

Official Journal

of the European Communities

ISSN 0378-6986

C 338

Volume 30

16 December 1987

English edition

Information and Notices

Notice No

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I *Information*

Commission

87/C 338/01

Fourth Annual Report to the European Parliament on Commission monitoring of the application of Community law — 1986 1

I

(Information)

COMMISSION

FOURTH ANNUAL REPORT

to the European Parliament

on Commission monitoring of the application of Community law

— 1986 —

COM(87) 250 final

(87/C 338/01)

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INTRODUCTION

1. This is fourth annual report on application of Community law by Member States; it covers the year 1986. Like its predecessors ⁽¹⁾, it represents a response to desire expressed by Parliament in its resolution of 9 February 1983 ⁽²⁾.

2. As in the past, the report comprises ⁽³⁾:

- a summary of infringements of the Treaties and regulations in existence in 1986 (Annex A), and
- a review showing the stage reached in the application of directives during the same year (Annex B).

These are preceded by a sector-by-sector analysis, various tables and graphs, and a commentary on the main judgments delivered by the highest courts of law in the Member States.

3. The presentation of the different sections is essentially the same as in the last report. Two points should be made, however:

- The sector-by-sector analysis has been structured in order to highlight the objective of an area without frontiers, which would be at one and the same time a single market and a genuine people's Europe. This will place the reader in a better position to identify the measures which pursue these objectives out of all the measures taken by the Commission in its capacity as guardian of the Treaties.
- The review of the stage reached in the application of directives includes only directives giving rise to problems, i.e. about 290 directives out of a total number of more than 780 for which the time limit for incorporation into national law has expired; it does not yet cover national implementing measures in Spain and Portugal.

4. The following points emerge from the reviews and tables in this report.

- The overall number of letters of formal notice remains similar to that of last year, although there are fairly large differences in particular sectors (see tables 1 and 3).
- The number of reasoned opinions and of actions brought before the Court has fallen by about 30 %; here too there are variations in particular sections of activity as compared with last year (see tables 1 and 2).
- The proportion of cases in which proceedings were initiated for infringements of the Treaties and of regulations, as compared with those concerning directives, continued to stand in a ratio of about 40 to 60 (see table 4 and graph 5).
- The number of judgments of the Court of Justice which have not yet been complied with rose somewhat, in line with the increase in the number of judgments delivered (see tables 6 and 7).
- As the Commission pointed out in previous reports, the number of infringements detected as a result of complaints or of the Commission's own inquiries continues to grow (see table 8).

These facts call for some comment.

5. The small increase in the number of letters of formal notice sent in the course of 1986 does not necessarily mean that the number of infringements actually being committed has levelled off. Contributory factors include the difficulty of arguing the Commission's views on the mutual recognition of standards while the *Beer* cases were pending before the Court (see point 7 of the sector-by-sector analysis); the slowdown in the total number of directives entering into force; and above all the Commission's desire to secure a better allocation of the available resources, in order to follow up cases which threatened the achievement of its adopted priorities.

6. But this situation is not as alarming as it might appear: the number of requests for preliminary rulings is growing constantly, particularly in certain Member States, reflecting an expanding awareness of the Community legal order among private citizens and firms, and the importance which that Community legal order is assuming; the Commission invariably takes part in such proceedings when they come before the Court of Justice, so as to defend its own views on the application of Community law.

⁽¹⁾ First annual report (COM(84) 181 final, 20. 4. 1984).
Second annual report (COM(85) 149 final, 23. 4. 1985).
Third annual report (OJ No C 220, 1. 9. 1986).

⁽²⁾ OJ No C 343, 31. 12. 1985, p. 8.

⁽³⁾ In accordance with the rules of confidentiality followed by the Commission in the preceding reports, Annexes A and B include proceedings before the Court of Justice and reasoned opinions, but do not mention letters of formal notice, except for those sent to Member States for failure to notify national measures implementing directives or for failure to comply with a judgment of the Court of Justice (Article 171 of the EEC Treaty). On the other hand, the statistical tables give an overall view of all the stages of the procedure under Article 169 of the EEC Treaty, including that of the letter of formal notice.

7. As already mentioned, however (point 4), the position varies from one sector to another:

— The fall in the number of infringement proceedings in one sphere of activity which is primarily of interest to the general public, that of the internal market and industrial affairs, is due in particular to the ever-greater efforts deployed by the Commission to secure an awareness of Community law; the effects of this are felt when the first approaches are made to Member States, before proceedings are formally initiated.

