and procurement requirements.
- Increasingly, ASTM standards are being used around the world (84 countries) in technical regulations and trade.
- We hope that industry and regulators are open to choose from a portfolio of international standards that includes ASTM International.
- ASTM Technical Committees would benefit from the knowledge and expertise that would come from more Russian participation.



**Thank you for your interest!**

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