



Dile Sí
a la **CALIDAD**

NATIONAL QUALITY
SUBSYSTEM –
SICAL

National Quality Subsystem – SICAL
and
Good Practices, in the Preparation and
Issuance of Technical Regulations
Process

World Trade Organization

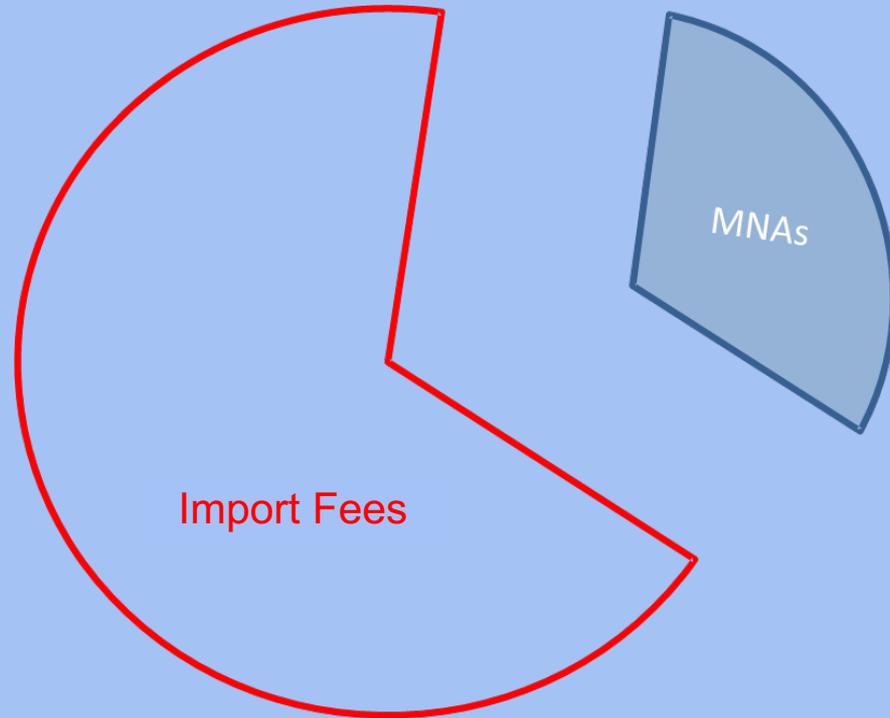


Established on January 1st, 1995

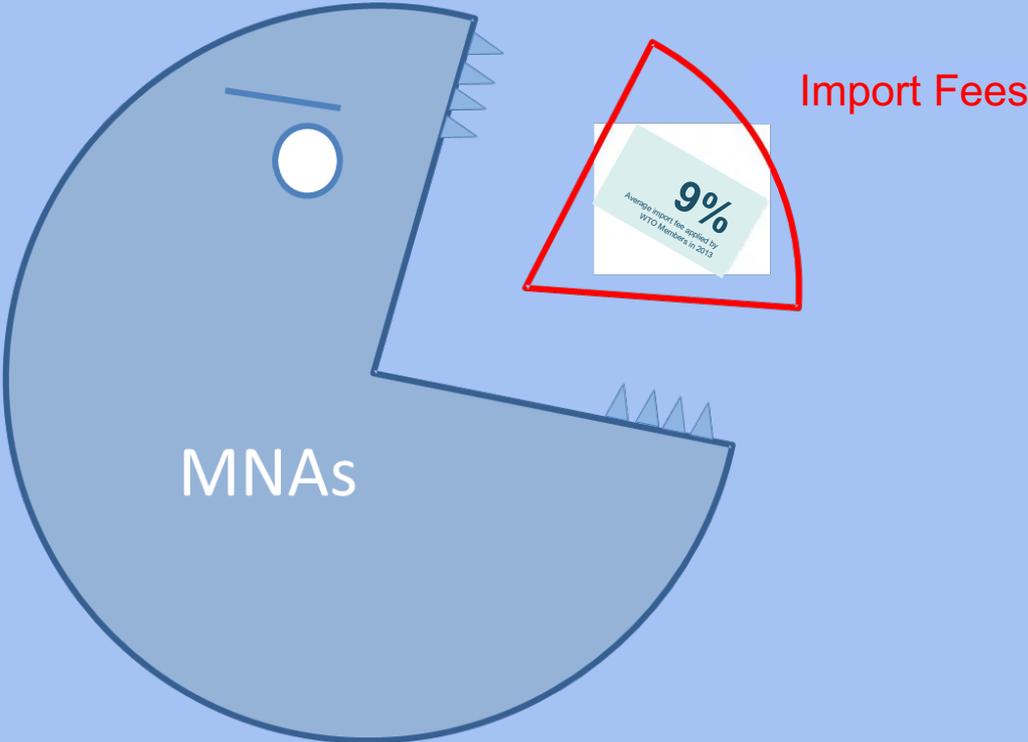
Headquartered in Geneva, Switzerland, 170 member countries

