

The Consumer Voice in Europe

OPTIMISING REGULATORY COHERENCE IN TTIP: NEED TO FOCUS ON REGULATORS, NOT REGULATIONS

BEUC position on regulatory cooperation in TTIP



Contact: Léa Auffret – trade@beuc.eu

BUREAU EUROPEEN DES UNIONS DE CONSOMMATEURS AISBL | DER EUROPÄISCHE VERBRAUCHERVERBAND
Rue d'Arlon 80, B-1040 Brussels • Tel. +32 (0)2 743 15 90 • www.twitter.com/beuc • consumers@beuc.eu • www.beuc.eu
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Summary

- Cooperation between regulators could be beneficial for consumers if it is designed and implemented in a careful way, with distinct red lines, while pursuing ambitious public-policy interests. To be effective and deliver concrete benefits, several conditions have to be met and that will be detailed below.
- A formal dialogue between regulators should be designed to promote best practices and improve the well-being of EU citizens. It should aim at improving efficiency of consumer protection, in areas where both parties are looking to achieve the same goal. We believe a greater cooperation between regulators on technical aspects of interest for consumers could be positive. Indeed, it could lead to more compatible requirements and objectives based on ambitious criteria for consumers while facilitating trade for companies.
- In order to deliver its objectives, such cooperation should cover acts related to non-legislative acts, not all acts that could have an impact on trade and investment. For example, we would support a cooperation aiming at setting up rapid alert systems for food and product safety at transatlantic level, as it would be about implementing the rules. However, we believe regulatory cooperation should not cover regulatory acts, where policy makers should be able to keep the full scale of their powers of initiative and proposal, without any specific treatment granted to their transatlantic counterparts. In summary, we support and encourage cooperation between regulators, but not the introduction of specific procedures and structures when it comes to the preparation of rules and regulations.
- We believe the voluntary basis model of regulatory cooperation in CETA should be applied to TTIP. An effective cooperation mechanism does not need to be compulsory to achieve its goals. A voluntary system would be a way to guarantee that a bilateral dialogue between regulators will not lower standards in the long run, by giving the possibility to the regulatory authorities to decide whether or not sharing some aspects of planned acts that could have an impact on trade.
- Moreover, being aware of the US expectations for good regulatory practices and participation of stakeholders, we urge the Commission to circumscribe the exchange of information on planned regulatory acts. We agree with an exchange of lists of planned acts containing general ambitions on a yearly basis, but not with an exchange of EU draft regulations. Priority for deciding on EU law has to be given to EU legislators. In parallel, we agree that there should be accountability with regards to stakeholders but it should provide for guarantees to prevent regulatory chill and increased administrative burden and costs.
- We believe that an improved dialogue between agencies and authorities does not require a complex and costly structure. If such structure were to be agreed between the parties, safeguards must be put in place. To define those safeguards, it is essential to conduct an impact assessment to evaluate the financial and human resources costs, the implication in terms of administrative burden for the EU and its member States and the risks of regulatory delay and chilling effect. The absence of such evaluation is incomprehensible in this era of better regulation and impact assessment. It is also necessary to analyse the multiplication of regulatory cooperation mechanisms in free trade agreements.

- TTIP negotiations have raised a new interest of the general public towards trade but also a need to ensure coherence and consistency between trade policy and other EU policies such as consumer protection, health and food safety, the digital agenda or environment. Therefore, the horizontal chapter of regulatory cooperation needs to be carefully articulated with the sectoral chapters, the part on financial services, the SPS and TBT chapters as well as with the market access and rules pillars. Furthermore, it is also important to make sure that this bilateral cooperation between regulators will be consistent with the EU support towards multilateral trade.

1. Introduction

An improved cooperation between regulators could be beneficial for consumers if it is designed and implemented in a careful way while pursuing ambitious interests that are not only trade-related. The objective of regulatory cooperation in TTIP is to avoid unnecessary barriers to trade, in areas where both regulators are looking to achieve the same goals and levels of protection. The idea is to facilitate trade, stimulate economic growth and by that potentially reduce prices for consumers while offering them more choices. BEUC is supportive of cooperation between regulators but is opposed to TTIP-specific mandatory cooperation procedures on the adoption of regulations. In addition, to be effective and deliver concrete benefits to consumers, the cooperation between regulators has to meet several conditions. In this paper, we outline these conditions and formulate recommendations to make sure cooperation between regulators will be efficient, benefit citizens and to guarantee that indeed TTIP will not lower regulatory levels of protection. Our analysis and recommendations are based on the latest version available of the EU textual proposal on the horizontal chapter of regulatory cooperation¹. Our remarks on specific parts of the EU proposal are made against the background that we question cooperation on regulatory activities.

