

# COMMISSION OF THE EUROPEAN COMMUNITIES

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## FOURTH PROGRESS REPORT OF THE COMMISSION TO THE COUNCIL AND THE EUROPEAN PARLIAMENT

concerning the implementation of the Commission's  
White Paper on the completion of the internal market

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## INTRODUCTION

1. In June 1985 the Commission unveiled its programme to remove all the obstacles to free movement in the Community. Since then the programme has stood as a yardstick against which to measure the progress made towards implementing the Single European Act, particularly through Article 8A of the Treaty.
2. The new Commission appointed in January will share the same purpose, as has been made clear in its work programme. It intends to keep the programme intact as a single comprehensive package to create the right economic and social conditions in the Community by the end of the century. Meanwhile, the European Councils of Hanover and Rhodes have attached particular weight to public purchasing, financial services, technical harmonisation, intellectual property, transport, energy, the European Company statute and the abolition of frontier controls.
3. With these ends in mind, the Commission is going to continue its periodic reports to keep industry and the public at large informed about progress on the White Paper and to warn the Parliament and the Council of any major difficulties which could block the way to the attainment of the overall objective. This document complements the report formally required by Article 8B of the Treaty, submitted in November 1988 (COM(88)650). It confirms the point made by the Hanover European Council that the process of the realisation of an area without frontiers is now "irreversible". Meanwhile, the Rhodes European Council has requested quicker progress to make up for the worrying delays which have arisen in the work relating to the free movement of people and taxation.
4. This is the fourth in this series of annual progress reports. It includes Annexes listing the measures adopted by the Council, the proposals now being discussed and the further proposals awaited from the Commission.
5. The gradual process of attaining the central objective of a single European market cannot be seen in isolation from the other five objectives which, under the terms of the Single Act, are inextricably linked to revision of the Treaty of Rome. The Single Act pinpointed the flanking policies needed to complete the internal market (economic and social cohesion, social policy and environment) and the policies made necessary by the success of the large market (research and technological development, monetary capacity).

**PART I: THE OVERALL PICTURE**

**1. GENERAL PROGRESS**

6. Both the Commission and the European Council have said that the process of completion of the single market is now irreversible because of the combined effect of the speeding-up of the decision-making process which has shown that the objective is credible and of the preparations being made by businesses.

7. Decision-making by the Institutions has accelerated considerably since the Single European Act entered into force, primarily due to the changes in procedure. The extension of qualified majority voting to most issues connected with the internal market has stepped up the pressure to find a consensus within the Council. This faster pace has enabled the Council to have definitively adopted 127 measures representing - together with current common positions and partial adoptions - approval of over 50 per cent of the programme of 279.

8. Since the Single European Act entered into force 36 measures have been adopted on the basis of Article 100A, 16 of them within less than 15 months. It took just 12 months to reach a common position on the key proposal on the harmonization of the technical rules concerning machine safety, compared with 70 months to adopt the first Directive to reduce noise from lawnmowers. The most striking advances have been on the free circulation of capital, obtained in less than a year, and the general recognition of diplomas: after 18 years to secure the right of establishment for architects, it took less than 3 years to agree on the mutual recognition of all equivalent university diplomas. By contrast, no major decision has been adopted in the areas requiring unanimity, i.e. on the taxation of consumption (VAT) or savings or on the free movement of persons.

9. This quicker decision-making is also partly due to the Commission's approach of combining mutual recognition with harmonization. Wider application of the principle of subsidiarity has limited the Community measures on the various areas covered by the White Paper, such as technical rules, government procurement, financial services or diplomas, to the strict minimum needed to ensure free movement.

10. All business surveys show that the 1992 message has been received, albeit sometimes with a measure of concern. Businesses are preparing for the event by making the European dimension an integral part of their strategy from now on. As a result, the Commission intends further to enlarge its information activities beyond those which the Member States have increasingly agreed to undertake, in order to communicate the meaning and the detailed content of the measures adopted and those envisaged more widely. The intention being to encourage businesses to anticipate the overall objective and to include a European dimension from now on in their strategic planning. Together with the general worldwide economic recovery, this business

reaction to 1992 is the principal reason for the revival in investment in the Community, which has now become a more attractive region for foreign investors. As indicated by the Commission in its report on the economic outlook for 1989 and 1990, this growth has been creating more jobs than ever before, rolling back the unemployment rate to 1983 levels. At the same time the Community's dynamic economic performance has generated strong growth in Intra-Community trade as the national economies draw closer together.

11. But the overall assessment must not be allowed to cover up the difficulties which remain. Despite the rapid progress on removing technical frontiers, the main decisions have yet to be taken to abolish the formalities applied to Intra-Community trade. Given the time it will take to implement such decisions and to convert the inspection installations, particularly at airports, decisions must be taken soon to make the process irreversible in this area too. In addition, a change of attitude on the part of the Member States is needed to incorporate the decisions taken into their national law and to do away with the delays which are currently evident in the implementation of Community legislation.

12. Although most of the proposals to abolish frontier formalities are now on the table, the Council has yet to adopt any major decision on them. Progress has begun in the form of the discussions on the free movement of persons and the harmonization of indirect taxation based on the pragmatic approach outlined in the latest Commission Communication (COM(89)260) of 17 May 1989; but no specific measures have yet provided tangible evidence of the political will to abolish frontier inspections. However, the Council could give two clear signals in 1989. One could take the form of a significant increase in the value of duty-free allowances for travellers within the Community, which will be the subject of a new Commission proposal shortly to be made; and the other would be the adoption of the proposal which is already on the Council table concerning the ending of controls on means of transport.

Substantial progress must equally be made by the end of the year in dismantling animal and plant health inspections: the only section of the White Paper which seems to be of little interest to the Council. Even though majority voting may well be increasing the speed of their deliberations, the Ministers of Agriculture are still giving insufficient priority to these files.

13. Pursuant to Article 8A of the Treaty and the Declarations of the European Council, there will have to be an acceleration in the progress of work towards the free movement of people by the deadline envisaged. Witness the problems encountered by the proposal on the general right of residence, which the Commission has been forced to withdraw; or again the blockage of the modest tax proposals to facilitate removals or the use of private cars. The danger is that just one isolated case of someone abusing this right could be taken as a pretext for restricting the right altogether. Certainly, in

response to the ADONNINO report, a great deal has been done to strengthen European identity, with the aid of exchange programmes, health policy and the recognition of diplomas. However, no practical results have been obtained at Community level to abolish frontier crossing formalities as a way of bringing home to all European citizens the objectives for 1992.

14. At the same time, the increase which is taking place in the volume of Community legislation is already causing implementation problems in the Member States. It is not enough for the Council to adopt legal acts. This still leaves the national authorities to implement them in full and in good time. Since last December the number of implementing measures adopted by the Member States has been rising steadily, but so has the backlog. Of the 68 measures which should have been implemented by now only 2 have been incorporated into the national legislation in every Member State. The record varies from one Member State and field to another.

15. The Commission is concerned about the impact of this state of affairs on the credibility of the objective and on legal certainty for all involved. It is systematically applying the procedures provided by Article 169 but must now back-up this legal action with a political approach to the Council, the Member States and the Parliament.

16. In conclusion, with less than four years left, the time has come to embark on a new stage. The genuine progress made towards removing most technical barriers cannot hide the fact that nothing has been done to abolish physical and tax frontiers. Specific decisions must be taken this year to demonstrate the credibility of these objectives too.

## 11. THE GENERAL SITUATION

### THE COMMISSION

17. The Commission has kept to its programme and tabled over 90% of the proposals required by the White Paper, excepting the animal and plant health sector. Moreover, a considerable acceleration in the rhythm of progress is envisaged in this last-mentioned area, to ensure that the entire programme is on the Council table by the end of the year. This will be well ahead of the schedule in the White Paper, in order to keep up the pace of decision-making within the Council and to leave at least two years for incorporation by the Member States.

18. - the internal energy market: the rules laid down in the Treaty on the free movement of goods and services apply to the energy sector, too. With this in mind, the Commission and the European Council have declared their intent to remove obstacles to trade in this sector to boost the competitiveness of major energy-using industries. In 1989

the Commission will table specific proposals, on the one hand, to facilitate transfers of electricity and gas and, on the other hand, to increase the price transparency of these two forms of energy for the major industrial users.

- approximation in the rates of retention tax levied at source on investment income and reinforcement of co-operation between national revenue authorities in cases of suspicion of serious fraud;
- abolition of frontier formalities, including proposals to reorganize animal and plant health inspections, to end checks on vehicles and to reorganize the gathering of statistics;
- implementation of the "New Approach" to technical harmonisation through the draft directives establishing the essential requirements and through an acceleration in the standardisation process;
- completion of the European financial area for banks and securities;
- opening-up of the sectors of public procurement currently exempted from the Community rules;
- finalization of the proposals to remove the barriers created by the national rules on the protection of industrial property;
- the internal energy market: the rules laid down in the Treaty on the free movement of goods and services apply to the energy sector too. With this in mind, the Commission and the European Council have declared their intent to remove obstacles to trade in this sector and deregulate the market to boost the competitiveness of major energy-using industries. In 1989 the Commission will table specific proposals, on the one hand, to facilitate transfers of electricity and gas and, on the other, to increase the price transparency of these two forms of energy for the major industrial users.
- the abolition of fiscal frontiers : the Commission has outlined a new approach to the harmonisation of indirect taxation founded on flexible and pragmatic means of dealing with the problems which have arisen in this domain (see section III). The proposals necessary to give effect to this new approach will be presented between now and August 1989.

19. The Commission sees to the updating of the White Paper programme so that it remains a valuable yardstick for assessing the progress made towards a frontier-free Europe. In view of the progress already achieved in the framework of inter-governmental co-operation concerning the free movement of people, it has been decided for the moment not to present certain legislative proposals foreseen in the programme in order to see if the work already in progress will not



achieve the objectives sought more quickly. Similarly, the Commission has, for the moment, decided against tabling proposals on the site of the Community Trademark Office and its working language. Other changes have been made to take account of the wider use of the mutual recognition principle. Together these have cut the number of proposals from the 286 originally announced to 279.

20. The completion of the Commission's part in the programme should not be allowed to distract attention from the important work still to be done of administering the legislation adopted. Many of the Directives adopted by the Council, particularly on animal and plant health, food and chemicals, delegate a great deal of implementing work to the Commission. This in turn calls for detailed technical work by experts to pave the way for the Commission to adopt decisions. As already stated in the report under Article 8B of the Treaty, the Commission regrets that the Council has not conferred more implementing powers to the Commission.

21. The growth in this work and the increased interest in 1992 generally have led to greater efforts being made by the Commission in the dissemination of information to ensure that what is happening is clearly understood. The priority information programme has made the promotion of 1992 a major objective. Many initiatives are in process and the Commission's network of Offices is playing an important role in the dissemination of information throughout the Community. A network of speakers, Team '92, is in place.

#### THE COUNCIL

22. The Council has definitively adopted 127 Directives, Regulations, Decisions and Recommendations, partially adopted 5 more, and reached 6 common positions. This is over 60% up on the third annual report. One third of the proposals still on the Council table were submitted in 1988/89.

23. The four areas which are furthest behind schedule are (1) Citizens' Europe, (2) taxation, (3) plant and animal health controls and (4) industrial property rights.

24. The Commission has complained repeatedly about the delays in building a Citizens' Europe. The recent decision on the recognition of diplomas represents practically the only example of Community action of any real importance in this sector. The European Council's decision to establish a group of "Co-ordinators" raises hopes for a new impetus in connection with the abolition of internal frontier controls on the free movement of people. Nevertheless, further progress in this connection must be made, and must be made fast, to make the objective more credible and to dispel any loss of confidence that may be taking place. This progress must include a strengthening of the Community's external frontier controls concurrently with the abolition of internal frontiers.

The time has come for the Member States and the Council to go beyond simple statements of good intentions. The failure of the proposal on the right of residence combined with the Council's refusal to relax the formalities applied to removals or the use of private cars show that it has not yet been possible to overcome the potential risks of tax evasion or abuse of the social welfare rules. Exceptional cases are being used in the negotiations as a pretext to subject honest citizens to restrictive provisions which conflict with the objective and image which the Community wishes to project.

25. Turning to taxation, the Commission welcomes the progress made in the talks on the abolition of tax frontiers, which has secured virtually unanimous agreement on the objective of abolishing tax formalities for intra-Community transactions. The constructive debate in Parliament and the Council stimulated by the proposals submitted in August 1987 has paved the way for the Commission to review its proposals in order to facilitate the search for solutions meeting the concerns which have been expressed by the Member States. The Commission feels that top priority should be given to the study of these amended proposals since a solution must be found on tax formalities before all inspections on goods and persons can be abolished. As the Commission has repeated many times since 1985, it takes just one frontier inspection to serve as justification for the retention of all the others.

26. In the animal and plant health sector, the Council is committed to pursuing the work directed to the abolition of all controls in the 1992 context. Even so, and despite the reminders given by the European Council in December 1988, the achievements so far have been hardly convincing. It is imperative that the Council further intensifies its efforts and maintains an absolute priority for the animal and plant health sector. As was the case in March 1988, the Commission is obliged once again to express serious concern at the fact that there are still as many as 20 proposals on the Council table, either on the point of adoption or still under discussion. Moreover, in the course of 1989, some 30 new proposals will, in principle, be added to this list.

27. Finally, on industrial property despite the important results the adoption of the Directive on the harmonization of the laws of the Member States on trademarks and the protection of semi-conductor topographies, two fundamental files remain on the table, concerning, on the one hand, the regulation on the Community trade mark, and on the other hand, the draft Convention on the Community patent; both essential to provide manufacturers with satisfactory protection for their products everywhere on the internal market.