- Born as a guarantor of an orderly globalization trade
- Deals with the rules governing trade between countries
- It relies on three pillars (WTO Agreements): TBT, GATS, SPS

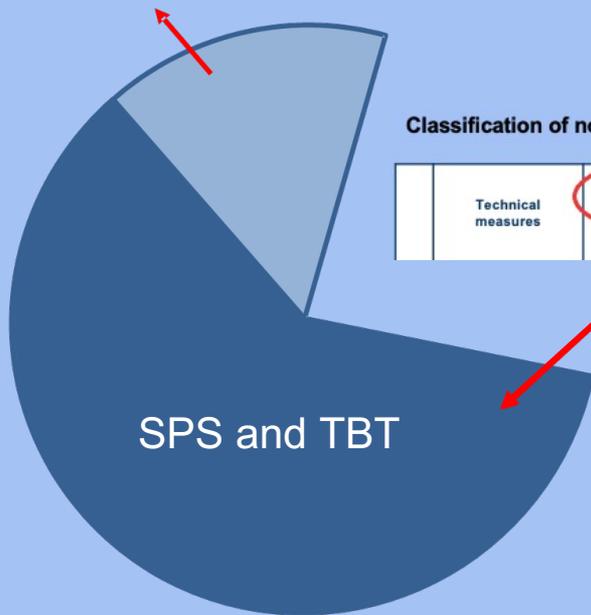
TREND OF PRE-WTO MEASURES



TREND IN POST-WTO MEASURES



Other types of MNAs



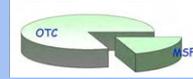
Classification of non-tariff measures by chapter

Technical measures	A SANITARY AND PHYTOSANITARY (SPS) MEASURES
	B TECHNICAL BARRIERS TO TRADE (TBT)
	C PRE-SHIPMENT INSPECTION AND OTHER FORMALITIES

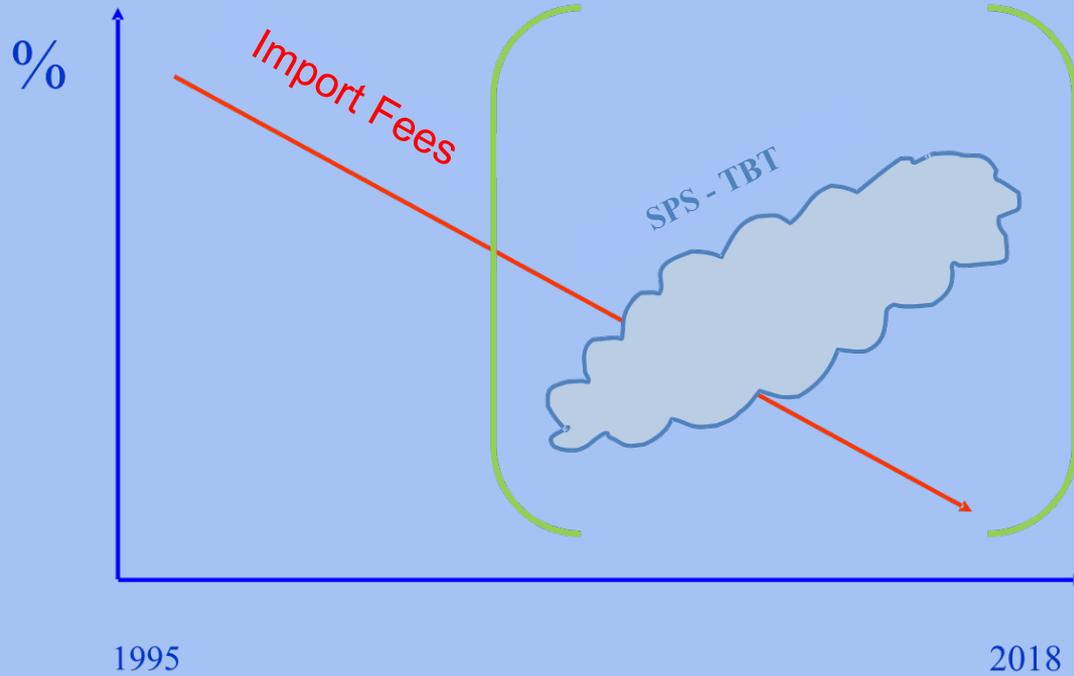
Classification of non-tariff measures by chapter