First of all, we believe the term regulatory cooperation is ambiguous to qualify a cooperation between EU and US regulators. It covers both cooperation on regulations, which we oppose, and other types of cooperation between regulators in their implementing/enforcement capacities, which we support. Furthermore, there is a need to better define the concept of regulators. This cooperation is supposed to be about non-legislative acts, about enforcing the existing rules, make them more compatible and about suggesting new technical rules to legislators, not regulations. Hence, regulatory cooperation should refer to the EU agencies and the authorities, not only the Commission.

We would like to stress that consumers also have offensive interests in this pillar of TTIP. By talking to each other, eliminating redundancies and trying to adopt more compatible technical standards, regulators could improve consumer welfare. For instance they could suggest to establish a transatlantic rapid alert system for food and non-food product safety on the basis of the EU RASFF and RAPEX models. Indeed, better informed regulators will be able to react more quickly and protect consumers from dangerous goods. EU and US agencies could also improve the exchange of data of clinical trials to offer treatment more rapidly to patients and avoid duplication of inspections for medicines.

¹ Textual proposal submitted by the EU to the US during the round of April 2015, made public on 4 May 2015 http://trade.ec.europa.eu/doclib/docs/2015/april/tradoc_153403.pdf

Another interesting area of cooperation between EU and US agencies would be the effective enforcement of EU consumer rights if something goes wrong after an online purchase, in case of need to contact a foreign service provider or to obtain compensation. Some of these offensive interests are already developed in the negotiations but others do not seem to be on the radar of negotiators.

TTIP will be a living agreement and several provisions of the text will be used in the long term to influence regulations. The positive outcome of cooperation between regulators will depend upon the way this cooperation will be designed, its scope, its legal basis and its living implementation. For regulatory cooperation to be effective, it needs to be based on a voluntary basis, covering non-legislative acts of trade and encouraging regulators to cooperate without increasing costs and administrative burden impacting on the right to regulate. Regulators should not be obliged to communicate the content of draft regulations nor should there be a mandatory outcome of cooperation or mandatory feedback mechanisms as it is the case in the US "notice and comment" system.

We believe the proposed structure for a dialogue between regulators is too complex, far-reaching, burdensome and in the end not necessary to optimize their cooperation. If a Regulatory Cooperation Body (RCB) were to be planned in the final deal, it is essential to properly assess its impact in terms of costs, administrative burden, human resources and pressure for regulators. EU citizens are supposed to save money through the implementation of the agreement; this will not be possible if they have to pay for an unexpectedly expensive transatlantic cooperation machine. The absence of such evaluation is incomprehensible in this era of better regulation and impact assessment.

Moreover, we urge the Commission to respect the recommendations of the European Parliament, as set in the resolution adopted on 8 July 2015². The European Parliament notably asked for the horizontal chapter on regulatory cooperation to develop and secure "the **highest levels of protection** of health and safety in line with the precautionary principle laid down in Article 191 TFEU, consumer, labour environmental and animal welfare legislation and of cultural diversity that exists in the EU".

Finally, we believe that the relationship between the horizontal chapter on regulatory cooperation and the TBT, SPS chapters, the sectoral provisions including on financial services and the other two pillars will be crucial.

2. The importance of the scope

A better cooperation between EU and US agencies and authorities should focus on implementing rules and working together to make more compatible technical rules, not legislations. This is what has been repeated by the Commission³ since the launch of the negotiations. However, the latest version of the EU proposal for a horizontal regulatory cooperation chapter covers all regulatory acts at central level in areas covered by TTIP, which have or are likely to have a significant impact on trade or investment. This a very wide scope, far from only affecting technical issues. The Commission has to define very carefully which acts would be concerned⁴ and how they should be approached in clearly carving out legislative acts to be considered in regulatory cooperation.

² European parliament resolution on TTIP : P8_TA-PROV(2015)0252 (point 2, c i).

³ Commissioner Malmström's [blogpost](#) of February 2015: "We want to focus our regulatory cooperation work on technical areas where EU and US regulations are *already similar*."