### THE PARLIAMENT

28. Following the introduction of the cooperation procedure and thanks in particular to improved co-operation between the institutions, over the last few months the Parliament has considerably strengthened its role in the legislative process and increased the speed of its deliberations. It has even made its position known on certain files still before it, such as indirect taxation.

29. Two examples of the Parliament's determination to make the cooperation procedure work effectively can be found in its deliberations, firstly, concerning the common position on television, the examination of which took just one month, and secondly, on the opening-up of government procurement, on which it gave its opinion in under six months. This same determination has also ensured that the June 1989 elections will not interrupt the overall decision-making process.

30. The effective way in which it has exercised its power to propose amendments to the common positions adopted by the Council, has enabled the Parliament to have a real say in the final decisions taken. It is thanks to the intervention of the Parliament that opening-up of public works contracts included the reference to the use of European standards in calls for tender. It was also thanks to its intervention that the discussions on small car exhaust emissions took account of stricter environmental protection considerations.

31. At the moment 25 proposals are pending before the Parliament, most of them submitted in late 1988 or early 1989. Consequently, the newly elected Parliament's agenda will include a series of key files on matters such as indirect taxation, financial services, insurance and industrial property. Over the next few months new proposals will follow on plant and animal health inspections, air transport, technical harmonisation and company law. Amongst other things, the Parliament will have to give its opinion as fast as possible on the new proposals for the approximation of indirect taxation and on the European company statute.

### III. GENERAL SUPPORT MEASURES

32. In order to attain the 1992 objective, a series of other measures will be needed to support the moves to break down frontiers within the Community and to boost their impact by achieving greater economic efficiency and paying more attention to economic redistribution. In this context, six areas are particularly important:

33. **Economic and social cohesion in the Community:** One of the instruments for achieving this objective is to be found in the Structural Funds; for which the rules of application have been fundamentally revised with effect from 1 January, 1989. During 1989, the most important task of the Commission will be the establishment of the Community support framework, on the basis of the plans proposed by the Member States. This will provide the overall guidelines to be followed by the Structural Fund allocations which, from now on, will reflect the five priority objectives defined during the revision process. The Commission will be operating throughout this work within the framework of its partnership with the national and regional authorities concerned.

34. **The social dimension :** In the context of the protection of employees at the workplace, the Commission has presented a total of 10 proposals for directives to the Council, of which two have been adopted and four have been agreed, through the reaching of common positions. The Commission, in its endeavours to promote the social dialogue, considers that a single Community market must rest on a foundation of coherent social conditions. This is why on 17 May the Commission adopted the provisional draft of a Community Charter of fundamental social rights.

35. **Competition policy :** the Commission feels that the new opportunities for cooperation between businesses must not damage competition. The Community rules on takeover bids must be backed up by a merger control procedure. It is vital for the Council to adopt a vetting system for mergers, not only to enforce the existing rules on competition effectively but also to safeguard the certainty of agreements between undertakings.

36. **Environmental protection :** environmental protection lies at the heart of the harmonisation measures. The Single European Act requires the Commission to base its proposals on "a high level of protection". Community legislation must make its contribution towards combating the major sources of pollution worldwide. Care must be taken to avoid setting the level of harmonization so low that it leads to public health or environmental objections to the rules governing the single market. For this reason the Commission has taken particular care to ensure that the decisions taken, particularly on such matters as chemicals or emissions from motor vehicles, in no way conflict with environmental protection objectives. Nevertheless, the Commission is obliged to continue insisting on recourse to Article 100A rather than Article 130S whenever the measure concerned is capable of affecting the free movement of goods.

37. **Science and technology :** Community action organised within the framework programme for research is contributing to the scientific and technological knowledge necessary for the adoption of new product standards and regulations, while also playing an important role in the overall policy accompanying the 1992 objective. The next framework programme will place particular emphasis on the role of pre-standards research.

38. Consumer protection : the free circulation of goods and services is based on the protection of health and safety and, more generally, consumer protection. This protection supplies the foundation for specific harmonisation measures and, notably, the definition of the principles of safety within the framework of the "New Approach". The implementation of these principles must be translated into a permanent improvement in product quality on which consumers can feel safe to rely in a market without frontiers. To supplement the specific measures adopted the Commission has also proposed a horizontal directive on product safety. This will be followed by a proposal on civil liability for defective services; thereby establishing a Community safety policy associated with the completion of the internal market. It is in the light of this overall approach that the adoption of the directive on consumer credit is to be welcomed.

#### IV. EUROPE WORLD PARTNER

39. In the spirit of the Declarations of the Hanover and Rhodes European Councils, the Commission has been able, largely through an information programme focussing on the Community's main trading partners, to correct the misunderstandings which had surfaced concerning the overall objectives, and the means to be applied to achieve them, in the 1992 context. In fact, third countries have generally acknowledged the benefits which they will be able to draw from the arrival of the Single Market.

At the same time, the Commission has seen to it that its internal market proposals contain a section dealing with external relations in a manner compatible with the Community's international commitments or, in relevant cases, directed to facilitating the evolution of a multilateral framework where such does not already exist.

Within the GATT framework the Community is actively participating in the Uruguay Round of negotiations with the objective of obtaining increased liberalisation for trade in goods and services.

In addition, a particular effort is being made to improve co-operation within the European continent, focussing in particular on the deepening of the Community's contacts with the EFTA countries.

## PART II: PROGRESS ON THE WHITE PAPER PROGRAMME

### I. THE ABOLITION OF PHYSICAL FRONTIERS

The abolition of frontier controls on goods

40. As the Commission stated in the report presented in accordance with Article 8B of the Treaty, effort has been concentrated on the simplification of formalities (the new measures taken to extend the duration and scope of the Community transit procedure so as to facilitate the temporary use in one Member State of goods coming from another). However, independently of the important decisions on capital movements and the abolition of road haulage quotas by 1992, both of which will put an end to the formalities associated with the current controls, progress is still insufficient.

41. It is imperative that the formalities and controls mentioned below, which apply either at the frontier or otherwise on intra-Community transactions, are completely removed so as to release the crossing of frontiers from all hindrances.

42. **Customs and Tax Formalities** : a first measure, of limited but symbolic importance, will enter into force on 15 July 1989 within the context of the above-mentioned regulation on Community transit to abolish all formalities for portable professional equipment. However, the abolition of the totality of customs formalities implies the suppression of fiscal frontiers affecting private individuals as much as commercial undertakings.

Certain Member States have shown interest in simply moving the heavy burden of fiscal controls connected with the crossing of frontiers, currently applied at national frontiers, to the interior of their territories. However, such an approach must be considered to be incompatible with the realisation of a true single market. The new approach of the Commission presented below (see section III) will enable real progress in this context.

43. **Plant and animal health controls** : both the third progress report and the report submitted under Article 8B of the Treaty pinpointed this as the area furthest behind the White Paper timetable. Encouraging progress has been made over the last year, with 8 more animal health measures adopted and 12 new proposals tabled, but it has fallen far short of the progress required in the light of the overall objectives and the time left to achieve them. The Commission plans to catch up on its part of the backlog during this year. However, for that to happen it will also be necessary for the Council to give clear and coherent guidelines in the delegation of powers to the Commission to do away with one of the main current difficulties.

One area which has seen some progress is animal health. The vast majority of the proposals on this subject are now before the Council, which has already adopted virtually all the proposals to eradicate animal diseases. Otherwise, however, delays have accumulated. Nevertheless, the Council still has time to give practical effect to the request of the European Council to attach a high priority to this work. There are two sets of proposals directed to the re-organisation of animal health controls, favouring the application of such controls at the point of production while envisaging limited controls during transport or at points of destination. The adoption of these proposals in their totality would represent considerable progress.

Some progress has also been made in the plant health sector. Over the last year, two measures have been adopted by the Council and five proposals have been submitted by the Commission. 11 more remain to be presented by the Commission. In this area as well, the Commission is committed to make-up the backlog by the end of the year.

44. Controls rendered necessary by Intra-Community commercial policy measures : the gradual reduction in the recourse had to monitoring and market protection instruments under Article 115 of the Treaty implied by the completion of the internal market will lead to the final elimination of the need for such controls. The very noticeable reduction in the use of these measures since 1985 (monitoring measures have fallen from 1,800 to little more than 500) due to the greater rigour of the Commission in examining national requests and a reduction in the number of requests made, is already causing movement towards this final objective. This approach must also be extended to ECSC products.

45. Controls on road transport : the Commission has proposed abolishing all inspections on road vehicles, whether on the amount of fuel in their tanks (a proposal on this has been blocked since 1984) or on compliance with the rules applying to transport services. Adoption of these two proposals would fix the objective of the complete abolition of frontier controls in this sector and would remove one cause of the long delays suffered by lorries and the vehicles behind them.

With a view to achieving this objective by 1990, the Commission plans to propose ending the compulsory stamping of waybills during the transitional period for the phasing out of road haulage quotas up to 31 December 1992.

46. Controls specific to the export of certain goods : export controls will no longer be feasible inside the Community. However, their disappearance must not create problems for the various policies which depend on inspections at internal frontiers, particularly those concerning the protection of the Member States' cultural heritage and the control of trade in strategic goods.

In those two areas, the Commission intends to open discussions with the Member States with a view to the implementation of accompanying measures.

47. **Collection of statistics :** statistics on Intra-Community trade provide governments, business and the Community institutions with the data which they need. At the moment these statistics are collected at the frontiers between Member States, which will no longer be possible after 31 December 1992.

Therefore, in December 1988 the Commission sent the Council a proposal for an alternative system for the collection of statistics directly from businesses themselves. Later this year this proposal - which neither the Council nor the Parliament has yet started to examine - will be followed by another setting out detailed rules for the implementation of this new system.

48. **Abolition of monetary compensation amounts :** the Commission will be presenting a Communication to the Council soon proposing a general framework for an accelerated reduction in the use of MCAs with a view to their abolition from 1 January, 1993.

49. **Control of the transport of wastes :** the current system of waste transport, both nuclear and other, depends on frontier controls, either on import or export. This is the basic principle of Directive 84/631/EC of 6 December 1984 on the monitoring and control within the European Community of the cross-frontier transport of dangerous wastes.

In 1989 the Commission will present a proposal to regulate the transport of nuclear wastes and will take the opportunity presented by the need to implement the Basel Convention on trade in wastes to amend the aforementioned directive.

#### The abolition of frontier controls on people

50. **Realisation of the objective of the free circulation of people** requires not only the adoption of various legislative measures, but also a reinforcing of co-operation between national administrations. The abolition of internal frontiers implies a transfer of these controls to the external frontiers of the Community and the strengthening of their application there.

In its report to the Rhodes European Council, under Article 8B of the Treaty, the Commission drew the attention of the Heads of State and Government to the lack of progress in these two respects. In a separate Communication of December 1988 (COM(88)640), addressed to the Council and the Parliament, the Commission presented some detailed explanations of the current position in a number of areas relevant to this issue and, more importantly, shed further light on the number of fora having competence without necessarily co-ordinating their



activities. As a result, the European Council requested the Council of Ministers to increase its work, in particular through the creation of a group of national "co-ordinators" to supply a new impetus and to ensure the necessary degree of coherence in the work of the different bodies involved.

This initiative provoked the strong support of the Spanish Presidency of the Council, as a result of which the co-ordinators held seven meetings geared to the fulfilment of the Rhodes instructions. Signs of some new momentum have surfaced as a result, the most important being the agreement of the Ministers responsible on the criteria applicable to determine the appropriate country to examine a request for asylum in a Community without internal frontiers. Progress has also been registered in the introduction of a common visa policy.

Meanwhile, there is still a long way to go and substantial further progress will have to be achieved very soon to render credible the attainment of the objectives set in this sensitive area. This progress will require action at both the Community (concerning, for example, goods carried by travellers, the acquisition and possession of weapons, ....) and the inter-governmental level.

## II. THE REMOVAL OF TECHNICAL BARRIERS

### 1. Technical harmonisation and standards

#### (a) Implementation of the New Approach

51. The progress made by the Council on various fronts has now established the basic principles. However, the transformation of these principles into practice will depend on three factors :

- The effective incorporation of the relevant Community texts into national legislation. Although several Member States have drafts in preparation on the subject, none has yet incorporated the Directive on toy safety into its national legislation, even though the Directive requires publication of national implementing measures by 1 July 1989 prior to entry into force on 1 January 1990.
- Standardisation policy has advanced considerably over the last 18 months, as can be seen from :

the growing number of mandates given to CEN and CENELEC by the Commission in connection with the Directives adopted by or under discussion in the Council (on machine safety, personal protective equipment, electromagnetic compatibility, construction materials, pressure vessels and the fields exempted from the Directives on public procurement);

the initiatives taken by industry itself for the preparation of European standards in numerous sectors;

the spectacular increase in the number of technical committees run by the European standardisation organisations (193 in 1989 in place of 131 at the start of 1988).

the establishment in March 1988, with assistance from the Commission, of the European Telecommunications Standards Institute (ETSI), which will bring together all those involved in the telecommunications sector for the purpose of standardisation.

These developments have, nevertheless, in no way diminished national preferences for national standardisation procedures, as can be seen from the growing number of draft national standards.

- Recognition of tests and certificates : the Commission intends shortly to present to the Council a Communication on future test and certification policy.