Imports	Technical measures	<p>A SANITARY AND PHYTOSANITARY (SPS) MEASURES</p> <p>B TECHNICAL BARRIERS TO TRADE (TBT)</p> <p>C PRE-SHIPMENT INSPECTION AND OTHER FORMALITIES</p>
	Non-technical measures	<p>D SPECIAL TRADE PROTECTION MEASURES</p> <p>E NON-AUTOMATIC LICENCES, QUOTAS, PROHIBITIONS AND QUANTITY CONTROL MEASURES ESTABLISHED FOR REASONS OTHER THAN SPS AND TBT</p> <p>F PRICE CONTROL MEASURES, INCLUDING ADDITIONAL CHARGES AND TAXES</p> <p>G FINANCIAL MEASURES</p> <p>H MEASURES AFFECTING COMPETITION</p> <p>I TRADE-RELATED INVESTMENT MEASURES</p> <p>J RESTRICTIONS ON DISTRIBUTION</p> <p>K RESTRICTIONS RELATED TO AFTER-SALES SERVICES</p> <p>L SUBSIDIES (EXCEPT EXPORT SUBSIDIES UNDER P7)</p> <p>M RESTRICTIONS ON PUBLIC PROCUREMENT</p> <p>N INTELLECTUAL PROPERTY</p> <p>O RULES OF ORIGIN</p>
Exports	Exports	P EXPORT-RELATED MEASURES

DECREASING TREND IN CUSTOMS FEES



Why two TBT and SPS agreements?



WTO principles

Countries are sovereign

to take the necessary measures:

- Ensure the quality of their exports
- Protect health and safety [...]

.... but they cannot constitute unnecessary barriers to trade (TBT).



Principles
Non-discrimination and national treatment
Harmonization
Mutual recognition
Transparency
Code of Good Practices

Consumer Deception



Security risk



Risk to life



Government Intervention -SICAL

Características Dimensionales

Número de designación (d)	Pulgadas (")
2	1/4"
3	3/8"
4	1/2"
5	5/8"
6	3/4"
7	7/8"
8	1"
10	1 1/4"

FICHA TECNICA

Propiedades Mecánicas

Resistencia a la fluencia (Fy)		Resistencia a la Tracción (Fu)	Relación Fu/Fy	Alargamiento Mínimo (en 200mm)	
Min	Máx	Min		d ≤ 6	7 < d ≤ 11
420 MPa	540 MPa	550 MPa	≥ 1.25	14%	12%
42 Kgf/mm ²	55 Kgf/mm ²	56 Kgf/mm ²			
60.000 psi	78.000 psi	80.000 psi			