⁴ NB 6 of the proposal referred above plans the identification of those acts without entering into details.

Indeed, as we expressed in our general position paper on TTIP⁵, we believe that concepts such as **mutual recognition** or **equivalence** must be handled carefully, otherwise it could lead de facto in the long term to deregulation, for example in areas like food safety, chemicals and financial services. For instance, if the EU were to recognise US decontamination processes for poultry meat, using peroxyacetic acids, as equivalents to EU processes, using only water⁶, the food hygiene legislation would be weakened. On the basis of the current frameworks of dialogue between regulators, we could however support, upon proper assessment, to envisage these concepts to avoid duplication in areas such as toy safety and clinical trials. The European Parliament formulated similar recommendations in its TTIP resolution adopted on 8 July 2015⁷.

While we welcome the reference in the general notes of the proposal explaining that the scope of regulatory cooperation does not cover legislation at central or non-central level establishing the framework or principles to achieve **public policy objectives**, including consumer protection, it needs to be included in article 3 to be enforceable. Moreover, we welcome the changes made in the latest version of the horizontal chapter, making sure that the **areas not covered by TTIP**, such as data protection, will not be covered by regulatory cooperation. We recommend to detail the list of the excluded areas, at the end of the negotiations, in the horizontal chapter.

3. Exchange of information on a voluntary basis

Regulatory cooperation in TTIP is so far planned to be compulsory. This is justified by negotiators because of the fact that the existing regulatory dialogue with the US is not efficient. A mandatory dialogue, however, is far from being a guarantee for more efficiency, especially as there are no provisions on dispute settlement. In CETA, regulatory cooperation is also a cornerstone of the agreement, and yet it is a **voluntary system**. We recommend to build on the negotiating experience with Canada and to follow a voluntary approach to really ensure the protection of the right to regulate. It is necessary to leave regulators at central level with a margin of appreciation of what they want to share and not, like it will be the case at sub central level. Indeed, the exchange of information could bring benefits but will also increase the political and lobbying pressure on regulators, which could induce in the long run a **regulatory chill effect**⁸.

The exchange of information proposed by the EU regarding central level acts in current article 9 of the proposal states that a Party will have to give complementary information on planned acts at the demand of the other party. As mentioned before, BEUC does not support a TTIP specific cooperation on regulatory initiatives, and therefore urge to delete this section in the dedicated chapter. The reasons therefore are the following: A trade partner should not have a preferential access to draft regulations compared to domestic legislators. In current article 12 of the proposal a dialogue may take place **before the adoption of a Commission proposal**. The provision also adds that nothing in this chapter obliges a Party to suspend or delay the legislative program. However, article 9 also states that the parties shall participate constructively in the exchanges and that

⁵ BEUC position paper : "Consumers at the heart of TTIP", May 2014:
http://www.beuc.eu/publications/beuc-x-2014-031_mgo_ttip_updated.pdf

⁶ See Art. 3(2) of Regulation (EC) No 853/2004 laying down specific hygiene rules for food of animal origin.
⁷ P8_TA-PROV(2015)0252 (point 2, c, i) : "negotiators on both sides need to identify and to be very clear about which technical procedures and standards are fundamental and cannot be compromised, which ones can be the subject of a common approach, which are the areas where mutual recognition based on a common high standard and a strong system of market surveillance is desirable and which are those where simply an improved exchange of information is possible".

⁸ Alberto Alemanno, The Regulatory Cooperation Chapter of the Transatlantic Trade and Investment Partnership: Institutional Structures and Democratic Consequences.

each point of substance raised by one Party shall be addressed and answered by the other Party. This contradicts the assertion that legislative proposals will not be delayed or influenced (also see points 5 & 6). Therefore we recommend to carve out any obligation to exchange EU draft proposals. Trade partners and stakeholders already have multiple opportunities to be consulted and comment on the general objectives of future regulations and measures in public meetings, through public consultation and impact assessments.

4. Involvement of stakeholders and comment system

As a public interest organisation, we strongly support stakeholder consultations. Current article 6 of the proposal mentions that regulators shall take into account contributions received by stakeholders during a **public consultation process**. We would like to stress that such process needs to be inclusive and representative. It is necessary in this context to put in place procedures that will prevent regulatory capture by corporate interests. Indeed, stakeholders representing businesses and the industry will have more resources than smaller stakeholders such as NGOs to optimize their input and therefore to influence regulators. Like described in NB 10, this is already the formulation that exists in the WTO TBT agreement. However, the US have been expressing their will to modify the regulatory practices of the EU, notably when it comes to stakeholder consultation and transparency. The US seems to push the EU to follow its notice and comment system. While we agree that there should be a certain level of accountability towards stakeholders, it should be voluntary and accompanied by guarantees to prevent delays notably through abuse of commenting opportunities.