(b) Sectoral approximation of laws

(i) Motor vehicles

52. The increased environmental protection sought by public opinion and requested by the European Parliament has caused the Commission to amend its proposals. This is also why the Commission, in May 1989, proposed stricter standards for small car exhaust emissions and will be presenting new proposals for mid-range and larger-engined cars. The overall objective is to make exhaust emission standards as strict as those applicable in the United States by 1 January 1993.

53. Meanwhile, the completion of the internal market remains dependent on definitive agreement being reached on a Community type-approval procedure for automobiles. This agreement must not be further put off now that, following the jurisprudence of the European Court and the application of Article 30 of the Treaty, the technical obstacles which applied to used cars have been removed. This should help to force the removal of the same obstacles to the free circulation of new vehicles. In this context, the Commission has published a Communication (OJ C281 of 4 November 1988) on the interpretation of Community law in a way which limits the prerogatives of national administrations.

On type-approval itself, the Commission has announced that it plans to make all the legislation in this sector binding on all the Member States and no longer optional as it is today.

Finally, the Commission will certainly have to broaden the scope of its work to include commercial and heavy goods vehicles, which are not covered by the Directives as yet. Proposals to this effect will be submitted in 1990.

(ii) Tractors and agricultural machines

54. This part of the programme has now been completed. A Community type-approval system will enter into force on 1 January 1990.

(iii) Food law

55. A large majority of the proposals have already been adopted or are about to be. The main outstanding issues concern the proposals on nutrition labelling and the irradiation of foodstuffs, which the Commission has only recently sent to the Council.

The central part of the proposal on infant formulae and follow-up milk can be withdrawn following the adoption, on 3 May 1989, of the new framework Directive on food for particular nutritional uses which delegates the relevant competences to the Commission.

56. In the case of additives, however, the Council has reserved the right not only to adopt new lists of approved additives but also to administer the Community system, which will entail the adoption of several thousand separate decisions. It has to be noted that, in two cases of limited amendments to the directives on "colourings" and "preservatives", the Council has not been able to reach a common position. The Commission is currently examining the policy implications of this failure of the Council.

(iv) Pharmaceuticals

57. The final stage in the legislation on the approximation of the licensing requirements for the marketing of medicinal products will be achieved with the adoption of the three proposals on veterinary medicinal products now under examination in the Parliament and the Council.

58. In order to complete the internal market in medicinal products, which is essential to the survival of this industry in the Community, a single appraisal of all licence applications is needed, followed by a single decision valid throughout the Community. In depth discussions are now being held with the Member States and all other parties concerned (including industry and consumers) about the most appropriate system (the choice between a Community or decentralized procedure) with a view to the issue of proposals by the end of the year.

59. However, the free movement of pharmaceuticals will also require greater transparency in the conditions for prescribing medicines; in the information supplied by producers to doctors and their patients; and in pricing systems. The Council has already adopted rules on price transparency. The Commission has yet to present its proposals on the other two points.

(v) Chemicals

60. In this area the Commission and the Council have fully observed the White Paper timetable. The whole programme has now been completed, notably through adoption of the general system for the labelling of dangerous preparations. It is now up to the Commission to administer the system thus created. Following the adoption of the Directive on oligo-elements in fertilizers, the main outstanding issue will be that of the need to introduce a simpler procedure for the adaptation of the existing Directives to technical progress.

(c) The Prevention of new technical barriers

61. The system of prior notification introduced by Directive 83/189/EEC for all draft technical regulations and standards on Industrial products is now operating smoothly. The report published in December 1988 (COM(88)722) on the first four years' operation of this Directive shows that increasing account of the requirements of the free movement of goods is being taken by the Member States in the preparation of their draft texts. At the same time the close collaboration which has developed between the Commission and the Member States provides a means of adapting the drafts for the required purposes.

On 1 January 1989 the system was extended to agricultural products, foodstuffs, pharmaceuticals and cosmetics, thereby generating a marked increase in the number of notifications.

Nevertheless the Commission has to ensure that it does actually receive notification of all the draft legislation covered by the Directive. It has had to initiate infringement procedures in several cases of non-notification.

62. Finally, in relation to the notification of draft standards, the Commission, together with the European standardization bodies, is examining ways of improving the availability of information on what is going on.

2. The opening-up of government procurement

63. The amendments to strengthen the Directive on public supply contracts entered into force on 1 January 1989. Most Member States have already incorporated the Directive into their national legislation, it being understood that Greece, Portugal and Spain have until 1 March 1992 to do so.

64. The Council has just adopted the proposed amendments to the Directive on public works contracts.

65. The Commission is also interested in assuring the correct application of the Directives by the introduction of appeal procedures tailored to the particular characteristics of this sector. A proposal to this effect is currently under examination in the Council and should be adopted very soon.

However, as the studies on the cost of non-Europe showed, the telecommunications, energy, water and transport sectors contain the markets with the highest proportion of government spending in which the cost of the fragmentation of the Community market is highest. For this reason the two proposals now being examined by the Council, and about to be amended by the Commission in response to the Parliament's Opinion, are exceptionally important to the 1992 objective.

New proposals to ensure correct application of these Directives will be proposed by the end of the year.

66. At the same time the Commission will add another proposal on the public purchasing of services, such as engineering, consultancy and software.

3. The free movement of workers

(a) The regulated professions

67. After the important decision by the Council to introduce a general system for the mutual recognition of higher education diplomas awarded at the end of at least three years' vocational training, the Commission is going to propose extending this mutual recognition to diplomas for lower levels of training not yet covered by specific Directives. It will then be possible to exercise any regulated profession for which the equivalent diploma is held anywhere in the Community.

(b) The freedom of establishment for members of the professions

68. In the progress report required by Article 8B of the Treaty, the Commission announced that it would be submitting proposals to allow freer movement for legal bodies by harmonizing the conditions for the exercise of professional practices run as partnerships.

(c) The free movement of wage-earners

69. Mobility will be incomplete as long as the national authorities refuse to abide by the principle of non-discrimination. The restrictive interpretation given by the European Court to Article 48, paragraph 4, which contains a derogation for "employment in the public sector", has led the Commission to adopt a programme of action, described in a Communication of March 1988 (OJ C72 of March 1988), to apply this Article. Unless the Governments fundamentally change their national legislation, legal channels of redress alone will not be enough effectively to enforce this principle. The Commission will therefore be taking some initiatives in this context in the coming months.

70. In addition, in December 1988 the Commission proposed, on the one hand, enlarging the field of application of the measures which govern the free circulation of salaried employees and, on the other hand, the introduction of the principle of job equivalence in order to take account of the more recent jurisprudence of the Court, and to improve the position of employees and their integration into the host country. Otherwise, the Commission has presented to the Council, but the Council has not yet adopted, a series of proposals directed to amending regulation 1408/71 on the social security of migrant workers.

71. Meanwhile, work is continuing on the implementation of the Council Decision of 16 July 1985 concerning the correspondence of different national professional qualifications. The Commission is about to agree to the publication of the first results of this work in the Official Journal. In applying this Decision the Commission services are also carrying out a study of the issues involved in the introduction of a European vocational training card. In connection with this work, the Commission, (again as announced in its Work Programme for 1989), will this year present to the Council proposals concerning the transparency of the employment market in relation to those having professional qualifications.

(d) The general right of residence

72. The current restriction on the right of residence to persons in employment is out of keeping with the image which the Community must project to its citizens. However, the Council's unsuccessful negotiations on the proposal for a general right of residence revealed a lack of will on the part of the Member States unanimously to introduce such a right. For this reason, rather than seek a compromise which might have watered down the right of residence, the Commission chose to withdraw its proposal and announce new ones to grant the right of residence to students and retired persons by majority vote.

4. Services

(a) Financial services

73. By the end of 1988 the Commission had submitted all the proposals demanded by the White Paper on the three financial services covered, i.e. banking, insurance and transactions in securities. It has since become clear, however, particularly as regards insurance, that these proposals will not be enough, in themselves, to create a Single Market in this field.

(i) The banking sector :

74. The most important decision expected on banking this year will be the adoption of the second Directive on the coordination of banking legislation which will allow any bank established in the Community to offer its services all over the Community. In April the Commission submitted a fresh proposal on reciprocity with non-Community countries which has calmed the fears awakened in the Community's trading partners and which should pave the way to agreement in the Council. The technical harmonization measures announced have been adopted already (on annual accounts and own funds) or will be soon (on solvency ratios).

(II) The Insurance sector :

75. The distinction drawn between large industrial risks and mass risks enabled the adoption in June 1988 of the Directive on the freedom to provide insurance services covering large industrial risks for professional policyholders over a specified size. In December 1988 new proposals were presented on motor vehicle insurance and life insurance other than life insurance, drawing on the same distinction as mentioned above. The Commission will be taking further initiatives in the coming months, particularly in relation to group insurance and pensions and the extension of cross-frontier services to individual consumers.

(III) Securities transactions :

76. The most significant steps which have been taken on securities are the measures adopted by the Council on undertakings for collective investment in transferable securities (UCITS) for which the internal market will be complete from 1 October 1989. The Council Directives on the information to be published when major holdings in the capital of a listed company are acquired or disposed of, and on the prospectus to be published when transferable securities are offered for subscription or sale to the public, will both contribute to increasingly transparent markets. Finally, the Council and Parliament are currently considering proposals on investment services and insider dealing.

(b) Transport

77. Key decisions have already been adopted in this sector, which has long been shielded from competition. Nevertheless, many more measures must be adopted by the Council before transport services can genuinely be provided freely throughout the Community. Although new arrangements have been made to allow all modes of transport to expand their transfrontier activities, the opening-up of cabotage, amongst other services, has not yet been achieved. The Council therefore still has a long way to go to implement the Treaty and to correct the shortcomings in its activities noted by the Court.

(1) Air

78. The first decisions taken by the Council in December 1987 must be followed-up by new proposals from the Commission in the summer of 1989, for adoption before 31 March 1990, together with a report on the implementation of the 1987 decisions. The third stage leading to complete deregulation will be tabled in 1992. Measures directed to approximating the operating conditions of airlines, eliminating distortions in the conditions of competition and reinforcing airport security will be proposed by the Commission, from this year onward, to accompany the liberalisation process.



(II) Road

79. The June 1988 Decision to phase out all bilateral and Community quotas on road haulage services by 1 January 1993 will be backed up by measures to improve the quality of service. Amongst these the new conditions of professional qualification have already been agreed by the Council in principle in March 1989. A proposal on the conditions of access to the market will be published in 1990. Similarly, the Commission has proposed the full freedom of pricing in this sector. There are also signs that a provisional solution could soon be found for cabotage services.

On the other hand, no progress has been made on passenger services.

(III) Sea

80. No further progress has been made by the Council on the proposals to allow cabotage services since the adoption in December 1986 of the package of measures, guaranteeing the freedom to provide shipping services. In the context of its proposals concerning "positive measures" of 31 May 1989, the Commission took new initiatives to assist progress on this subject.

(IV) Inland waterways

81. The proposal on cabotage has made no progress. It is linked politically with cabotage in road haulage and a solution in that area will open the way for the adoption of the proposal on inland navigation.

(c) New technologies

1) Television

82. The Directive on television without frontiers, when adopted, will define the marketing rules for television and fit in with the draft Council of Europe Convention - as requested by the European Council. Even though this directive will still leave on the Council table the questions of radio broadcasting and copyright, it will guarantee the free circulation in the Community of TV programmes broadcast from any Member State and will also promote the production and distribution of audiovisual works of European origin.

83. The opening-up of this market will also permit the development of the standard for high definition television which is currently of major economic and industrial importance. In this context the Commission has undertaken to promote a European solution acceptable at the world level. In particular, it has ensured that the Council adopted, in April 1989, a decision establishing the main lines of an overall policy in this area which the Commission is now engaged in implementing.

84. Following the adoption of the framework regulation, other measures can be developed to reinforce the capabilities of the European audio-visual industries. Outside the MEDIA programme, which is in the course of being put into effect, the Commission is currently preparing, together with the French Government, an audio-visual conference ("les Assises de l'audiovisuel") in order to obtain the views of all the audio-visual professions on the possibilities for the development of this sector.

ii) Telecommunications

85. Progress has been rapid in this area in accordance with the timetable for the implementation of the 1988 Green Paper on Telecommunications (COM(88)48). The adoption in May 1988 of the Commission Directive concerning the opening-up of the terminal equipment market to competition has made all the more urgent the task of the elaboration by the European Telecommunications Standards Institute (ETSI) of common specifications for standards. It has, at the same time, rendered all the more necessary the quick adoption of the second stage in the of mutual recognition of terminal interfaces for which the Commission has just presented a proposal to the Council and the Parliament.

86. It is also essential that competitive conditions are introduced in telecommunications services. To this end the Commission is considering an Article 90 Directive, while a Directive concerning Open Network Provision (ONP) was submitted to the Council in December 1988.

(iii) New means of payment

87. In November 1988, the Commission issued a recommendation defining the principles which should apply to the operation of new means of payment at the European level. These principles must now be put into effect, notably by the relevant banking administrations and other bodies, in order to ensure the interoperability of the networks and the use of payment cards throughout the territory of the Community.

(iv). Capital movements

88. The adoption in June 1988 of both the Directive providing for complete liberalization of capital movements by 1 July 1990 in eight Member States and by the end of 1992 in Greece, Ireland, Portugal and Spain and the Regulation establishing a single facility providing medium-term financial assistance for Member States' balances of payments marked the completion of the programme for the liberalization of capital movements, proposed by the Commission in March 1986. In order to fulfill the commitment given when the above mentioned Directive was adopted, in February 1989 the Commission tabled proposals designed to combat the risks of the distortion of economic activity or tax evasion and fraud. It advocated

approximating withholding tax rates on income from movable assets backed up by closer cooperation between the national authorities to deal with cases of suspicion of serious fraud. The technical examination of these proposals has been delegated by the ECO/FIN Council, at its meeting on 13 February 1989, to a high level working group which has already held three meetings.