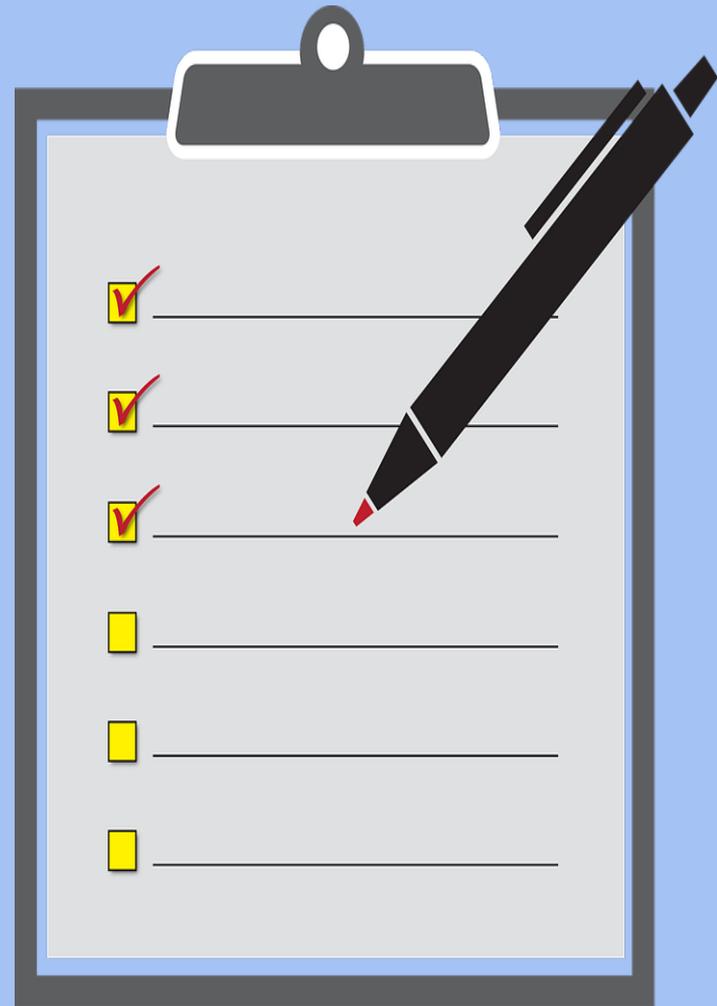


Ensure Safety and Quality



Technical Regulation

Document setting out the characteristics of a product or the processes and production methods related thereto, including the applicable administrative provisions, the observance of which is mandatory. It may also include or deal exclusively with provisions on terminology, symbols, packaging, marking or labelling applicable to a product, process or production method.



BACKGROUND

In recent years, Latin American countries, and specifically Colombia, have undertaken processes of integration into global trade flows in goods and services, seeking to enable companies to become part of the value chains operating internationally. In this process of integration, the country launched a process of economic openness in 1990 and signed several free trade agreements or agreements intending to open markets, deepen international competition and allowing a greater variety of goods and services to companies, families and individuals.

Since then, it began to be recognized that the country's quality infrastructure lagged far behind not only from developed countries but also from our Latin American peers, which reduces the competitiveness of national companies.

DNP- CONPES 3446

With the issuance of CONPES 3446 in 2006, Colombia has produced remarkable progress in the areas of metrology, accreditation and standardization that places it among the most advanced countries in Latin America for the last 15 years.

RESULTS of CONPES 3446 of 2006

- Issuance of Decree 3257 of September 1st, 2008 Creates the National Quality Subsystem
- "National System of Standardization, Certification and Metrology –SNNCM– will be referred to as The National Quality Subsystem –SNCA–, created by Decree 2828 of 2006.
- The Intersectoral Quality Commission is created
- Creation of the National Accreditation Body - ONAC Decree 4338 of December 15th, 2008
- Creation of the National Metrology Institute – INM Decree 4175 of November 3rd, 2011

Decree 1595 of 2015

Date of issue:

August 5th, 2015

Entered into force:

October 6th, 2015

The decree organized and modernized the Colombian quality system, allowing for entrepreneurs to count on a reliable quality infrastructure recognized by the whole world. According to the new standard, the functions of the actors of the quality infrastructure are clearly determined, better practices to produce technical regulations are adopted and the control functions of the Superintendency of Industry and Commerce are strengthened.

The National Quality Subsystem – SICAL is a group of entities that work to improve the quality and safety of products marketed in Colombia.

The work of these entities allows us to trust in the products and services that we use and that surround us daily.



The Pillars of the SICAL

STANDARDIZATION



It is the activity through which standards for products, services or processes are **developed, applied and improved.**

The Technical Standards bring together:

Attributes

Processes

Characteristics

Production methods

Management System

Carácter voluntario



Who in Colombia?



Sectoral Standardization Units

ACCREDITATION



It is the process of **independently assessing**, based on **internationally accepted standards**, the **competence of an entity** to carry out specific **conformity assessment** tasks. This actor allows for the **mutual recognition** at an international level of **evidence of conformity.**



Who in Colombia?



METROLOGY



It is the science that helps to have **reliable, repeatable and globally accepted measurements.**



The methodology works in 3 lines:

Industrial Methodology

Applied to production and quality control in the industry to generate:

