



May 6, 2011

**U.S. Department of Commerce seek comment  
Re Closer Regulatory Cooperation**

**RECAP**

On May 3, 2011 the International Trade Administration (ITA), within the U.S. Department of Commerce (DOC), issued a notice seeking comment regarding EU-U.S. regulatory cooperation with a view to eliminating or reducing divergent regulations and standards that impede U.S. exports.<sup>1</sup> This memo recaps the notice. **Comments must be received by June 2, 2011.**

In 2010 President Obama announced a National Export Initiative (NEI) to double U.S. exports by 2014 to create 2 million jobs in the United States. To support the NEI, the U.S. Government is identifying “unnecessary divergences in regulations and standards” between the U.S. and the EU. The ITA seeks comment from affected private sector companies and other interested parties on how to reduce or eliminate the divergent standards and regulations. To be of greatest value to the ITA, comments should adhere to the following guidelines:

- Submission – they should be submitted electronically.
- One form – comments, including cover sheets plus any supplementary information, should be contained in one document
- Business Confidential Information – all comments submitted will be made publically available so comments that include business confidential information should be treated with care. See the ITA notice (attached) for specific instructions
- Collective – comments submitted jointly by multiple business organizations (or other organizations) may receive extra weight in the evaluation process
- SMEs- suggestions from, or that are intended to benefit SMEs, are especially welcome
- New sectors – areas not yet regulated (or not fully regulated) between the EU and the U.S.
- Specific – comments should be as specific as possible with, where possible, supporting information. Comments should include
  - A description of the specific measure or measures that the recommendation would address (e.g., laws or regulations setting out safety or testing requirements for the relevant product or product sector);
  - An Internet link to or a copy of the measure in English and documentation that may assist ITA in understanding the measure;
  - Identification of the key markets in the EU for the product or product sector;
  - A description of how and to what degree the regulatory measures are affecting trade and their related costs, including for SMEs;
  - Information that may affect the recommendation’s feasibility (e.g., U.S. legal, regulatory, confidentiality, or policy constraints, or any response from stakeholders or U.S. trading partners the recommendation may elicit);

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<sup>1</sup> <http://www.gpo.gov/fdsys/pkg/FR-2011-05-03/html/2011-10713.htm>.

- Estimates of the potential benefits, including for SMEs, that would result from more closely aligning the regulatory measure, as well as a description of the method by which the submitter has calculated the benefits;
- Contact information, if known, for the relevant government and nongovernment stakeholders in the United States or the European Union; and
- Any other information that may assist ITA in considering the recommendation.

RGIT strongly encourages affected German companies and associations to take advantage of this opportunity to submit comment. The timing works well with ongoing EU-U.S. dialogue as the next meeting of the EU-U.S. High Level Regulatory Cooperation Forum (HLRCF) is scheduled for June 7-8 in Brussels.

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