5. The creation of suitable conditions for industrial co-operation

89. Independently of the many initiatives taken by the Commission with a view to encouraging cross-frontier co-operation between businesses (research programmes, BC-NET, etc.) it is necessary to improve the legal framework of this co-operation.

(a) Company law and taxation

90. Very little progress has been made in this field since 1985 except for the adoption of the Regulation on the European Economic Interest Grouping and the common position reached on the accounts of branches of companies. Nevertheless, the Council is actively pursuing its examination of the draft Fifth Company Law Directive on company structures and the draft Twelfth Directive on Single-member Companies.

91. Worker participation is the stumbling block for some of the proposals. The forthcoming Commission proposal for a European company statute should enable this hurdle to be overcome and point to satisfactory solutions which could lay the foundation for more wide-ranging solutions.

92. As undertaken in the White Paper, the Commission has submitted a proposal to make takeover and other general bids more transparent with a view to the protection of shareholders and workers.

93. Finally, a package of three proposals on the taxation of companies from different Member States is being discussed. These discussions are being actively pursued in the Council, with the objective of an overall agreement being reached during ECO/FIN Council meeting on 19 June 1989.

(b) Intellectual and industrial property

94. General proposals (on trade marks) and more specific measures (on biotechnological inventions and software) are on the Council table. The Commission has published its Green Paper on copyright which has stimulated numerous comments from all circles concerned. The Commission now has the fullest possible picture of the principles to be followed in any proposals which may be made.

95. Although the decisions on the legal protection of topographies of semiconductor products and, more recently, the Directive on trade marks are significant steps forward, they are not sufficient to enable companies to derive full benefit from the exploitation of their products on the entire Community market. The adoption of the Community trademark and the entry into force of the Community Patent Convention remain absolutely necessary. The Commission can only regret the delays in the adoption of these texts which have been caused solely by the problem of the site of the Community Trademark Office and the choice of its working language, two questions on which a political settlement is urgently needed.

### III. THE REMOVAL OF FISCAL BARRIERS

96. In May 1989 the Commission adopted a Communication (COM(89) 260) outlining a series of suggestions and modifications to its existing proposals in the field of indirect tax approximation.

This new approach does not alter the Commission's basic goal, which remains :

- to eliminate Intra-Community fiscal frontiers and frontier-related controls, which are incompatible with a real internal market;
- to ensure that sufficient approximation of VAT and excise rates takes place within the Community for distortions in competitive conditions of fiscal origin to be avoided once the internal market is achieved.

97. The new approach, which will be translated into formal proposals in the next few weeks, can be summarised under three main headings :

- a. The creation of a transitional phase lasting until the end of 1992, during which the Member States would be expected to make a positive commitment towards the alignment of their indirect taxes. Under this heading it is envisaged that the current travellers' allowances would be progressively quadrupled (in the case of VAT) or doubled (in the case of excisable goods). It is also intended that certain procedural simplifications which favour the development of the internal market, will be introduced.
- b. Pragmatic solutions to certain problems in the field of VAT. In particular, a minimum standard rate of VAT, and no upper limit; maintenance of the zero-rate for a reduced number of products for those Member States which currently apply this system and wish to retain it; introduction of VAT suspension for Intra-Community transactions between linked companies; taxation of mail order sales and car sales at the rate applicable in the

country of final consumption; creation of a mechanism to neutralise the potentially distortive effect of VAT rate differences on purchases by exempt traders and public bodies; and the simplification of residual VAT clearing procedures, which will henceforth be based on statistics rather than on information provided in VAT returns.

- c. Improved flexibility in relation to excise duty rates. Notably, the introduction of differentiated minimum rates for alcohol and tobacco products; single rates or rate bands for mineral oil products, without totally rejecting the possibility of minimum rates in certain circumstances; control measures, for example in the form of tax stamps or seals, to cover the circulation of tax-paid excisable goods in those Member States which wish to apply such measures; and a system of inter-connected excise warehouses to allow commercial quantities of these goods to circulate tax-free throughout the Community.

98. The Commission's new approach fully respects the objectives of fiscal approximation laid down in 1987, while introducing a greater degree of pragmatism and flexibility into the discussion. It should enable the Council to make rapid and substantial progress with this essential element of the internal market programme, thus ensuring that early agreement can be reached on implementing the measures of alignment envisaged for the transitional phase.

## ANNEXES

### INTRODUCTION

The following three annexes outline the present state of progress on implementing the programme and timetable annexed to the White Paper on the Completion of the Internal Market and take account of developments up to 31 May 1989.

ANNEX 1 Lists proposals presented in the context of the Completion of the Internal Market which have been adopted by the Commission and the Council up to 31 May 1989

ANNEX 2 Lists the Commission proposals currently awaiting Council adoption

ANNEX 3 Lists the proposals still to be presented by the Commission to Council

ANNEX I  
to 4th Progress Report  
31/05/89

COMPLETION OF THE INTERNAL MARKET  
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INITIATIVES AND PROPOSALS  
ADOPTED BY COMMISSION AND COUNCIL  
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The following list shows the proposals presented in the context of the Completion of the Internal Market which have been adopted or partially adopted by both Commission and Council. Numbers refer to the total number of decisions taken by Council including partial adoptions.

Those partially adopted will require further Council decision.

NB : In the "Comments" section, the term "Implementation date" means the date on which the Member States are expected to apply the legislation concerned

SUBJECT	ADOPTION DATE
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PART ONE : THE REMOVAL OF PHYSICAL BARRIERS

I. CONTROL OF GOODS

1. Various controls

1. Duty free admission of fuel contained in the fuel tanks of commercial motor vehicles : lorries and coaches  
COM(84)171, COM(86)383

PARTIALLY  
ADOPTED  
(coaches)  
8/7/85  
Dir.85/347  
OJ L 183 of  
16/7/85

COMMENTS :  
Implementation date : 1/10/1985

2. Single Administrative document  
(SAD) third country aspects

ADOPTED 8/7/85  
Regul. 1900/85  
& 1901/85 EEC  
OJ L 179 of  
11/7/85

COMMENTS :  
Implementation date : 1/1/1988

3. Abolition of customs presentation  
charges

ADOPTED  
9/6/86  
Reg. 1797/86  
OJ L 157 of  
12/6/86

COMMENTS :  
Implementation date : 1/1/1988; derogations for Spain and  
Portugal

4. Elimination of customs formalities  
In the framework of the TIR Convention  
(COM(86)184) and the introduction of  
common border posts - "banalisation"

ADOPTED  
1/12/86  
(TIR  
aspect)  
REG 3690/86  
OJ L 341 of  
4/12/86  
and  
21/12/88  
REG. 4283/88  
OJ L 382/88  
of 31/12/88

COMMENTS :  
Implementation date : Reg. 3690/86 - 1/7/87  
Implementation date : Reg. 4283/88 - 1/7/89

5. Simplification of Community transit  
procedure :  
amendment to Reg. 222/77

ADOPTED  
11/6/87  
Reg. 87/1674  
OJ L 157/87  
of 17/6/87

COMMENTS :  
Implementation date : 1/7/88



## 2. Veterinary and phytosanitary controls

6. Microbiological controls (meats, poultry, red meat)

ADOPTED  
12/6/85  
Dir 85/323  
& 85/324  
OJ L 168 of  
28/6/85

COMMENTS :

Implementation date Dir. 85/323 : obligation to conform to terms of directive contains period not yet fixed  
Implementation date Dir. 85/324 : as above

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## 7. Medical examination of Personnel

ADOPTED  
12 & 20  
June 1985  
Directives  
85/325, 85/326  
85/327  
OJ L 168 of  
28/6/85

COMMENTS :

Implementation date Dir. 85/325 : 1/1/86  
Implementation date Dir. 85/326 : 1/1/86  
Implementation date Dir. 85/327 : 1/1/86

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## 8. Swine fever

ADOPTED  
12/6/85  
Dir. 85/320,  
85/321 &  
85/322  
OJ L 168 of  
28/6/85

COMMENTS :

Implementation date : Dir. 85/320 : 1/1/1986  
Implementation date : Dir. 85/321 : 1/1/1986  
Implementation date : Dir. 85/322 : 1/1/1986

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## 9. Hormone growth promoters

ADOPTED  
10/7/85  
Dir 85/358  
OJ L 191 of  
23/7/85  
Dir 88/146  
of 7/3/88  
OJ L 70 of  
16/3/88

COMMENTS :

Implementation date Dir. 85/358 : 1/1/87  
Implementation date Dir. 88/146 : 1/1/88  
NB : Directive 88/146 replaces Directive 85/649 in accordance with the Court of Justice ruling on hormones in March 1988

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## 10. Production and trade in milk

ADOPTED  
5/8/85  
Dir. 85/397  
OJ L 226 of  
24/8/85

COMMENTS :  
Implementation date : 1 January 1989

## 11. Control of foot and mouth disease

ADOPTED  
18/11/85  
Dir. 85/511  
OJ L 315 of  
26/11/85

COMMENTS :  
Implementation date : 1/1/1987

12. Amendment to Directive  
77/93 (plant health).

ADOPTED  
19/12/85  
DIR. 85/574  
OJ L 372/85  
of 31/12/85  
and  
14/11/88  
DIR. 88/572  
OJ L 313/88  
of 19/11/88

COMMENTS :  
Implementation dates : DIR. 85/574 - 1/1/87  
DIR. 88/572 - 1/1/89

13. Amendment of Directive  
79/117/EEC on the prohibition of  
certain plant protection products  
(ethylene oxide)

ADOPTED  
21/7/86  
Dir. 86/355  
OJ L 212 of  
2/8/86

COMMENTS :  
Implementation date : 1/7/87

14. Maximum levels for pesticide  
residues in cereals and foodstuffs  
of animal origin

ADOPTED  
24/7/86  
Dir's 86/362  
& 86/363  
OJ L 221 of  
7/8/86

COMMENTS :  
Implementation date : 30/6/1988

## 15. Antibiotic residues

ADOPTED  
16.9.86  
Dir  
86/469  
OJ L 275 of  
24/9/86

## COMMENTS :

Implementation dates : 1 April 1987 (Articles 3 and 4);  
31 December 1987 (Articles 5,11,12),  
31 December 1988 (all other articles)

## 16. Control of residues

ADOPTED  
16.9.86  
Dir  
86/469  
OJ L 275 of  
24/9/86

## COMMENTS :

Implementation dates : 1 April 1987 (Articles 3 and 4);  
31 December 1987 (Articles 5,11,12),  
31 December 1988 (all other articles)

## 17. Live animals of the porcine

species : eradication of  
African swine fever in  
Portugal

ADOPTED  
16/12/86  
Dec. 86/649  
OJ L 382 of  
31/12/86

## COMMENTS :

PORTUGAL to submit a reinforced plan to the Commission for the eradication of African swine fever and the restructuring of pig farms. No precise deadlines mentioned in the decision. Commission to approve plans according to the procedure of the Standing Veterinary Committee which includes specific time limits, and follow the developments concerning the implementation of eradication plan (a report must be made to the Committee at least once a year)

## 18. Live animals of the porcine

species : eradication of  
African swine fever in Spain

ADOPTED  
16/12/86  
Dec. 86/650  
OJ L 382 of  
31/12/86

## COMMENTS :

Concerning Decision 86/650, SPAIN to submit reinforced plan for the above-mentioned eradication scheme. No precise deadlines are mentioned in the decision. The Commission must approve these plans, according to the procedure of the Standing Veterinary Committee which includes specific time limits, and follow the developments concerning the implementation of the eradication plan.  
(A report must be made to the Committee at least once a year)

19. Live animals of the bovine species: amended eradication directives to provide for final eradication of brucellosis tuberculosis & leukosis in all Member States including Spain and Portugal

ADOPTED  
22/12/86  
Decision  
87/58  
OJs L 24 &  
L 32 of  
27/1 &  
3/2/87  
respectively

COMMENTS :

Member States shall draw up eradication plans to be submitted to the Commission within nine months of the notification of Decision; the Commission after examination of the proposed plans and any amendments thereto, shall approve them according to the procedure of the Standing Veterinary Committee. On the dates fixed by the Commission in its decision of approval, Member States shall bring into force the national provisions required to implement the eradication plans.

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20. Modification of Directive 72/461 on health problems affecting Intra-Community trade in fresh meat and Directive 72/462 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from 3rd countries

ADOPTED  
30/12/86  
Dir. 87/64  
OJ L 34/87  
of 5/2/87

COMMENTS :

Implementation date : 1/1/88

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21. Proposal for Directive on the fixing of guidelines for the evaluation of additives used in animal foodstuffs

ADOPTED  
16/2/87  
Dir. 87/153  
OJ L 64 of  
7/3/87

COMMENTS :

Implementation date : 31/12/87

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22. Eradication of classical swine fever  
 In the Community as a whole  
 and swine fever

ADOPTED  
 7/4/87  
 Decs  
 87/230  
 & 87/231  
 OJ L 99 of  
 11/4/87  
 A further 4  
 decisions: Dirs  
 87/486, 487 &  
 489, Dec. 87/488  
 taken on  
 22/9/87  
 OJ L 280 of  
 3/10/87

COMMENTS :

Decision 87/230 to apply from 1/1/1987

Decision 87/231 : Member States to enforce necessary measures to comply with decision not later than 31/12/87 and must inform the Commission thereof

Directives 87/486, 87/487 and Dec. 87/488 drawn up in line with Article 2 of Decision 87/230 which required further Council decision on financial measures before 1/11/87, and Directive 87/489 in line with Article 3 of Decision 87/231, which required further Council decision before 1/11/87

Directive 87/486 (control of classical swine fever) : Member States to bring into force laws and other provisions necessary to comply with directive not later than 31 December 1987; Commission to be notified of provisions

Directive 87/487 (conditions designed to render and keep territory free of classical swine fever) : national programmes to be implemented in Member States not yet officially swine fever-free : minimum period of 6 years; maximum period 10 years

Decision 87/488 : (classical swine fever : financial measures) original eradication plan under Directive 80/1095 given a 6 year period; this has now been extended by 4 years; those Member States not yet officially swine fever-free must therefore submit a new plan not later than 3 months before the expiry of their initial plan.