- Standard production conditions
- Results repeatability
- Increased confidence

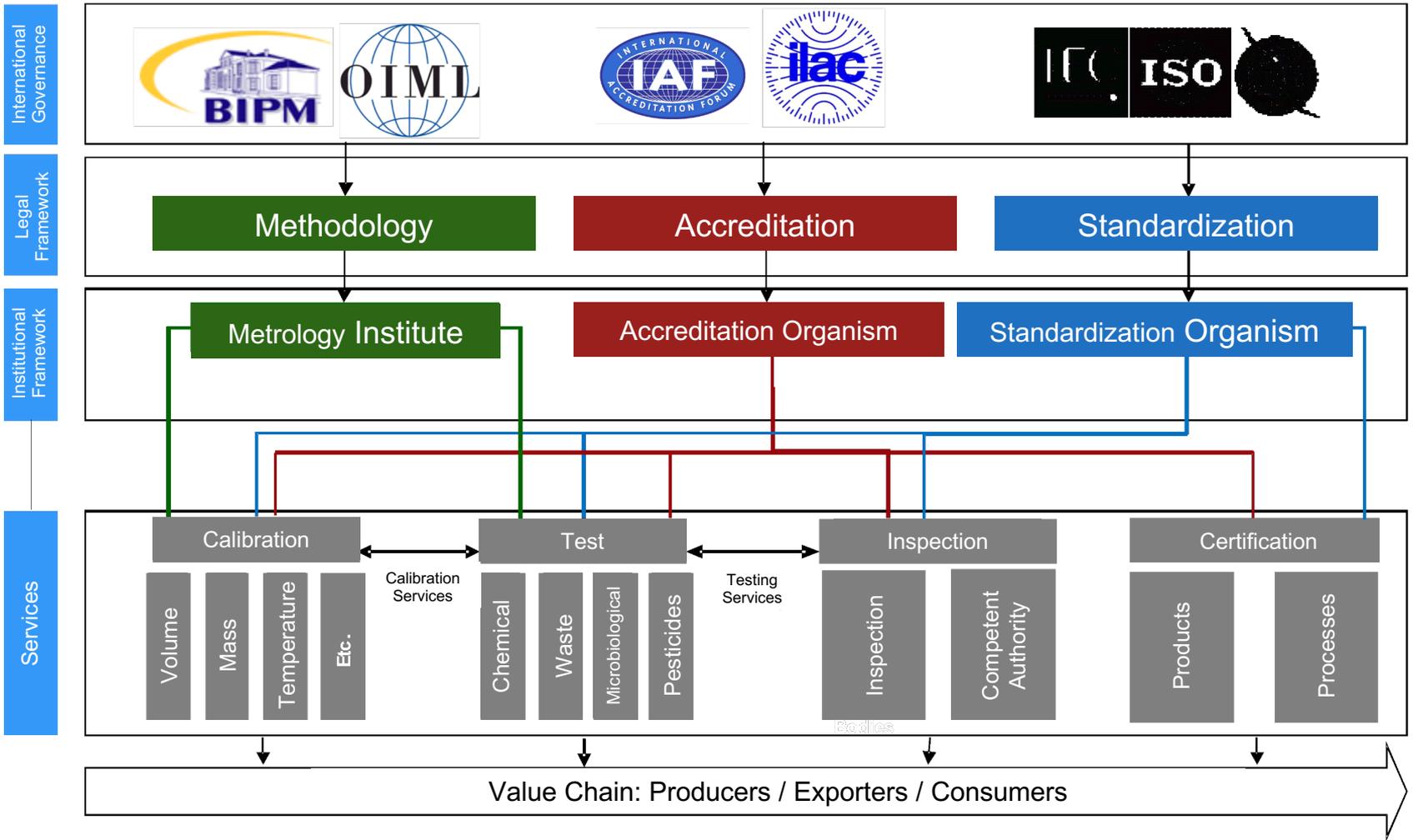
Scientific Methodology

Applied to the creation and maintenance of measurement standards based on international references.



Who in Colombia?





Entities that Support the SICAL

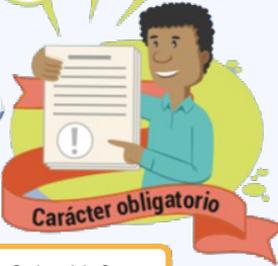
REGULATION



It is exercised by entities that issue **Technical Regulations**.

Technical Regulations look for:

Protection of human life and integrity, safety, health and environmental protection, national security and consumer rights.



Who in Colombia?

Ministries

Regulatory Commissions

Decentralized authorities at the national order

SURVEILLANCE AND CONTROL



It is the set of activities by which the **quality and suitability** of the products in the market, verifies their **compliance with the mandatory requirements** either before or during their **commercialization**.

Legal Methodology

Applied to business transactions and legal requirements involving measurements.



Who in Colombia?



CONFORMITY ASSESSORS



They are the entities that validate that a good or service is **compliant**, that it **meets established requirements** (for example with a standard).



Who?