Furthermore, current article 15 of the textual proposal on regulatory cooperation covers **stakeholder's participation** within the RCB. We are pleased to witness a will to involve stakeholders in the process and by the possibility to submit general views and observations to the RCB. However, the creation of an RCB is not necessary to optimize cooperation between regulators and would create further administrative burden and increase regulatory costs. If such a mechanism were to be included in TTIP, we would be concerned by the provision planning that when proposals from stakeholders are considered by the RCB, a written reply shall be provided without undue delay. As mentioned above, safeguards should be put in place to avoid a chilling effect. Let's take the example of regulators from the food and veterinary office of the EU and from the US food safety inspection service reflecting upon the possibility to enhance food inspections at transatlantic level. Some stakeholders might submit proposals, which could be considered by the RCB, arguing that this would be more burdensome than necessary and impact jobs and growth⁹. Replying to those proposals might delay or even water down initiatives.

Regarding the **comments between the parties**, we welcome the reference in article 9 stating that legislative bodies shall not be obliged to respond to comments put forward by the other Party. However we recommend to clarify paragraph 6 of article 9 which states that each point of substance raised by one Party shall be addressed and answered by the other Party. As explained above, a safeguard is necessary here to prevent delaying or watering down legislative proposals.

It is also important to reject any obligation for regulators to prove that they followed a cost/benefit analysis in their reflection. In the long run what we want to avoid is the introduction of this kind of analysis because it could notably favour the US risk based

⁹ If they were to be suggested by the RCB to the EU and US legislative bodies.

approach and undermine the EU's hazard based approach, more in line with the precautionary principle. This concern is linked to the future influence of regulatory cooperation in TTIP on EU's **impact assessment methodology**. Therefore we recommend to delete in current article 15 the obligation for the RCB to provide written reply without undue delay and replace it by a possibility for the RCB to comment on the proposal considered orally or in a written form, if they deem necessary, without mention of timing.

5. A lighter and smarter structure to optimise the effects

One of our major concerns with the proposed regulatory cooperation in TTIP is its heavy and complicated structure and the implication in terms of red tape, public spending and risk of regulatory chilling effect. According to the EU proposal, the RCB will be divided in three layers plus a proposed parallel forum on financial services. The First layer would be the political one, taking the form of a **Joint Ministerial Body** suggesting priorities of cooperation to the regulators.

The second layer would be the RCB in itself, composed by EU and US regulators whose task will be to exchange information, reflect upon ways to increase regulatory compatibility and suggest common rules to legislators. While we are supportive of a better cooperation between EU and US regulators, **we strongly believe that the establishment of the RCB would create too much administrative burden and induce costs**. The organisation of frequent meetings between diverging sets of regulators tasked with specific non-legislative acts does not require a complex structure. It could simply be materialised in the agreement by the creation of a formal dialogue between regulators.

The third layer would be more administrative: the **focal points**. And this layer is linked to the flow of information that will be triggered by the new mechanism. The focal points are intended to take the form of offices designated by each Party and will be responsible for exchanging information about envisaged and existing regulatory acts at central (compulsory) and non-central level (voluntary). The focal points will also be in charge of channelling the comments and statements of a Party on the other Party's regulatory acts. Again, we believe this would be too burdensome and is not necessary for negotiators to cooperate on a voluntary basis. Especially if the multitude of trade agreements currently negotiated, including some form of regulatory cooperation, is taken into account.