— In other sectors of direct interest to the general public — the environment, consumer protection, and taxation — there was an appreciable increase in the number of infringement proceedings brought this year. In the case of taxation the measures taken by the Commission to keep the public informed were of course one factor in the growth of the number of complaints, notably regarding the double taxation of second-hand vehicles.

8. The fall in the number of reasoned opinions is due essentially to the fact that infringements are more frequently being put right at the formal notice stage. It has to be recognized that this is particularly true of certain Member States which give this opening stage of the Article 169 procedure the importance it deserves, and which enter into dialogue with the Commission departments and show a willingness to put a rapid end to the conduct complained of.

9. The fall in the number of cases referred to the Court of Justice is largely due to the fact that the previous year, 1985, had seen the conclusion of a big operation to police the implementation of directives which the Commission had launched in 1983 ⁽¹⁾. In 1985 more than half of the judgments delivered concerned failure to notify national measures implementing directives or failure properly to implement them. But the present fall also reflects the tendency to rectify infringements before a reasoned opinion is delivered.

10. As already indicated (point 4), the proportion of infringement proceedings for failure to implement directives as compared with those initiated for other reasons remained roughly the same as last year, in a ratio of 60 to 40. This has to do with the new policy which the Commission adopted in its White Paper. The aim is to limit harmonization solely to areas where it is strictly necessary, and to take action under Article 169 whenever standards which are not recognized are applied in a Member State so as to create obstacles to

trade. The Commission hopes to discuss the first fruits of this new approach, bound up with the 'standstill' directives, in the fifth annual report.

11. As for the follow-up to Court proceedings, the Commission regrets the increase in the number of Court judgments which have not yet been complied with, although it must be said that this phenomenon is in direct proportion to the number of judgments delivered. The Commission would like once again to call on the European Parliament to intervene, particularly with the national Parliaments, in cases where new domestic legislation is needed to rectify the situation.

12. The increase in the number of complaints received clearly reflects the interest which the public is coming to take in the proper application of the law of the Community; the increase in the number of cases detected through the Commission's own inquiries is a result of the steps the Commission has taken to deal with infringements reported in Parliamentary questions and petitions, as President Delors had promised ⁽²⁾.

13. The Commission is making every effort to speed up the investigations which follow complaints, so as to provide an added incentive for members of the public actively to contribute to the achievement of the great objectives of the Community. It has tightened up its internal rules on the handling of complaints and of the infringements it detects itself: except in special cases, the Article 169 procedure must be initiated or the case closed within one year. Given the growing volume of cases to be processed (see table 9), it has also decided to close cases on a more systematic basis wherever there is insufficient evidence, while remaining prepared to reopen them if other facts should come to its knowledge later, and to concentrate its efforts on cases which endanger the priorities it has set itself. These are in particular:

- a single market: particularly mutual recognition of standards, and public contracts,
- a people's Europe: the various obstacles to freedom to travel, to stay, to settle, etc.,
- measures contrary to the rules on agriculture, and control of surplus production,
- exceeding fishing quotas,
- measures to protect the environment.

⁽¹⁾ Third report, point 4 (i).

⁽²⁾ Third report, point 9.

14. Measures taken by the Commission are not enough: Parliament must be informed, and public opinion must have its attention drawn to the problem. Like its predecessor this report would be published in the *Official Journal of the European Communities*. For the same reason the Commission has decided to publicize its role as guardian of the Treaties to a greater extent: it will be publishing notices in the Official Journal on particular subjects, its information offices in the Member

States will be launching campaigns, and there will also be the future Centres for European Business Information, aimed at providing an advisory service, in particular for small businesses, on the scope offered by Community measures for improving firms' competitiveness. The Commission earnestly hopes that these steps will encourage the public to take a more direct interest in the application of Community law, which has become an integral part of daily life.

SECTOR-BY-SECTOR ANALYSIS

I. AN AREA WITHOUT FRONTIERS

A. A SINGLE MARKET

Economic and monetary policy

1. As regards capital movements (Articles 67 *et seq.* of the EEC Treaty), the improvement in the external payments positions of France and Italy led the Commission to change the Decisions it had previously adopted pursuant to Article 108 (3) of the EEC Treaty, when it authorized France and Italy to maintain restrictions on certain capital movements which in Community law ought to be unrestricted. The decision concerning France was repealed on 4 June, and France is now complying with all its Community obligations regarding capital movements. The decision concerning Italy was amended on the same day: its scope was reduced to cover only the safeguard measures which are still in force (restrictions on investments by Italian residents in real property abroad, and the purchase by residents of foreign listed securities). The duration of the Italian decision remained unchanged: it runs up to the end of 1987. The other Member States authorized to take measures affecting capital movements under the safeguard clause in Article 108 are Ireland (up to the end of 1987) and Greece (up to the end of 1988).