Calibration and testing laboratories

Inspection Organisms

Certification organisms of:

- Products
- Job skills
- Management Systems

Decree 1595 of 2015

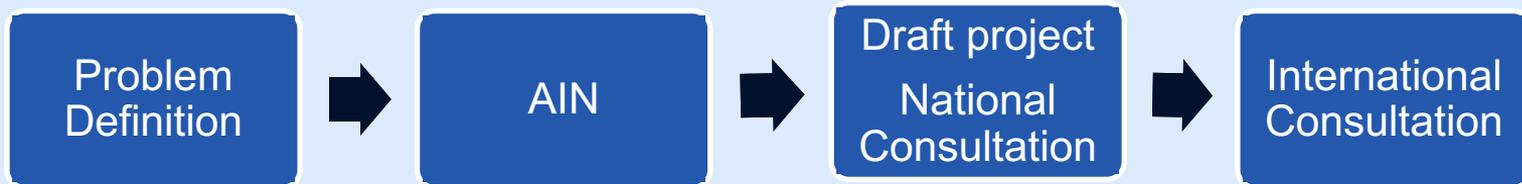
TECHNICAL REGULATIONS

- ❖ Regulators should adopt good technical regulatory practices in such a way that they do not have the objective or effect of creating unnecessary trade barriers.
- ❖ Mandatory regulatory impact assessments - AIN
- ❖ Development of regulations according to risks (moderate, medium, high)
- ❖ Mandatory requirement for entities to send the list of problems and the Annual Plan of AIN – PAAIN, to the CIC
- ❖ Previous concept issued by Ministry of Commerce, Industry and Tourism.

Good Technical Regulation Practices

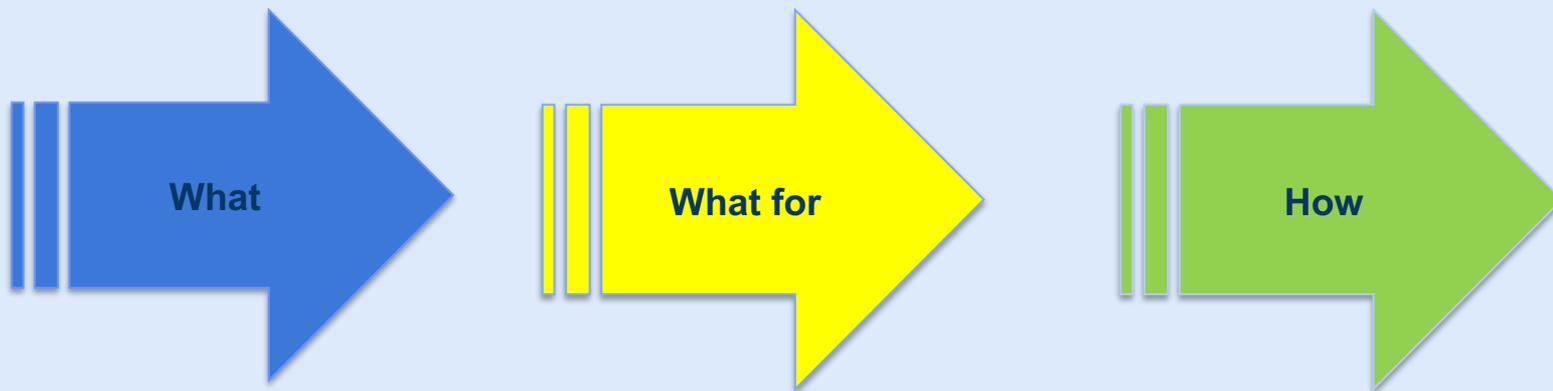
Consultation Periods

- a) Problem definition
- b) Regulatory Impact Analysis.
- c) For technical regulations:
 - Draft project,
 - National and international consultation.

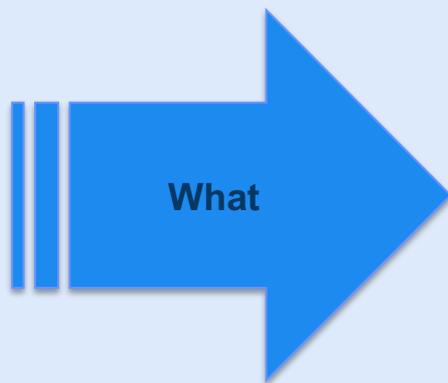


Institutional websites,
Directed consultations, or
Other suitable means.