In case both parties will agree upon the creation of an RCB, clear safeguards have to be put in place. Indeed, the proposed RCB would be a very important and heavy structure and yet we have not seen any **impact assessment** of its implication regarding legislative deadlines, administrative burden for EU and national authorities as well as costs. This is very surprising in this period where better regulation and impact assessment are in the spotlight. Such a structure will indeed require a lot of **human and financial resources** to materialise the exchange of information, the complementary requests, comments and replies. Giving the budgetary constraints within the Commission and the agencies, we are worried about the current lack of anticipation of negotiators. TTIP is supposed to save money for businesses and authorities, and therefore indirectly for citizens and consumers. This will not be realistic if they all have to pay for this kind of mechanism, especially if the extent of the costs has not been anticipated yet. Therefore, we recommend to conduct a detailed impact assessment of how much the overall system of regulatory cooperation as imagined (including the focal points and the different channels of communication) is going to cost and what it will imply in terms of financial and human resources. We also recommend to evaluate the implication of **lobbying and**

political pressure on regulators and to identify concrete tools to secure the right to regulate (see points 4 and 5). This is necessary to make sure that the level of protection in the EU will not be undermined through regulatory cooperation. In light of these assessments, we believe **a lighter structure should be considered, by not making it compulsory and by reducing its scope.**

Moreover, we urge negotiators to pay a particular attention should be given to the **composition of this dialogue between regulators**, or RCB depending on the evolution of the talks. In the EU proposal, the idea would be to gather around the table: representative of the parties at central and non-central level, senior representatives of regulators and competent authorities, and representatives responsible for regulatory coordination activities and international trade matters at the central level. From what we understand the role of DG Trade would be predominant in this structure. We are particularly concerned about the **definition of the regulators**. Indeed, the Commission defines regulators and competent authorities at EU central level in its proposal (article 2) as referring to the Commission. We believe this definition is not accurate and should clearly refer to the role of the **EU agencies and authorities**, who are the regulators. Again, the second pillar of TTIP is about cooperation between regulators, meaning those implementing and supervising the rules, not making them. Regarding the involvement of the Commission, we recommend to not only involve DG Trade officials but also **officials from relevant DGs** having expertise on the topics on the agenda. This should be clarified in article 16 of the proposal.

6. Coherence in regulatory cooperation

The horizontal regulatory cooperation chapter does not ensure a coherence with other chapters of the regulatory cooperation pillar. Those chapters are the **SPS, TBT, the sectoral chapters and the part on financial services.**

A reference to their relationship with the horizontal chapter has been added to the general notes of the current proposal. It states: "in case of overlap or doubt, the specific or sectoral provisions shall prevail and it remains open at this stage whether in some sectors, such as for example chemicals, such specific or sectoral provisions might have a comprehensive character." The negotiations are ongoing and we understand that the current textual proposal will be subject to changes. Nevertheless it is essential to ensure solid foundations now to avoid any legal inconsistencies in the future and therefore to complete the relevant placeholders in the textual proposal.

Moreover, the relationship between the entire regulatory cooperation pillar with the **market access pillar** and the **rules pillar** should also be taken into account. It will also be important to ensure the proper articulation and coherence between transatlantic regulatory cooperation, rules of the **EU internal market** and **other EU policies.**

Besides, TTIP will not be the first free trade agreement planning a regulatory cooperation mechanism. For instance, this kind of cooperation mechanism exists in CETA. It is important to evaluate how those two bilateral mechanisms will be managed at EU level and how they will impact each other. From what we can see, two different mechanisms and bodies will emerge from these agreements and therefore imply different management resources, rules of procedures and analytical tools. This could be even made more complex in the future with the addition of similar mechanisms in other bilateral agreements.

This underlines the need for a multilateral approach to regulatory cooperation, resting on clear agreements as what regards information and communication structures. The multilateral institutions already existing such as the World Trade Organization should have a distinct place in this architecture.

7. The missing objectives of regulatory cooperation

Cooperation between regulators in TTIP is foreseen to be a tool to facilitate trade and investment while protecting the high levels of protection for consumers, health and safety, personal data and financial stability, among others. Eliminating obstacles behind the borders should also aim at benefiting consumers' offensive interests. Indeed, TTIP will not automatically result in a reduction of prices for goods and services, an increase of choice and of quality. Here, a cooperation regarding competition policy could be interesting because a **strong competition framework** will be key for achieving those expected benefits of TTIP.

Apart from these goals, we fail to see a strategy to secure **consumers' offensive interests**. Consumers expect more than just reduced prices from this deal, they want their everyday shopping experience to be improved and their rights maintained. Therefore we recommend negotiators to design a cooperation that would aim at establishing a transatlantic rapid alert system for food and non-food product safety. An ambitious cooperation between regulators benefiting consumers could also seek to reduce geoblocking.