Directive 87/489 : (swine fever : certain measures) Member States shall bring into force laws, etc. to comply with directive not later than 31 December 1988 and must inform the Commission of these provisions

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23. Acceptance for breeding purposes of purebred breeding animals of the bovine species	ADOPTED 18/6/87 DIR. 87/328 L 167/87 of 26/6/87
COMMENTS : Implementation date : 1/1/88	
24. Amendment to Directive 80/215 on animal health problems affecting Intra-Community trade in meat products	ADOPTED 22/9/87 Dir. 87/491 L 279/87 of 2/10/87
COMMENTS : Implementation date : 1/1/88	
25. Amendment to Directive 74/63 on undesirable substances and products in animal nutrition (maximum pesticide residues in animal feedingstuffs)	ADOPTED 19/10/87 Dir. 87/519 OJ L 304/87 of 27/10/87
COMMENTS : Implementation date : 31/12/90	
26. Amendment to Directive 64/433 on health problems affecting Intra-Community trade in fresh meat	ADOPTED 3/5/88 Dir. 88/288 OJ L 124 of 18/5/88
COMMENTS : Implementation date : 1/1/89	
27. Amendment to Directive 72/462 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries	ADOPTED 3/5/88 Dir. 88/289 OJ L 124 of 18/5/88
COMMENTS : Implementation date : 1/1/89	
28. Semen of animals : bovine species (porcine species aspect yet to be adopted) COM(83)512, COM(86)657	PARTIALLY ADOPTED 13/6/88 DIR. 88/407 OJ L 194 of 22/7/88
COMMENTS : Implementation date : 1/1/90	

## 29. Certification of seeds

ADOPTED  
13/6/88  
DIR.88/380  
OJ L 187 of  
16/7/88

## COMMENTS :

Implementation dates -

Article 3(11) & Article 7(9) : 1/7/82  
Article 3(12) : 1/1/83  
Article 6(5)&(6) and Article 7(6)&(10) : 1/1/86  
Article 2(8),(17),(20),(28); Article 3(18),  
(31),(37); Article 5(10),(19),(23),(25)  
Articles 1(8), 2(10), 3(20), 5(12), 7(18) : 1/7/92  
All other provisions : 1/7/90

## 30. Minced meat and similar : health problems

ADOPTED  
13/12/88  
DIR.88/657  
OJ L 382 of  
31/12/88

COMMENTS : Implementation date : 1/1/1992

## 31. Modification of Dir. 77/99 - meat products

ADOPTED  
13/12/88  
DIR.88/658  
OJ L 382 of  
31/12/88

## COMMENTS :

Implementation date : 1/7/1990

DEROGATION for Greece until 31/12/1992 (In order to comply with the exception provided for in Article 3(1)(9) of Directive 77/99)

## 32. Zootechnical standards porcine species

ADOPTED  
19/12/88  
DIR.88/661  
OJ L 382 of  
31/12/88

COMMENTS : Implementation date - 1/1/1991

DEROGATION until 1/1/93 for Spain and Portugal  
(but clause in decision which allows for prolongation of  
derogation)

33. Pleuro-pneumonia in Portugal  
- financial scheme for eradication

ADOPTED  
20/2/89  
Dec.89/145  
OJ L 53 of  
25/2/89

COMMENTS :

Under the terms of the Decision, the Portuguese government will draw up a reinforced plan for the eradication of contagious bovine pleuropneumonia; no deadline is given for the submission of the plan which, when approved by the Commission, will qualify for Community financial assistance for a period of 3 years.

- 
34. Imports of meat products from  
third countries (animal health  
and public health rules)

ADOPTED  
21/3/89  
Dir. 89/227  
OJ L 93 of  
6/4/89

COMMENTS :

Implementation date : 30/6/1990

- 
35. Pedigree animals - sheep and goats

ADOPTED  
30/5/89  
Not yet  
published  
In Official  
Journal

- 
36. Harmful organisms in seeds and seed  
potatoes

ADOPTED  
30/5/89  
Not yet  
published  
In Official  
Journal

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11. CONTROL OF INDIVIDUALS

37. Sixth Directive relative to allowances in Intra-Community travel: Increase to 350 ECUs

ADOPTED  
8/7/85  
Dir. 85/348  
OJ L 183 of  
16/7/85

## COMMENTS :

Implementation date : 1/10/1985;  
Certain derogations for Denmark, Greece and Ireland

NB : A further decision in this domain was taken on 21/12/1988 which increased the allowance to 390 ECU - Dir. 88/664, OJ L 382 of 31/12/1988, Implementation date 1/7/89; certain derogations for Denmark, Greece and Ireland.

38. Tax reliefs to be allowed on the importation of goods in small consignments of a non-commercial character within the Community : up to 100 ECU

ADOPTED  
8/7/85  
Dir. 85/349  
OJ L 183 of  
16/7/85

## COMMENTS :

Implementation date : 1/10/1985  
Derogation for Ireland

NB : A further decision in this domain was taken on 21/12/1988 increasing the allowance to 110 ECU - Dir. 88/663, OJ L 382 of 31/12/88, Implementation : 1/7/89; derogation for Ireland.

39. Small consignments : exemption from VAT on the final importation of goods (amendment to Directive 83/181 determining the scope of Article 14(1)(d) of Directive 77/388)

ADOPTED  
13/6/88  
Dir. 88/331  
OJ L 151 of  
17/6/88

## COMMENTS :

Implementation date : 1 January 1989

PART TWO : THE REMOVAL OF TECHNICAL BARRIERSI. FREE MOVEMENT OF GOODS

## 1. New approach in technical harmonization and standards policy

## 40. Simple Pressure Vessels

ADOPTED  
25/6/87  
Dir. 87/404  
OJ L 220/87  
of 8/8/87

## COMMENTS :

Implementation date : 1/7/90  
(Member States must publish laws of compliance by 1/1/90)

---

 41. Extension of information procedures on standards and technical rules  
(amendment to Directive 83/189)

ADOPTED  
22/3/88  
Dir. 88/182  
OJ L 81 of  
26/3/88

## COMMENTS :

Implementation date : 1 January 1989

---

 42. Safety of toys

ADOPTED  
3/5/88  
DIR. 88/378  
OJ L 187 of  
16/7/88

## COMMENTS :

Implementation date : 1/1/90

---

 43. Electromagnetic compatibility

ADOPTED  
3/5/89  
Not yet published in  
Official  
Journal

## COMMENTS :

Laws of compliance must be published by 1/7/1991 whilst  
implementation is due on 1/1/92

---

## 2. Sectoral proposals concerning approximation of laws

### 2.1. Motor vehicles

44. Type approval of motor vehicles and their trailers, Directive 70/156	ADOPTED 25/6/87 DIR.87/358 OJ L 192 of 11/7/87
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COMMENTS :  
Implementation date : 1/10/88

45. Gaseous emissions, passenger cars	ADOPTED 3/12/87 Dir. 88/76 OJ L 36 of 9/2/88
---------------------------------------	--

COMMENTS :  
Implementation date : 1/7/88

46. Gaseous emissions, commercial vehicles	ADOPTED 3/12/87 Dir. 88/77 OJ L 36 of 9/2/88
--	--

COMMENTS :  
Implementation date : 1/7/88  
(by end 1988 Council will consider, on the basis of a proposal from the Commission, a further reduction in values)

47. Diesel particulates	ADOPTED 16/6/88 DIR.88/436 OJ L 214 of 6/8/88
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COMMENTS :  
Implementation date : 1/10/88  
By end 1989 the Council shall decide on the basis of a proposal from the Commission the implementation of a second stage for further reduction in the limit values for particulate pollutant emissions

48. Motorcycle replacement exhaust systems	ADOPTED 13/3/89 Dir. 89/235 OJ L 98 of 11/4/89
--	--

COMMENTS :  
Implementation date : 1/10/1989

49. Motor vehicles - lateral protection

ADOPTED  
13/4/89  
DIR.89/297  
OJ L 124 of  
5/5/89

COMMENTS :  
Implementation date : 30/10/89

---

2.2. Tractors and agricultural machines

50. Rollover protection structures  
(Incorporating two pillars and  
mounted in front of the driver's  
seat on narrow-track wheeled  
agricultural and forestry tractors

ADOPTED  
25/6/87  
Dir.87/402  
OJ L 220  
of 8/8/87

COMMENTS :  
Implementation date : 25/6/89

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51. Modification of framework directive  
74/150

ADOPTED  
3/5/88  
Dir.88/297  
OJ L 126/88  
of 20/5/88

COMMENTS :  
Implementation date : 31/12/1988

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52. Implementation of Dir. 74/150  
(weight and dimensions, drive-  
shaft, engine stopping device,  
windscreen wipers, footrest)

ADOPTED  
21/12/88  
DIR.89/173  
OJ L 67 of  
10/3/89

COMMENTS :  
Implementation date : 31/12/89

---

2.3. Food law

53. Coffee extracts chicory  
extracts (modification)

ADOPTED  
19/12/85  
Dir.85/573  
O.J. L 372 of  
31/12/85

## COMMENTS :

Member States to take necessary measures

(a) by 1/1/87 as far as trade in products that conform to present directive is concerned;

(b) by 1/7/88 as far as trade in products that do not conform to present directive is concerned

---

54. Simulants (plastic materials  
in contact with foodstuffs)

ADOPTED  
19/12/85  
Dir.85/572  
OJ L 372 of  
31/12/85

## COMMENTS :

Member States to take necessary measures to conform to present directive at the same time as measures are taken to implement directive 82/711

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55. General Directive on sampling  
and methods of analysis

ADOPTED  
20/12/85  
Dir.85/591  
O.J. L 372 of  
31.12.85

## COMMENTS :

Implementation date : 22/12/87

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56. Preservatives (modification)  
COM(81)712

PARTIALLY  
ADOPTED  
20/12/85  
Dir. 85/585  
O.J. L372 of  
31.12.85

## COMMENTS :

Implementation date : 31.12.1986

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57. Emulsifiers (modification)

ADOPTED  
24/3/86  
Dir.86/102  
O.J. L 88 of  
3/4/86

## COMMENTS :

Implementation date : 26/3/88

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58. Obligation to indicate  
Ingredients and alcoholic  
strength

PARTIALLY  
ADOPTED  
26/5/86  
Dir.86/197  
OJ L 144 of  
29/5/86

COMMENTS :

Member States to modify (if necessary) their legislation in order to :

- permit trade in products which comply with this Directive by 1 May 1988 at the latest;
- prohibit trade in products which do not comply with this Directive as from 1 May 1989

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59. Extraction solvents

ADOPTED  
13/6/88  
DIR.88/344  
OJ L 157 of  
24/6/88

COMMENTS :

Implementation date : 12/6/91

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60. Flavourings

ADOPTED  
22/6/88  
DIR.88/388  
OJ L 184 of  
15/7/88

COMMENTS :

Implementation date : 21/12/89  
(marketing of goods complying with the directive shall be permitted by 22/6/90 whilst marketing of goods not complying with the directive shall be prohibited by 22/6/91)

---

61. Jams

ADOPTED  
18/11/88  
DIR.88/593  
OJ L 318 of  
25/11/88

COMMENTS :

Member States to take measures in order to :

- permit trade in products which comply with this directive by 31/12/89;
- prohibit trade in products which do not comply with this directive by 1/1/91

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62. Frozen foods

ADOPTED  
21/12/88  
DIR.89/108  
OJ L 40 of  
11/2/89

COMMENTS :

Member States to take measures in order to :

- permit trade in products which comply with this directive by 10/7/1990;
- prohibit trade in products which do not comply with this directive 10/1/1991

---

## 63. Food additives

ADOPTED  
21/12/88  
DIR.89/107  
OJ L 40 of  
11/2/89

## COMMENTS :

Implementation date : 28/6/1990  
(Member States to take measures to permit trade in products complying with this directive by 28 December 1990 and to prohibit trade in products not complying with this Directive by 28 December 1991)

## 64. Materials in contact with foodstuffs

ADOPTED  
21/12/88  
DIR.89/109  
OJ L 40 of  
11/2/89

## COMMENTS :

Member States to take measures to :  
- permit trade in goods which comply with this directive by 10/7/1990;  
- to prohibit trade in goods which do not comply with this directive by 10/1/1992

## 65. Food for particular nutritional uses

ADOPTED  
3/5/89  
Not yet published in  
Official  
Journal

## COMMENTS :

Implementation dates :  
- trade in goods complying with the directive to be permitted 18 months after notification of directive  
- trade in goods not complying with the directive to be prohibited 2 years after notification of the directive