Good regulatory practice

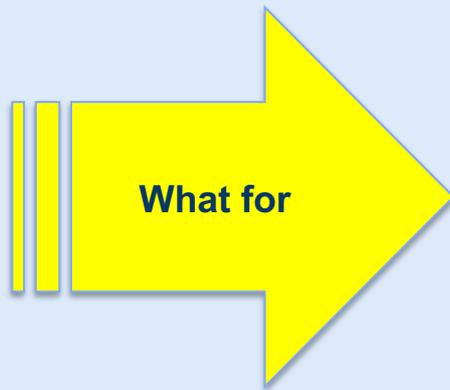


GRP Definition



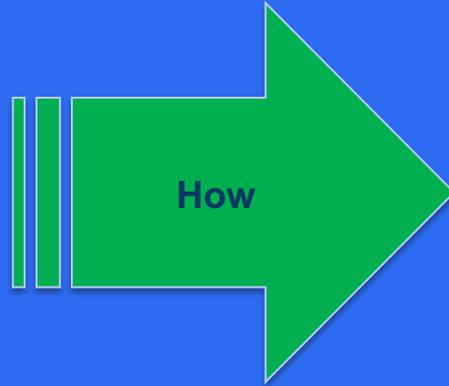
Set of guidelines and principles for the elaboration of technical regulations, resulting from the experience and supported by diverse bodies of recognized prestige, which have proven to be effective for the elaboration and implementation of technical regulations, so that they effectively and efficiently meet their objectives.

Benefits of GRPs



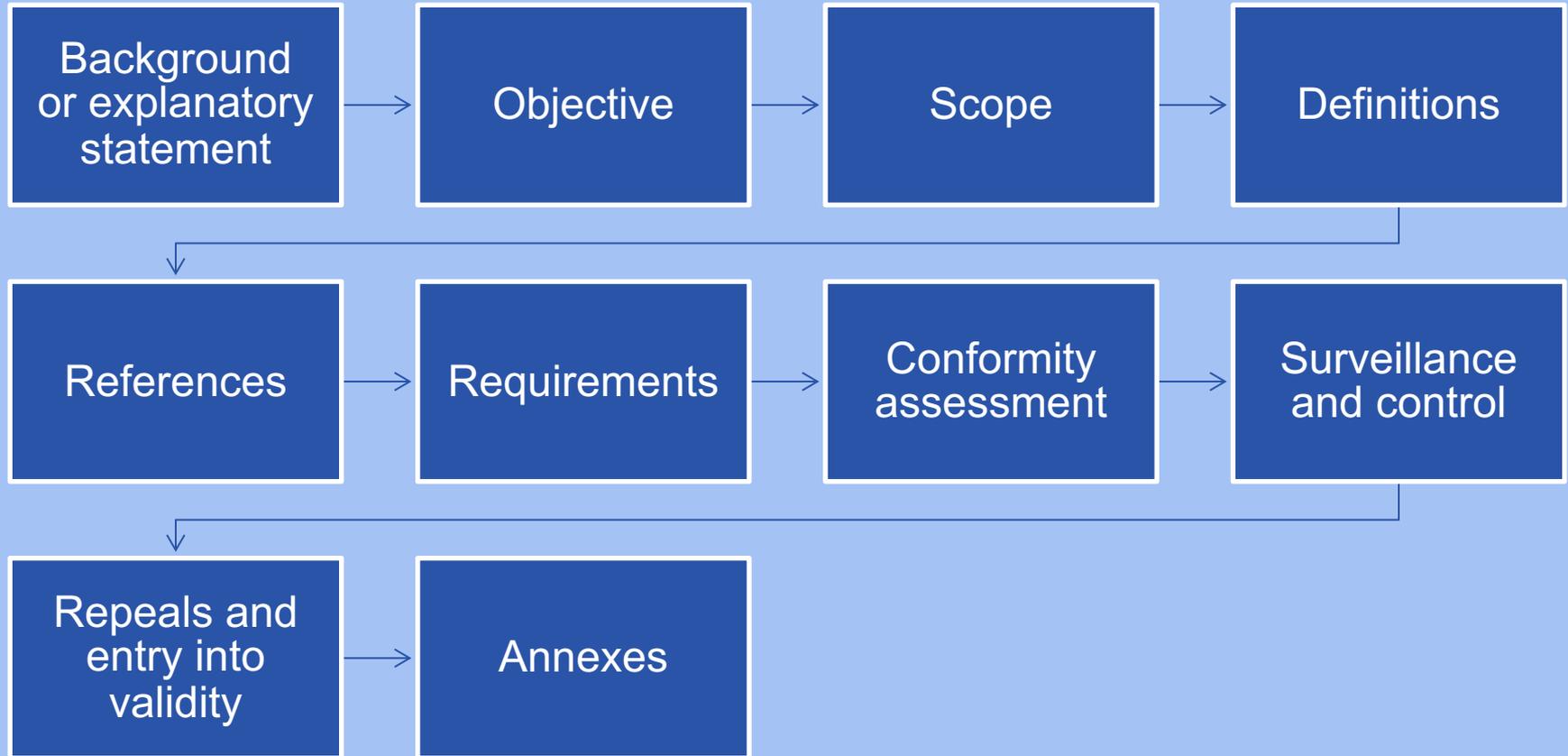
- Facilitate intra- and extra-regional trade, eliminating TBT.
- Improve the effectiveness in the implementation of TRs, through the EC.
- Improve the efficiency of the TR elaboration process.
- Promote the identification of opportunities for improvement and non-regulatory alternatives, as a source of continuous improvement of the regulatory process.

