

Position of the TÜV Association on the joint statement regarding a framework agreement between the United States and the Euro- pean Union on mutual, fair, and balanced trade



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The European Union and the United States have issued a [joint statement](#) on transatlantic trade and investment (Mutual Recognition Agreement – MRA). Section 8 of this agreement addresses the automotive sector. It states, inter alia, that the United States and the European Union “intend to accept and mutually recognize each other’s standards” with respect to automobiles.

This mutual recognition applies to the results of conformity assessments, but not to the substantive legal requirements themselves.

From the TÜV Association’s perspective, the MRA cannot and must not automatically lead to recognition of U.S. vehicle approvals. The TÜV Association expressly cautions against such an approach. Safety- and environmentally relevant vehicle systems differ significantly between Europe and the United States. Mobility and infrastructure are defined differently in Europe compared to the United States. Vehicles are designed and optimized for these respective conditions. For example, vehicles approved in Europe are specifically designed to protect pedestrians in response to rising accident rates in this category. By contrast, European type approval does not include the rollover testing that is required in the United States. This results in fundamentally different crash scenarios and requirements for passive safety systems.

Regulation (EU) 2018/858 on the approval and market surveillance of motor vehicles and their trailers–together with the applicable requirements of the General Safety Regulation–constitutes the central legal framework for the approval and placing on the market of vehicles in the EU. The Regulation does not provide for automatic recognition of foreign standards. Only in the context of individual approvals may U.S. standards be alternatively applied–and even then, these are not equivalent to type approval and are subject to stricter scrutiny. The individual approval procedure under Articles 44 and 45 does not permit the systematic importation of foreign vehicles.

Accordingly, a customs agreement cannot override existing EU law. Regulation (EU) 2018/858 is secondary EU law and may only be amended by an instrument of equal or higher rank. Therefore, neither a customs agreement nor an MRA has any direct effect on the EU’s type-approval requirement or its well-established third-party conformity assessment system, unless and until it is implemented or amended by EU legislation.

Finally, Section 8 of the MRA points to cooperation in the development of standards. Such cooperation plays a crucial role in strengthening the transatlantic market and is, from the perspective of the TÜV Association, to be welcomed.



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As TÜV Association, we represent the policy interests of the TÜV assessment organisations and foster the professional exchange between our members. We are committed to the technical safety, digital security and sustainability of products, systems and services. Universally applicable standards, independent assessments and qualified training form the basis. Our goal is to maintain the high level of technical safety, to build trust in our digital world and to preserve our livelihoods. To this end, we are in regular exchanges with policymakers, authorities, the media, companies and consumers.