## 66. Definition of spirituous beverages and aromatised wines

ADOPTED  
30/5/89  
Not yet published in  
Official  
Journal

2.4. Pharmaceuticals and high-technology medicines

## 67. Proposal for Directive concerning the placing on the market of high-technology medicinal products incl. those derived from biotechnology

ADOPTED  
22/12/86  
Dir.87/22  
OJ L 15 of  
17/1/87

## COMMENTS :

Implementation date : 1/7/87

CF

68. Proposal amending Directive  
75/318/EEC concerning the  
testing of medical specialities

Idem  
DIR 87/19

COMMENTS :  
Implementation date : 1/7/87;  
Derogation for Portugal under the Treaty of Accession until  
1/1/91

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69. Proposal amending Directive  
81/852/EEC concerning  
veterinary medicinal products

Idem  
DIR 87/20

COMMENTS :  
Implementation date : 1/7/87

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70. Proposal for a Council Directive  
amending Directive 65/65/EEC  
concerning medical specialities

ADOPTED  
22/12/86  
DIR 87/21  
OJ L15 of  
17/1/87

COMMENTS :  
Implementation date : 1/7/87  
Derogations for Greece, Portugal and Spain until 1/1/92

---

71. Proposal for a Council  
Recommendation concerning tests  
relating to the placing on the  
market of medical specialities

ADOPTED  
9/2/87  
OJ L 73  
of  
16/3/1987

COMMENTS :  
No implementation period required for this recommendation

---

72. Membership of the European Pharma-  
copela

ADOPTED  
26/5/87

COMMENTS :  
This adoption enables the Commission to negotiate  
membership on behalf of the 12 Member States;  
Interim report on progress of negotiations  
submitted to Council in December 1987

---

73. Price transparency in the prices  
of medicines and social security  
refunds

ADOPTED  
21/12/88  
DIR.89/105  
OJ L 40 of  
11/2/89

COMMENTS :  
Implementation date : 31/12/89

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74. Extension of directives to medicinal products not already included : pharmaceutical specialities, immunology, radiopharmaceutical medicines COM(87)697, COM(88)663	PARTIALLY ADOPTED 3/5/89 Not yet published In Official Journal
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COMMENTS : Implementation date : 1/1/92

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#### 2.5. Chemical products

75. Council Directive relating to restrictions on the marketing and use of PCB's (polychlorinated biphenyls)	ADOPTED 1/10/85 DIR 85/467 OJ L269 of 11/10/85
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COMMENTS :  
Implementation date : 30/6/86

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76. Membership of the European Agreement on detergents	ADOPTED 12/12/85
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COMMENTS :  
The decision taken on 12/12/85 merely enables the Commission to commence negotiations for the Membership of the European Agreement on Detergents; therefore implementation conditions are not applicable.

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77. Council Directive relating to "Restrictions on the marketing and use of asbestos"	ADOPTED 20/12/85 DIR.85/610 OJ L 375 of 31/12/85
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COMMENTS :  
Implementation date : 31/12/87

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78. Non-ionic detergents (modification of existing Directive)	ADOPTED 10/3/86 DIR 86/94 OJ L80 of 25/3/86
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COMMENTS :  
Member States are being allowed to maintain exceptions to the requirements concerning certain non-ionic agents included in detergents laid down by Directive 73/404 the implementation date of which was 22/5/75 until 31/12/89

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79. Liquid fertilisers (amendment to directive 76/116)	ADOPTED 22/3/88 Dir. 88/183 OJ L 83 of 29/3/88
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COMMENTS :  
Implementation date : 25 March 1989

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80. Classification, packaging and labelling  
of dangerous preparations

ADOPTED  
8/6/88  
DIR.88/379  
OJ L 187 of  
16/7/88

COMMENTS :  
Implementation date : 26/6/89

---

81. Secondary fertilisers  
(amendment to Dir.76/116 in respect of  
calcium, magnesium, sodium and sulphur  
content of fertilisers)

ADOPTED  
13/4/89  
Dir. 89/284  
OJ L 111 of  
22/4/89

COMMENTS :  
Implementation date : 16 April 1990

---

## 2.6 Construction and construction products

82. Tower cranes : permissible sound  
levels

ADOPTED  
25/6/87  
Dir.87/405  
OJ L 220/87  
of 8/8/87

COMMENTS :  
Implementation date : 25/6/89

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83. Construction products

ADOPTED  
21/12/88  
DIR.89/106  
OJ L 40 of  
11/2/89

COMMENTS :  
Implementation date : 27/6/91

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## 2.7. Other Items

84. Tyre pressure gauge

ADOPTED  
26/5/86  
Dir.86/217  
OJ L 152 of  
6/6/86

COMMENTS :  
Implementation date : 30/11/87

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85. Household appliances: airborne  
noise

ADOPTED  
1/12/86  
DIR 86/594  
OJ L 344  
of 6/12/86

COMMENTS :  
Implementation date : 3/12/89

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86. Hydraulic diggers (noise)

ADOPTED  
22/12/86  
Dir. 86/662  
OJ L 384 of  
31/12/86

COMMENTS :

Implementation date : 24/12/88

NB : 6 years after implementation common noise levels to be adhered to

87. Protection of hotels against fire

ADOPTED  
22/12/86  
Recommendation 86/666  
OJ L 384 of  
31/12/86

COMMENTS :

Measures in accordance : 22/12/88

Member States to report to Commission, within 2 years, all national measures taken in accordance with the Recommendation

88. Directive on products which, appearing to be other than they are, endanger the health or safety of consumers

ADOPTED  
25/6/87  
Dir. 87/357  
OJ L 192/87  
of 11/7/87

COMMENTS :

Implementation date : 26/6/89

89. Modification to Directive 84/538 on lawn mower noise

ADOPTED  
22/3/88  
Dir. 88/180  
& 80/181  
OJ L 81 of  
26/3/88

COMMENTS :

Implementation date : 1 July 1991

90. Indication of prices of non-foodstuffs

ADOPTED  
7/6/88  
Dir. 88/314  
OJ L 142 of  
9/6/88

COMMENTS :

Implementation date : 7/6/90

91. Indication of prices of foodstuffs

ADOPTED  
7/6/88  
Dir. 88/315  
OJ L 142 of  
9/6/88

COMMENTS :

Implementation date : 7/6/90

92. Good laboratory practices : non-clinical  
testing of chemicals

ADOPTED  
7/6/88  
Dir.88/320  
OJ L 145 of  
11/6/88

COMMENTS :  
Implementation date : 1 January 1989

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93. Cosmetics

ADOPTED  
21/12/88  
DIR.88/667  
OJ L 382 of  
31/12/88

COMMENTS :  
Implementation date : 31/12/89

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II PUBLIC PROCUREMENT

94. Coordination of procedures on the award of public supply contracts (amendment of directive 77/62) and deletion of certain provisions of directive 80/767

ADOPTED  
22/3/88  
Dir.88/295  
OJ L 127 of  
20/5/88

## COMMENTS :

Implementation date : 1/1/89;  
Derogations Greece, Portugal & Spain until 1/3/92

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### III. FREE MOVEMENT FOR LABOUR AND THE PROFESSIONS

95. Comparability of vocational training qualifications

ADOPTED  
16/7/85  
Dec. 85/368  
OJ L 199 of  
31/7/85

COMMENTS :

The first results of the comparability procedure will be published in the Official Journal in June 1989; Member States have not been asked for contributions to the Implementation report (due 16/7/87) as it is only from the date of publication of the first results that implementation within the Member States will take effect (report to be submitted every 4 years thereafter)

96. Coordination of provisions in respect of certain activities in the field of pharmacy

ADOPTED  
16/9/85  
DIR 85/432,  
& DEC.  
85/434/EEC  
OJ L 253 of  
24/9/85

COMMENTS :

Implementation date for DIR 85/432 - 1/10/87;  
Decision 85/434 concerned the creation of an Advisory Committee on Pharmaceutical Training within the Commission

97. Mutual recognition of diplomas in pharmacy

ADOPTED  
16/9/85  
Dir. 85/433  
OJ L 253 of  
24/9/85

COMMENTS :

Implementation date : 1/10/87.  
Derogation for Greece : 10 years after entry into force the Commission must make proposals aiming at the extension of mutual recognition of diplomas to self-employed pharmacists

98. University/Industry Cooperation in the field of new technologies (COMETT)

ADOPTED  
24/7/86  
Dec. 86/365  
OJ L 222 of  
8/8/1986

COMMENTS :

Implementation : preparatory phase 1986; operation of programme 1987-1989;  
Commission report on 1987 activities submitted 12 February 1988, COM(88)36 final.  
Commission report on 1988 activities submitted 13 April 1989, COM(89)171  
COMETT II adopted 16/12/88 (OJ L 13 of 17/1/89 - Implementation 1990/1994)

99. Specific training  
in general medical practice

ADOPTED  
15/9/86  
Dir. 86/457  
OJ L 267 of  
19/9/86

COMMENTS :  
Implementation date : 1/1/95

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100. Coordination  
relating to commercial agents

ADOPTED  
18/12/86  
DIR 86/653  
OJ L 382 of  
31/12/86

COMMENTS :  
Implementation date : 1/1/90;  
- for ITALY, the section concerning the provisions on the  
ending of commercial agents contracts will be 1/1/93  
- for IRELAND and the U.K. this deadline is extended to  
1/1/94

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101. Regulated professions : General system  
for the mutual recognition of higher  
education diplomas awarded on completion  
of professional education and training  
of at least 3 years' duration

ADOPTED  
21/12/88  
DIR. 89/48  
OJ L 19 of  
24/1/89

COMMENTS :  
Implementation date : 3/1/91  
(a report on the state of application of the general system  
will be submitted by the Commission within 5 years of the  
date of implementation)

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IV. COMMON MARKET FOR SERVICES1. FINANCIAL SERVICES1.1 Banks

102. Accounts of banks

ADOPTED  
8/12/86  
DIR 86/  
635  
OJ L 372 of  
31/12/86

## COMMENTS :

Implementation date : 31/12/1990  
(facility for Member States to apply implementing rules for  
the first time for financial year accounts beginning 1993)

103. Foreign accounts : banks

ADOPTED  
13/2/89  
Dir. 89/117  
OJ L 44 of  
16/2/89

## COMMENTS :

Implementation date : 1/1/1991  
(facility for Member States to provide that provisions shall  
apply for the first time to annual accounts for the financial  
year beginning on 1/1/93 or during the calendar year 1993)

104. Own funds - banks

ADOPTED  
17/4/89  
DIR. 89/299  
OJ L 124 of  
5/5/89

## COMMENTS :

Implementation date : 1/1/1993

- 
- Recommendation on the setting up of a  
guarantee system of deposit within the  
Community

ADOPTED  
22/12/1986  
Com.Rec.  
87/63  
OJ L 33 of  
4/2/1987

COMMENTS : Implementation requirements do not apply

- 
- Recommendation on control of large  
exposures

ADOPTED  
22/12/1986  
Com.Rec.  
87/62  
OJ L 33 of  
4/2/1987

COMMENTS : Implementation requirements do not apply



1.2 Insurance

105. Coordination of laws relating to legal expenses Insurance

ADOPTED  
22/6/87  
Dir. 87/344  
OJ L 185/87  
of 4/7/87

## COMMENTS :

Implementation date : 1/7/90

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106. Credit Insurance

ADOPTED  
22/6/87  
Dir. 87/343  
OJ L 185/87  
of 4/7/87

## COMMENTS :

Implementation date : 1/7/90

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107. Non-life Insurance

ADOPTED  
22/6/88  
Dir. 88/357  
OJ L 172 of  
4/7/88

## COMMENTS :

Implementation date : 29/6/90

1.3 Transactions in securities

108. Collective investment undertakings for transferable securities

ADOPTED  
20/12/85  
DIR 85/611  
OJ L 375 of  
31/12/85

## COMMENTS :

Implementation date : 1/10/1989

(Member States may grant additional period of 12 months to comply with those rules for UCITS existing on that date; facility for Greece and Portugal to postpone application up to 1/4/1992.)