Implementation of GRPs

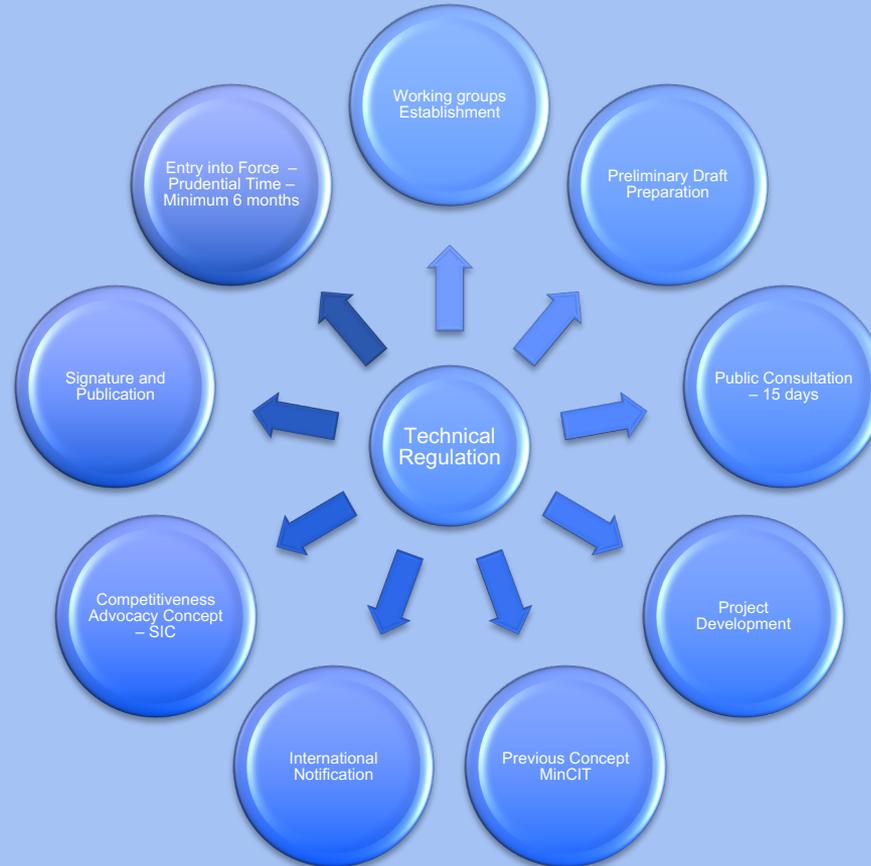


- Through the technical regulations' coordinating body.
- Guidelines and recommendations on:
 - ✓ Terminology and definitions
 - ✓ Criteria for the development of TRs
 - ✓ Structure and content of TRs
 - ✓ Development process of TRs
 - ✓ Adoption process of TRs
 - ✓ Implementation of TRs
 - ✓ ...

Structure and Content of T.R.



Transparency Process in Preparation of Technical Regulations:



CONFORMITY ASSESSMENT PROCEDURE

- ❖ Depends on Risk Level
 - ❖ Part One – Supplier's Statement – STANDARD NTC 17050
 - ❖ Part Three – Quality Infrastructure
- ❖ Ways to verify technical requirements.
- ❖ Labels are part of the assessment, information and their characteristics
- ❖ Compulsory registration in the register of manufacturers, importers of the SIC
- ❖ Special care during the transition
- ❖ Acceptance of results from abroad – Signing of Recognition Agreements ONAC

Competition Advocacy

The Competitiveness Lawyer's Office is a figure designed to warn the regulator about possible risks that its regulation may have in competitiveness matters.

There is a base questionnaire to determine if you need to apply for the concept.

Law 1340 of 2009
Decree 2897 of 2010





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THANK YOU

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