2. The two actions for infringement brought by the Commission against Greece, for failure to liberalize blocked assets belonging to non-residents and failure to apply the directives on the liberalization of capital transactions, are still pending before the Court. In May 1986 a Presidential decree was adopted in Greece with a view to bringing the domestic rules into line with Greece's Community obligations regarding capital movements. But this decree does not resolve all the questions in dispute in a fully satisfactory manner.

Free movement of industrial products and foodstuffs

3. The Commission continued to give priority to safeguarding the free movement of goods within the Community (Articles 30 to 36 of the EEC Treaty) by the

three methods open to it: bringing an end to national measures which impede trade, particularly by means of infringement proceedings under Article 169 of the EEC Treaty; preventing the introduction of fresh obstacles, through the scrutiny of the draft national rules which must be notified to the Commission under Directive 83/189/EEC; and clarifying the principles governing the free movement of goods, in particular through the publication of interpretative notices intended to be widely publicized.

4. The ending of national measures which comprise obstacles to the free movement of goods between Member States and hold back the achievement of the single market is monitored very closely by the Commission. About 1 000 cases (discovered by the Commission, complaints, presumed or established infringements, application of Court judgments) were examined and investigated in 1986 on the basis of Articles 30 *et seq.* of the EEC Treaty. More than 300 new complaints were lodged with the Commission in 1986, which *inter alia* shows that members of the public and firms are growing more aware of the rights which belonging to the Community confers on them, and demonstrates the confidence they have in the Commission and the Community legal order. Of the cases investigated and taken up by the Commission a number were also pointed out by Members of the European Parliament in written or oral questions.

5. More than 200 cases of obstacles were rectified at the preliminary investigation stage — the Commission departments hold regular meetings for this purpose with the national administrations — or in the course of the administrative proceedings, no reference to the Court being necessary.

6. The bulk of complaints and infringements related to national rules which make the sale of goods, domestic and imported, subject to technical and quality requirements concerning such things as composition, dimensions, wrapping, name, labelling, performance, etc. According to what is known as the *Cassis de Dijon* rule,

developed by the Court of Justice in a line of judgments, such legislation infringes Article 30 even if it has no discriminatory or protective effect, once its restrictive effects are out of proportion to its objective.

7. A Member State may not prohibit the sale of a product lawfully produced in another Member State, even if the product is produced according to technical or quality requirements which differ from those imposed on its domestic products, provided it 'suitably and satisfactorily' fulfils the legitimate objective of the Member State's own rules. This principle, derived from the Court judgements, was spelt out by the Commission in an interpretative communication⁽¹⁾. The main corollary is that Member States must recognise one another's equivalent rules and procedures concerning the manufacture, inspection and certification of Community goods; this has been called for by the European Parliament and by the Council in its resolution of 16 July 1984, and is the principle which forms the basis of the new approach to the achievement of the internal market which the Commission is proposing. Applying this principle, the Commission has secured the Member States' acceptance in their legislation of the mutual recognition of equivalent rules and procedures concerning manufacture, approval, inspection and certification of products legally manufactured in other Member States.

8. The Commission pays particular attention to 'customs disputes', which concern border inspections, import licences and formalities, or disproportionate penalties for example. Disputes of this kind mean that when private individuals and businessmen think of the Community they tend to think of a sort of feudal Europe, with nothing to offer but barriers, customs posts, formalities and bureaucratic obstruction; the Commission therefore acted to do away with national practices requiring systematic or excessive inspections, and affirmed the principle that only random checks, made as cursory as possible, were now admissible; it took action against a few outstanding cases where import licences or authorizations were required; it also brought infringement proceedings by the expedited procedure against Greece, which had restricted the number of posts for clearance of certain imported goods, as such a restriction was liable to distort traditional trade flows.

9. Price regulations are contrary to Article 30 where they impose maximum prices so low as to be unprofitable or even to require the businessman to sell at a loss, or

where they set minimum prices so high that they cancel out or reduce the competitive advantage of imported goods with lower costs.

10. On the basis of these principles the Commission acted against national regulations on pharmaceutical prices and the repayment of pharmaceutical costs by social security schemes, and against regulations setting prices for cigarettes, biscuits, etc.

