

- explicit recognition of environmental protection as a legitimate objective of standards-related measures (Article 2.2);
- an explicit obligation that technical regulations not be more trade-restrictive than necessary to fulfil their legitimate objective (Article 2.2);
- a requirement that there be a relationship between the extent to which a measure restricts trade and the degree of risk that the measure is intended to address (Article 2.2);
- a rebuttable presumption that technical regulations that are in accordance with international guidelines do not create unnecessary obstacles to trade (Article 2.5);
- an obligation that importing countries give positive consideration to accepting as equivalent foreign technical regulations and conformity-assessment procedures that provide them with the same level of protection and assurance as their own regulations or procedures (Articles 2.7 and 6.1);
- extension of the mandatory notification of technical regulations to provincial and state governments (Article 3.2);
- an encouragement of agreements between member countries for mutual recognition of the results of conformity-assessment procedures carried out in other countries (Article 6.3);
- inclusion, in the definition of technical regulations, of processes and production methods that are related to product characteristics (Annex 1);
- inclusion, in the definition of standards, of processes and production methods related to products (Annex 1); and
- a code of good practice for the preparation, adoption and application of voluntary standards by government and non-governmental standardizing bodies (Annex 3).

B. POTENTIAL ENVIRONMENTAL IMPLICATIONS

The starting point for environmental rule-making is the selection of the desired level of environmental protection. Like eco-taxes and environmental assessment of new project proposals, standards-related measures are one of several options for ensuring that the desired level of environmental protection is attained.

Underlying the Agreement on TBT is an international consensus among governments that each country should have the right to determine the level of environmental protection that best reflects the needs and circumstances of its