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109. UCITS Directive : special measures concerning certain investments

ADOPTED  
22/3/88  
Dir. 88/220  
OJ L 100 of  
19/4/88

## COMMENTS :

Implementation date : 1 October 1989

Derogation for Greece and Portugal up to 1 April 1992 with the possibility that the Commission may suggest an extension of the derogation

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110. Information to be published when  
major holdings are acquired or  
disposed of

ADOPTED  
12/12/88  
OJ L 348 of  
17/12/88  
DIR. 88/627

COMMENTS :  
Implementation date : 1 January 1991

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111. Prospectus to be published  
when securities offered for  
sale to the public

ADOPTED  
17/4/89  
DIR. 89/298  
OJ L 124 of  
5/5/89

COMMENTS :  
Implementation date : 17/4/1991

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2. TRANSPORT

112. Maritime transport:	PARTIALLY
1. freedom to provide services in the sea transport sector:	ADOPTED
(a) between M.States and between M.States and third countries	22/12/86
(b) within M.States	REGS:
2. application of Arts 85 & 86 of Rome Treaty to maritime transport	1(a)
3. unfair pricing practices	: 4055/86
4. Coordinated action to safeguard free access to cargoes in oceanic trades	2 : 4056/86
COM(85)90	3 : 4057/86
	4 : 4058/86
	1(b) NOT
	adopted
	OJ L 378 of
	31/12/86

## COMMENTS :

Implementation dates : REG. 4055 : 1/1/87  
4056 - 4058 : 1/7/87

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113. Fares for scheduled air services	ADOPTED
	14/12/87
	OJ L 374
	of 31/12/87
	Dir. 87/601

## COMMENTS :

Implementation date : 31/12/87  
Revision will be decided upon by Council before 30/6/90 on the basis of a Commission proposal to be presented before 1/11/89

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114. Air transport : sharing of passenger capacity and market access	ADOPTED
	14/12/87
	OJ L 374
	of 31/12/87
	Dec. 87/602

## COMMENTS :

Implementation date : 1/1/88  
Revision will be decided upon by Council before 30/6/90 on the basis of a Commission proposal to be presented before 1/11/89

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115. Air transport : application of Articles 85 and 86 (rules of competition)	ADOPTED
	14/12/87
	OJ L 374
	of 31/12/87
	Reg. 3975/87

## COMMENTS :

Implementation date : 1/1/88

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116. Road transport : Community quota  
(amendment to Regulation 3164/76)

ADOPTED  
21/6/88  
Reg.1841/88  
OJ L 163/88  
of 30/6/88

COMMENTS :

Implementation date : 1/7/88

In addition :

- Council shall decide by 31/3/90 on a proposal from the Commission (to be submitted before 31/12/89) on an increase in the Community quota from 1990 and on measures to be taken in the event of a crisis
  - before 31/3/90, Council will decide on a Commission proposal (to be submitted before 31/12/89) on arrangements to apply to transport between Member States in transit through non member countries without discriminating between transporters from different Member States
-

3 - NEW TECHNOLOGIES AND SERVICES

117. Pan European mobile telephones

ADOPTED  
25/6/87  
Rec.  
87/371  
Dir.  
87/372  
OJ L 196/87  
of 17/7/87

## COMMENTS :

Implementation date : Directive 87/372 - 25/12/88  
Recommendation 87/371 : Commission to be informed each year from end 1989 onwards of progress in implementation of the recommendation

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118. Establishment at Community level of a policy and plan of priority action for the development of an information services market

ADOPTED  
26/7/88  
DEC.88/524  
OJ L 288 of  
21/10/88

## COMMENTS :

Implementation date : 26/7/88

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- Recommendation on a European Code of Conduct relating to electronic payment (relations between financial institutions traders and service establishments and consumers)

ADOPTED  
8/12/87  
Com.Rec.  
87/598  
OJ L 365  
of 24/12/87

COMMENTS : No implementation requirements

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V - CAPITAL MOVEMENTS

119. Liberalisation of units in collective investment undertakings for transferable securities	ADOPTED 20/12/85 DIR. 85/583 OJ L 372 of 31/12/85
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COMMENTS :  
Implementation date : 1/10/89;  
Derogation for Portugal to 31/12/1990

120. Liberalisation of operations such as transactions in securities not dealt in on a Stock Exchange, admission of securities on the capital market and long-term commercial credits	ADOPTED 17/11/86 DIR 86/566 OJ L 332 of 26/11/86
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COMMENTS :  
Implementation date : 28/2/87;  
Spain and Portugal may, in connection with the Act of Accession, postpone liberalisation until respectively :

- 1/10/1989 and 31/12/1990 for transactions on units in collective investment undertakings in transferable securities,

- 31/12/1990 and 31/12/1992 for other transactions liberalised

NE :  
Greece has been allowed to extend the derogation in this field (in accordance with Article 108 of the Treaty of Rome) to some of the above liberalised operations up to the end of 1989. However, operations representing inflows of capital and long term commercial credits have been liberalised from 28/2/1987

121. Liberalisation of capital movements	ADOPTED 24/6/88 DIR. 88/361 OJ L 178 of 8/7/88
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COMMENTS :  
Implementation date : 1/7/1990  
Derogations for Spain, Portugal, Greece, Ireland, Belgium, Luxembourg until the end of 1992.  
The Commission submitted to Council in January 1989 a proposal (COM(89)60 final/3) aimed at eliminating or reducing risks of distortion, tax evasion and tax avoidance linked to the diversity of national systems for taxation of savings; Council shall take a position on the Commission proposal by 30/6/89

VI - CREATION OF SUITABLE CONDITIONS FOR INDUSTRIAL  
COOPERATION

1. Company law

122. Proposals for a Regulation  
for a European Economic  
Interest Grouping

ADOPTED  
25/7/85  
Reg. 85/2137  
OJ L 199 of  
31/7/85

COMMENTS :  
Implementation date : 1/7/89

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2. Intellectual and Industrial property

123. Legal protection of  
micro circuits

ADOPTED  
18/12/86  
DIR.  
87/54  
OJ L 24  
of  
27/1/87

COMMENTS :  
Implementation date : 7/11/87

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124. Trademarks : first directive

ADOPTED  
21/12/88  
DIR. 89/104  
OJ L 40 of  
11/2/89

COMMENTS:  
Implementation date : 28/12/1991  
(facility to defer above date to 31/12/92 included in the  
decision)

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PART III : THE REMOVAL OF FISCAL BARRIERS1. V.A.T.

125. 13th VAT Directive concerning  
tax refunds to persons not  
established in the Community

ADOPTED  
17/11/1986;  
DIR. 86/560  
OJ L 326 of  
21/11/1986

COMMENTS :  
Implementation date : 1/1/1988

126. 17th VAT Directive concerning  
the temporary importation of  
goods other than means of  
transport

ADOPTED  
16/7/85  
DIR. 85/362  
OJ L 192 of  
24/7/85

COMMENTS :  
Implementation date : 1/1/1986;  
Derogations for Germany and Greece : carryover of application  
of certain articles

2. EXCISE DUTIES

127. Harmonisation of the structure of  
excise duties on alcoholic drinks  
authorising the French Republic to  
derogate from Article 95 in applying  
a reduced rate of revenue duty  
imposed on the consumption of  
"traditional" rum produced in its  
overseas departments and in metro-  
politan France

ADOPTED  
19/4/88  
Dec. 88/245  
OJ L 106 of  
27/4/88

COMMENTS :  
The decision enables the derogation to continue until  
31/12/92

TOTAL NUMBER OF PROPOSALS FINALLY ADOPTED BY COUNCIL : 121  
TOTAL NUMBER OF PROPOSALS PARTIALLY ADOPTED BY COUNCIL : 6



ANNEX 2  
TO FOURTH PROGRESS REPORT  
31/5/89

PROPOSALS SUBMITTED BY COMMISSION TO COUNCIL IN  
THE CONTEXT OF THE COMPLETION OF THE INTERNAL MARKET  
WHICH STILL REQUIRE COUNCIL ADOPTION

- Proposals marked with an asterisk (\*) were presented since the publication of the White Paper (14 June 1985)
- Proposals marked with two asterisks (\*\*) await European Parliament Opinion or First Reading
- Where the Cooperation Procedure applies :
  - FR indicates that Parliament has completed its First Reading
  - CP indicates proposals upon which a Common Position has been reached
  - SR indicates that Parliament has completed its Second Reading (Second Readings are delivered on Common Positions - Common Positions exist until final adoption by Council)
- Voting procedures are indicated in the Council column thus :
  - U = unanimity
  - QM = qualified majority
  - SM = simple majority

SUBJECT	Date of Commission's proposal	Projected date of adoption by Council as per White Paper
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PART ONE : THE REMOVAL OF PHYSICAL BARRIERS

I. CONTROL OF GOODS

1. Various controls

1. Duty free admission of fuel contained in the fuel tanks of commercial motor vehicles : lorries & coaches COM(84)171 updated by COM(86)383 (lorries)	1984	PARTIALLY ADOPTED 8/7/85 Dir.85/347 (coaches) 1987 (U)
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2. Abolition of controls relating to transport (means & documents) COM(88)800	1988*	1989 (QM)
3. Collection of trade statistics COM(88)810	1988*	1989** (QM)
<b><u>2. Veterinary and phytosanitary controls</u></b>		
4. Production and trade in medicated feeding stuffs - COM(81)795 & COM(83)378	1981	1985 (QM)
5. Boar meat - COM(83)655	1983	1985 (QM)
6. Personnel responsible for inspection COM(81)504	1981	1985 (QM)
7. Semen of animals - porcine species (bovine aspect already adopted) COM(83)512, COM(86)657	1983	PARTIALLY ADOPTED 13/6/88 1987 (QM)
8. Aujeszky's disease and swine vesicular disease COM(82)529	1982	1985 (QM)
9. Proposal to amend the annex of Directive 76/895/EEC concerning residues of pesticides in and on fruit and vegetables (ethoxyquin and diphenylamine) COM(82)883	1983	1985 (QM)
10. Proposal for the placing of plant protection products on the market (including guidelines for checking requirements in connection with the approval of plant protection production incorporated in modifying proposal) COM(76)427, COM(89)34	1976	1986 (QM)

11. Harmonised health conditions for production and trade in food products of animal origin not covered by existing legislation : eggs COM(87)46, COM(88)646	1987*	1988 (QM)
12. Harmonised health and hygiene conditions : fish and fish products - health guarantees - nematodes COM(88)47	1988*	1989 (QM)
13. Amendment to Dir. 77/93 on protective measures concerning entry into Member States of organisms harmful to plants or plant products COM(88)170	1988*	1989 (QM)
14. Marketing of compound feedingstuffs COM(88)303, COM(89)125	1988*	1989 (QM)
15. Proposal for Regulation concerning veterinary checks in Intra-Community trade with a view to the completion of the internal market COM(88)383	1988*	1989 (QM)
16. Proposal for Regulation on intensifying controls on the application of veterinary rules COM(88)383	1988*	1989 (QM)
17. Proposal for Regulation amending Regulation 1468/81 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of the law on customs or agricultural matters COM(88)383	1988*	1989 (QM)
18. Pedigree animals not covered by existing directives : other species COM(88)598	1988*	1989 (QM)
19. Modification to Dir. 76/895 maximum levels for pesticide residues in fruit and vegetables COM(88)798	1988*	1989** (QM)

20. Embryos of farm animals COM(88)785	1988*	1989 (QM)
21. Animal health problems - ovine and caprine species (Intra-Community and third countries) COM(88)742	1988*	1989 (QM)
22. Formulation of directives relating to health problems relating to trade in dogs and cats (rabies) (proposal includes echinococcosis) COM(88)836	1988*	1989 (QM)
23. Poultry meat and hatching eggs COM(89)9	1989*	1989** (QM)

#### II. CONTROL OF INDIVIDUALS

24. Directive on the easing of controls at Intra-Community Borders COM(84)749 & COM(85)224	1985	1985 (U)
25. Directive on the control of the acquisition and possession of arms COM(87)383	1987*	1988** (QM)
26. Modification of Directive 83/183 on tax exemptions applicable to permanent imports from a Member State of the personal property of individuals (removals) COM(86)584 fin/2, COM(88)298	1986*	1987 (U)
27. Proposal for a Directive amending for the first time Dir. 83/182 on temporary importation of certain means of transport (motor vehicles) COM(87)14, COM(88)297	1987*	1987 (U)

PART TWO : THE REMOVAL OF TECHNICAL BARRIERSI. FREE MOVEMENT OF GOODS1. New approach in technical harmonization and standards policy

28. Machine safety COM(87)564, COM(88)267 COM(88)837	1987*	1988 (QM) CP/SR
29. Personal protective devices COM(88)157, COM(89)177	1988*	1989 (QM) FR
30. Gas appliances COM(88)786	1988*	1990 (QM) FR
31. Electro-medical implantables COM(88)717	1988*	1989 (QM) FR
32. Mobile machines COM(88)740	1988*	1989** (QM)
33. Metrology : non-automatic weighing instruments COM(88)780	1988*	1989 (QM) FR

2. Sectoral proposals concerning approximation of laws2.1. Motor vehicles

34. Directive on safety glass for use in motor vehicles COM(72)981	1972	1988 (QM) FR
35. Directive on the approximation of laws relating to weights and dimensions of certain motor vehicles COM(76)701	1976	1988 (QM) FR
36. Directive on the approximation of laws relating to tyres for motor vehicles and their trailers COM(76)712	1976	1988 (QM) FR

37. Modification to Directive 70/220 Revision of limit values for gaseous emissions of cars (vehicles below 1400 cc) COM(87)706, COM(88)675 COM(89)257	1988*	1989 (QM) CP/SR
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<b>2.3. Food law</b>		
38. Preservatives (modification) COM(81)712	1981	PARTIALLY ADOPTED 20/12/85 Dir. 85/585 1985 (QM) FR
39. Obligation to indicate Ingredients and alcoholic strength - COM(82)626	1982	PARTIALLY ADOPTED 26/5/86 DIR.86/197 1985 (QM) FR
40. Modified starches - COM(84)726	1984	1986** (QM)
41. Food labelling (amendment) COM(86)89, COM(87)242 COM(89)223	1986*	1986 (QM) CP/SR
42. Fruit juices COM(86)688 COM(88)319	1986*	1987 (QM) CP/SR
43. Food inspection COM(86)747, COM(88)88 COM(89)225	1986*	1987 (QM) CP/SR
44. Nutritional labelling (2 directives proposed) COM(88)489	1988*	1990 (QM) FR
45. Irradiation of foodstuffs COM(88)654	1988*	1989** (QM)

2.4. Pharmaceuticals and high-technology medicines

46. Extension of directives to medicinal products not already included (4 proposals) COM(87)697, COM(88)663	1987*	PARTIALLY ADOPTED 3/5/89 (1 text to be finally adopted) 1989 (QM) CP/SR
47. Amendment to directive on veterinary medicines (3 proposals) COM(88)779	1988*	1989** (QM)