11. In the field of telecommunications, along with the harmonization efforts going on, particularly as regards networks, the Commission challenged national regulations which allowed the import of telecommunications equipment only if it complied strictly with national technical specifications, and if it went through a long and costly approval procedure to establish that it did so. The Commission also approached three Member States to ensure that they made changes in line with Articles 30 *et seq.* of the EEC Treaty in the monopolies in modems existing in accordance with Article 37.

12. The Commission continued its efforts to eliminate all explicit or implicit forms of opposition to free movement in other sectors too. The following are worth mentioning here:

- restrictions on public contracts (there may not be any 'preferences' or 'reservations' for the benefit of domestic firms or products),
- rules requiring origin marking of goods ('made in ...') represent an unjustified obstacle to trade within the Community, since they allow consumers to distinguish between domestic products and imported products thus enabling them to indulge any prejudices they might have against foreign products,
- inciting people to 'buy national' represents a subtle form of neo-protectionism reminiscent of calls for national self-sufficiency, which the Commission challenged in all cases coming to its knowledge,
- the restriction of 'qualitative', 'generic', or 'geographical' indications to domestic products only, where they are not recognized designations or indications of origin,
- restrictions on payment and credit; the obligations to appoint a representative in the country for imported products; difficulties placed in the way of parallel imports, particularly in the case of motor cars and

⁽¹⁾ OJ No C 256, 3. 10. 1980.

pharmaceuticals; the restriction of preferential postal rates to newspapers and periodicals printed in the country, etc.

13. Directive 83/178/EEC, which requires Member States to notify the Commission of all new technical standards and regulations in the industrial sphere, provides an effective tool for preventing new obstacles to trade, which can now be detected and eliminated as they appear.

14. The assessment of draft technical regulations notified to the Commission also enables the Commission to inform Member States of the positive provisions which they should insert into new drafts in order to make them compatible with Community law, particularly as regards approval and mutual recognition of inspections, procedures and certifications. The results for the 200 or so cases of regulations notified and examined are very promising, and show that this system is a very useful tool for the achievement of the 1992 objective. The next annual report will give details of the results of the new approach.

15. The Commission takes the view that prevention and cure will both be more effective if they are accompanied by appropriate action to make known the principles applied and the results obtained.

16. The large and constantly growing volume of cases in dispute has drawn attention to the need to take steps going far beyond straightforward one-off policing operations.

17. To do this it is indispensable that private individuals and firms, courts and national administrations must cooperate with the Commission in carrying out its duties.

18. While the obstacles to trade which still exist are to some extent due to resistance on the part of Member States to the dismantling of neo-protectionist borders, it is also clear that ignorance on the part of private citizens and firms of the rights conferred on them by the Community legal order helps significantly to maintain this state of affairs.

19. As it promised in its White Paper, the Commission proposes to issue interpretative communications or notices explaining the principles and procedures applicable in particular spheres so as to ensure freedom of trade.

20. These notices will indicate to the national administrations the clear practical obligations imposed on them in a particular sphere, the measures to take, and the procedures to be followed in order to comply with the Community rules. They will make individuals and firms aware of their rights and of the instruments and procedures through which they can appeal. At the same time they will offer legal circles (lawyers, prosecutors, judges, etc.) principles of reference for the implementation, each in his own field, of the direct applicability of Articles 30 *et seq.*

21. The Commission envisages adopting notices of this kind in such varied fields as the free movement of foodstuffs, the import and export of motor cars, CB radio sets, customs formalities and inspections, the approval of industrial products, etc.

22. This information policy will be accompanied by studies in important sectors which have priority for the achievement of the single market, in order to establish the state of the legislation and of practice in a particular field, to detect any disparities and obstacles there may be, and then to inform all the Member States concerned of the principles and procedures to be applied and of the corrective measures to be taken in order to establish minimum rules and standards which ensure greater and more uniform business freedom throughout the Community.

23. Good progress is being made with the implementation of the 60 or so harmonization directives aimed at eliminating technical barriers to trade in industrial products whose deadlines have expired.

24. As in the past almost half of the proceedings initiated concern failure to take the necessary implementing measures, and can be settled rapidly because they are generally due to administrative or procedural delays. Only Directive 73/23/EEC concerning electrical equipment for use within certain tension limits (the low-tension directive) is being improperly implemented or improperly applied. During the period under review the Commission organized meetings with government experts responsible for the application of this Directive, in order to clarify certain problems with its implementation.