Another missing tool to secure such high levels of consumer protection lies in guaranteeing the effective **enforcement of consumer rights who engage in transatlantic purchases**. Indeed, TTIP is designed to generate more flows of goods and services that consumers will supposedly buy. Consequently, more disputes may arise from these increased flows and there is a need to provide access to dispute resolution mechanisms and ensure the enforcement of well-established rights. Concretely, cooperation is needed to make sure that consumers will be protected, for example in case something goes wrong during or after an online purchase of a good or a service, or at the pre-contractual stage. This is not secured for the moment; the protection of consumer rights is not just a question of place of residence but depends upon several factors, such as the law applicable to consumer contracts and whether non-EU providers target the countries of EU consumers¹⁰. For example, if a consumer buys a product or a service sold by a US company, which did not directly target him, and which integrated in the contract a forced arbitration clause and a choice of law provision in favour of non-EU law, this consumer will regularly not be protected by EU consumer rights. In fact, such clauses often stipulate that in case of dispute, courts will not handle the dispute, but rather a private tribunal, most often biased in favour of corporations. Needless to say that in most cases, consumers are not aware of "consenting" to these clauses. Thus, we urge negotiators to pursue a better cooperation between EU and US consumer agencies/authorities to protect consumers from this type of practices, to facilitate access to "helplines" for consumers, to better manage complaints and ensure successful redress.

¹⁰ On the page of website Your Europe relating to online shopping, the Commission states: "Your consumer rights under EU rules normally also apply to purchases from non-EU online traders targeting consumers in the EU. However, please be aware that you may have more difficulties in claiming your rights against traders based outside the EU. It's always good to check where the trader is registered. An internet address ending ".eu", ".ie", or ".co.uk", etc. does NOT guarantee that the trader is based – and registered – in the EU":
http://europa.eu/youreurope/citizens/shopping/buy-sell-online/rights-e-commerce/index_en.htm

8. Recommendations

Cooperation between regulators yes, on regulations no

- The EU should clarify that the second pillar of the agreement will be about improving the cooperation between EU and US regulators, not to cooperate on regulations.
- Regulators on the EU side should refer to agencies and authorities, not only to the Commission.
- Cooperation between regulators should be about implementing existing rules, making them more compatible and suggesting ambitious common rules to legislators.
- The cooperation should be focused on non-legislative acts, like it has been announced, not on all acts that could have a substantial impact on trade and investment and most importantly it must not cover regulations.
- The regulatory acts subject to cooperation should be defined very carefully. We recommend to identify how the covered acts should be approached and discard mutual recognition in areas where it is not suitable, like for food safety, chemicals and financial services.

Regulatory cooperation should also be about concrete benefits for consumers

- Negotiators should propose to set up a cooperation which would aim at creating a transatlantic rapid alert system for food and product safety, reducing geoblocking, and at facilitating consumer redress for transatlantic purchases.
- The cooperation needs to include discussions to ensure that a strong competition framework will be established, to make sure that consumers will indeed benefit from reduced prices for goods and services, greater choices and better quality.

Regulatory cooperation should be smart and ensure the right to regulate

- There is no need to create a complex and costly structure to make the dialogue between regulators more effective, establishing a formal dialogue in the agreement is sufficient.
- Exchange of information between Parties at central level should be voluntary, like for non-central acts and as it is designed in CETA. Parties should not be obliged to divulgate the content of draft legislative proposal, priority should be given to legislators.
- Regarding engagement with stakeholders, accountability is necessary but should be accompanied by guarantees to avoid delaying or watering down the cooperation between regulators.
- In case both parties were to agree upon the creation of Regulatory Cooperation Body, the financial and administrative costs of its establishment must be evaluated, especially in the era of better regulation and impact assessment. It is essential to anticipate the political and lobbying pressures that will arise from this body and its procedures. The structure of the body and its practices should be adapted accordingly to make cooperation between regulators smarter and lighter.
- The involvement of the Commission in the dialogue between regulators should not be reduced to DG Trade officials but also opened to experts from other DGs to ensure a proper level of expertise.
- Coherence is needed between the horizontal chapter of regulatory cooperation, the TBT and SPS chapters, the sectoral chapters of regulatory cooperation and the two other pillars of the agreement. Coherence will also be necessary between transatlantic regulatory cooperation, rules of the EU internal market and the other EU policies. In addition coherence will also concerns the interaction with other regulatory cooperation mechanisms planned in other agreements like CETA.

END



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