2.5. Chemical products

48. Oligo elements in fertilisers COM(88)562	1988*	1990 (QM) CP
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II. PUBLIC PROCUREMENT

49. Coordination of procedures for the award of public works contracts COM(86)679, COM(88)354 COM(89)141	1986*	1988 (QM) CP/SR
50. Application of Community rules on procedures for the award of public supply and public works contracts COM(87)134, COM(88)733	1987*	1988 (QM) FR
51. Public procurement : excluded sectors - water, energy and transport COM(88)377	1988*	1989 (QM) FR
52. Public procurement : excluded sectors - telecommunications COM(88)378	1988*	1989 (QM) FR



### III. FREE MOVEMENT FOR LABOUR AND THE PROFESSIONS

53. Harmonisation of income taxation provisions with respect to freedom of movement of workers within the Community COM(79)737	1979	1985 (U)
54. Freedom of movement for workers : residence permits COM(88)815	1988*	1989** (QM)

### IV. COMMON MARKET FOR SERVICES

#### 1. FINANCIAL SERVICES

##### 1-1 Banks

55. Freedom of establishment and freedom to supply services in the field of mortgage credit - COM(84)730 COM(87)255	1985	1988 (QM) FR
56. Reorganisation and winding-up of credit institutions COM(85)788, COM(88)4	1985*	1987 (QM) FR
57. Second directive on coordination of credit institutions COM(87)715	1987*	1989 (QM) FR
58. Directive on solvency ratios COM(88)194	1988*	1989 (QM) FR

##### 1-2 Insurance

59. Insurance contracts COM(79)355 & COM(80)854	1979	1988 (QM) FR
60. Annual accounts - Insurance undertakings COM(86)764	1986*	1989 (QM) FR
61. Winding up of insurance undertakings COM(86)768	1986*	1989 (QM) FR

62. Motor liability insurance COM(88)791	1988*	1989** (QM)
63. 3rd directive concerning motor liability insurance COM(88)644	1988*	1989** (QM)
64. Life insurance : freedom to supply services COM(88)729	1988*	1991** (QM)

### 1-3 Transactions in securities

65. Directive on Insider Trading COM(87)111 COM(88)549	1987*	1989 (QM) FR
66. Investment services COM(88)778	1988*	1989** (QM)

### 2 TRANSPORT

67. Inland waterways: goods and passengers. Freedom to provide services by non-resident carriers within a Member State COM(85)610	1985*	1989 (QM : subject to Art. 75(3))
68. Road transport : Goods Freedom to provide services by non resident carriers within a Member State COM(85)611	1985*	1988 (QM : subject to Art. 75(3))
69. Road transport : passengers Freedom to provide services by non-resident carriers within a Member State COM(87)31, COM(88)596	1987*	1987 (QM : subject to Art. 75(3))
70. Maritime transport : goods and passengers : freedom to provide services in the sea transport sector within a Member State by non-resident carriers COM(85)90 (4 regulations already adopted by Council in December 1986)	1985	1986 PARTIALLY ADOPTED (QM : subject to Art. 75(3)) Regs 4055 to 4058

71. Road transport : common rules for 1987\*  
the international carriage  
of passengers by road  
COM(87)79, COM(88)595  
COM(88)770

1987  
(QM :  
subject  
to  
Art.75(3))

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3 - NEW TECHNOLOGIES AND SERVICES

72. Broadcasting activities COM(86)146, COM(88)154 COM(89)247	1986*	1987 (QM) CP/SR
73. Open network provision COM(88)825	1988*	1990 (QM) FR

VI - CREATION OF SUITABLE CONDITIONS FOR INDUSTRIAL COOPERATION1. Company law

74. Fifth Company Law Directive (structure of public limited companies) COM(72)887 & COM(83)185	1973	1988 (QM) FR
75. Tenth Directive concerning cross-border mergers - COM(84)727	1985	1987** (QM)
76. Statute for a European Company COM(70)600, COM(75)150, COM(88)320	1970	1990 (U)
77. Proposal for 11th Company Law Directive to dispense branches of certain types of companies from publishing separate accounts COM(86)397	1986*	1988 (QM) CP
78. Proposal for Council directive amending Dir.78/660/EEC on annual accounts and Dir.83/349/EEC on consolidated accounts as regards the scope of those directives (4th and 7th Co.Law directives) COM(86)238	1986*	1987 (QM) FR
79. Take-over bids COM(88)823	1988*	1989** (QM)

## 2. Intellectual and industrial property

80. Regulation on Community trade marks - COM(80)635 & COM(84)470.	1980	1987 (U)
81. Regulation on the rules needed for implementing the Community Trademark regulation COM(85)844	1985*	1987 (QM)
82. Regulation on rules of procedure for the Boards of Appeal of the Community's Trade Mark office COM(86)731	1986*	1988 (QM)
83. Community trademark office - regulation on fees COM(86)742	1986*	1988 (QM)
84. Legal protection of biotechnological inventions COM(88)496	1988*	1989** (QM)
85. Protection of computer programs COM(88)816	1988*	1990** (QM)

## 3. Taxation (removing tax obstacles to cooperation between enterprises)

86. Arbitration procedure concerning the elimination of double taxation COM(76)611	1976	1985 (U)
87. Common system of taxation applicable to parent companies and their subsidiaries COM(69)6, COM(85)360	1969	1985 (U)
88. Common system of taxation of mergers, divisions and contributions of assets COM(69)5	1969	1985 (U)

89. Harmonization of taxes on transactions in securities COM(76)124, modified by COM(87)139	1976	1986 (U)
90. Harmonization of M.S. laws relating to tax arrangements for carryover of losses of undertakings COM(84)404 and COM(85)319	1984	1988 (U)

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PART III : THE REMOVAL OF FISCAL BARRIERS1. V.A.T.

91. Proposal for Council directive instituting a process of convergence of rates of VAT and excise duties COM(87)324	1987*	1988** (U)
92. Proposal on special schemes for small business (includes flat rate farmers proposal now no longer necessary) COM(86)444; COM(87)524	1986*	1987 (U)
93. 12th VAT Directive concerning expenditure on which tax is not deductible - COM(82)870 & COM(84)84	1982	1986 (U)
94. 18th VAT Directive concerning the abolition of certain derogations (Article 28(3) of Directive 77/388/EEC - COM(84)649, modified by COM(87)272	1984	1986 (U)
95. 19th VAT Directive : miscellaneous supplementary and amending provisions of Directive 77/388/EEC COM(84)648, modified by COM(87)315	1984	1986 (U)
96. Directive on the stores of ships, aircraft and international trains COM(79)794	1980	1986 (U)
97. Approximation of VAT rates COM(87)321	1987*	1988** (U)
98. Abolition of fiscal frontiers COM(87)322	1987*	1988** (U)
99. Completion of common VAT system & modification to Articles 32 & 28 of Dir. 77/388 (7th VAT dir.) COM(88)846	1988*	1989** (U)

2. EXCISE DUTIES

100. Harmonization of the structure of excise duties on alcoholic drinks COM(72)225/2	1972	1985 (U)
101. Proposal for directive laying down certain rules on indirect taxes which affect the consumption of alcoholic drinks COM(85)150	1985	1985 (U)
102. Harmonization of the structure of excise duties on fortified wines and similar products COM(85)151	1985	1985 (U)
103. Excise duty on wine - COM(72)225/3	1972	1986 (U)
104. Harmonization of excise duties on mineral oils COM(73)1234	1973	1986 (U)
105. Approximation of taxes on manufactured tobacco other than cigarettes COM(87)326	1987*	1988** (U)
106. Approximation of taxes on cigarettes COM(87)325	1987*	1988** (U)
107. Approximation of the rates of excise duties on alcoholic beverages and on the alcohol contained in other products COM(87)328	1987*	1988** (U)
108. Council directive on the approximation of the rates of excise duties on mineral oils COM(87)327	1987*	1988** (U)



ANNEX 3  
TO FOURTH PROGRESS REPORT  
31/5/89

LIST OF COMMISSION PROPOSALS STILL TO BE PRESENTED TO  
COUNCIL IN THE CONTEXT OF THE COMPLETION OF THE INTERNAL  
MARKET

Subject	Expected Date of Commission Proposal	Expected Date of Council Adoption
<b><u>PART ONE : THE REMOVAL OF PHYSICAL BARRIERS</u></b>		
<b><u>1. CONTROL OF GOODS</u></b>		
<b><u>1. Various Controls</u></b>		
1. Adjustment of the rules on Community transit (substitution of Regulation 222/77) and the adapta- tion of the measures to apply the TIR Convention within the Community together with the use of ATA carnets as transit documents, to take account of the elimination of internal frontiers	1989	1990
2. Transport of dangerous wastes	1989	1990
<b><u>2. Veterinary and phytosanitary controls</u></b>		
3. Eradication of African swine fever in Sardinia	1989	1989
4. Creation of special veterinary fund to finance eradication schemes	1989	1990
5. Poultry meat : animal health conditions	1989	1989
6. Modification to the rules of frontier controls relating to welfare of animals in international transport in order to attain free movement	1989	1989

7. Formulation of Directives on animal health, pedigree and competition problems relating to trade in live animals of the equine species	1989	1989
8. Formulation of directives on animal health problems relating to trade in fish and fish products and eradication of IHN	1989	1989
9. Brucellosis in small ruminants	1989	1989
10. Formulation of directives concerning veterinary inspection problems relating to trade in animals and products of animal origin not covered by existing Directives : rodents	1989	1989
11. Formulation of directives concerning veterinary inspection problems relating to trade in animals and products of animal origin not covered by existing Directives : genetically modified animals and other species	1989	1989
12. Harmonised health and hygiene conditions for production and trade in molluscs	1989	1990
13. Harmonised health and hygiene conditions for production and trade in fishery products (one proposal already made on this subject)	1989	1990
14. Harmonised health and hygiene conditions for production and trade in game meat, products and preparations	1989	1990
15. Harmonisation of control of foot and mouth disease	1989	1990
16. Harmonised health conditions for production and trade in food products of animal origin not covered by existing legislation - milk products, general hygiene rules and animal fats NB : Proposal partially approved by Commission : eggs aspect	1989	1992

17. Second revision of the safeguard clause concerning the veterinary sector: the exporting Member State takes the appropriate measures in order to avoid specific obstacles to Intra-Community trade	1989	1992
18. Pathogens in feedingstuffs	1989	1992
19. Application of health standards to national products - modification of existing directives (Dirs 64/433, 77/99, 71/118 and 85/397)	1989	1992
20. Suppression of veterinary certificates for animal products and simplification of certificates for live animals - modification of existing directives (Dirs 64/433, 77/99, 71/118 and 85/397)	1989	1992
21. Proposal for a system of certification of reproductive materials in fruit plants	1989	1990
22. Establishment of certain rules on liability in respect of plant health	1989	1990
23. Simplification of annexes in Directive 77/93/EEC (plant health)	1989	1991
24. Alignment of national standards and Intra-Community standards in plant health	1989	1991
25. Reduction of role of phytosanitary certificate in Intra-Community trade	1989	1991
26. Proposal for a system of certification in reproduction materials for decorative plants	1989	1990
27. Extension of application Directive 70/458/EEC to seedlings	1989	1990
28. Proposal for creation of a European law on plant breeders	1989	1990
29. Suppression of plant health certificates	1989	1992
30. Directive on organic production of food-stuffs and marketing of organically produced foodstuffs	1989	1989

II. CONTROL OF INDIVIDUALS

31. Directive on the coordination of rules concerning the right of asylum and the status of refugees	1989	1990
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**PART TWO : THE REMOVAL OF TECHNICAL BARRIERS****I. FREE MOVEMENT OF GOODS****1. New approach in technical harmonisation and standards policy**

32. Lifting and loading equipment	1989	1989
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**2. Sectoral proposals concerning approximation of laws****2.4 Pharmaceuticals and high-technology medicines**

33. Pharmaceutical products: completion of work eliminating obstacles to free circulation of pharmaceutical products	1989	1990
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34. Harmonisation of conditions of distribution to patients	1989	1991
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35. Information for doctors and patients	1989	1991
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**II. PUBLIC PROCUREMENT**

36. Public procurement in the field of services	1989	1990
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**III. FREE MOVEMENT FOR LABOUR AND THE PROFESSIONS**

37. Regulated professions : directive on a general system for the recognition of higher education diplomas awarded on completion of professional education and training of less than three years' duration	1989	1990
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38. Proposal concerning a Community system for the transparency of vocational qualifications (including the introduction of a European vocational training card)	1989	1990
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39. Right of residence : students	1989	1990
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40. Right of residence : retired people	1989	1990
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41. Right of residence : non-active persons	1989	1990
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2. TRANSPORT

42. Air crew qualifications	1989	1989
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43. Revision of directive on fares for scheduled air services	1989	1990
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44. Revision of decision on passenger capacity and market access - air transport	1989	1990
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3. NEW TECHNOLOGIES AND SERVICES

45. Directive on the approximation of the laws of Member States concerning telecommunications terminal equipment	1989	1990
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VI. CREATION OF SUITABLE CONDITIONS FOR INDUSTRIAL  
COOPERATION1. Company law

46. Proposal for a Directive on the relationship of undertakings in a group	1990	1991
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**PART THREE : THE REMOVAL OF FISCAL BARRIERS****I. V.A.T.**

47. Passenger transport	1989	1989
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48. VAT Clearing house system	1989	1989
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**II. EXCISE DUTIES**

49. Gradual abolition or reduction of excises not covered by the Common system and giving rise to border formalities	1989	1989
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50. Introduction of a linkage between national bonded warehouses for excise goods	1989	1989
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