25. The number of notifications made by Member States under Directive 83/189/EEC establishing an information procedure for technical standards and regulations is growing appreciably from year to year. The increase in 1986 as compared with 1985 was 45 %.

26. National technical rules nevertheless continued to be adopted in Member States without any notification under the procedure established by Directive 83/189/EEC. In the course of 1986 the Commission initiated proceedings in several dozen cases of failure to notify. The Commission does not possess the resources to be able to keep a full check on all the national publications publishing technical rules, but those concerned are not left helpless: the Member States' obligations under the Directive are clear and unequivocal, and failure to notify the draft of any technical regulation means that the regulation adopted is unenforceable against third parties. The Commission has published a communication in the *Official Journal of the Communities* to inform those concerned of their rights ⁽¹⁾.

27. As regards the transposal into national law of the directives on medicines, a large number of cases have been closed since 1986. The only proceedings still outstanding are against Italy, for failure to implement the basic directives on proprietary medicinal products, where the Court of Justice held against Italy in 1983.

28. Proceedings for infringement of the foodstuffs directives have all been initiated for failure to notify national implementing measures. Twelve cases were closed in 1986. Twenty-two are at the formal notice stage, three at the reasoned opinion stage, and one Court action has been brought — against France for failure to implement Directive 81/487/EEC on fruit juices.

29. The main purpose of the chemicals directives is to harmonize the national systems of legislation so as to allow the free movement of certain goods between Member States. This applies particularly to detergents, fertilizers and dangerous substances and preparations. In the last case the directives also seek to protect users by requiring that essential information be supplied on the label, or even by restricting or prohibiting their use.

30. Since the last annual report there have been 38 cases of transposal of these directives into national law. This number shows the results achieved by the steady pressure which the Commission departments exert on the various national administrations concerned.

31. The Community has so far adopted 103 directives dealing with motor vehicles, tractors and motor cycles, which are aimed mainly at eliminating barriers to trade and ensuring a high level of protection for users and third parties.

32. Except in one case the infringements here result from failure to implement the directives. In general it is very long administrative procedures which prevent the Member States from incorporating the directives into their domestic legal orders within the time stated.

33. As for public contracts, mention should be made of the cases pending before the Court of Justice against Italy for failure by Italian municipalities to comply with the Community rules on the publication and award of public works contracts. Proceedings have been initiated against Greece for failure to incorporate Directive 77/62/EEC on public contracts into its domestic law.

34. Among its priority objectives the Commission feels that the proper application of the Community directives on public contracts is of great importance for the attainment of a large internal market. It is also striving to ensure that the rules on the free movement of goods (Article 30 *et seq.*) are utilized to the full to open up the market in public contracts.

Customs union

35. Following the adoption of Council Regulation (EEC) No 1797/86 abolishing certain postal fees for customs presentation, which is to enter into force on 1 January 1988, the infringement proceedings against Belgium and France concerning charges for presentation to customs of items sent by post have been closed. The Commission felt it would serve no useful purpose to continue with the proceedings, since the new Regulation will put an end to all charges of this kind.

36. As regards the import of military equipment free of customs duty, the infringement proceedings are still at the same point as in 1985, as the Member States concerned have in general displayed a preparedness to join with the Commission in seeking a coherent overall solution in the framework of Community law.

37. Two infringements which were followed up, involving a failure to pay monetary compensatory amounts on the part of France and the UK respectively, are the result of faulty interpretation and application of the combined effect of a customs directive and a common agricultural policy Regulation.

⁽¹⁾ OJ No C 245, 1. 10. 1986, p. 4.

38. The Commission programme for the conversion into regulations of the directives adopted in the customs sphere continued in 1985, with the presentation to the Council of two draft Regulations, on customs warehouses and free zones; these Regulations would make it possible to avoid infringement proceedings of the kind initiated against Greece on the subject of customs warehouses, free zones, and the usual forms of handling which may be carried out there.

39. It is also worth noting the failure to inform the Commission of national measures implementing Directive 85/479/EEC on mutual assistance. Although the infringements involved here may have no serious consequences for mutual assistance or for own resources, the Commission is insisting that Member States must transpose this Directive into their domestic legal systems immediately.

Taxation

40. As regards Member States' compliance with the rules on taxation and particularly Article 95 of the EEC Treaty, the Commission delivered reasoned opinions in the following cases:

— Ireland, Italy, Belgium, Luxembourg, Netherlands, United Kingdom: excise duties on beer,

— Ireland: excise duties on mineral waters.

41. There are also several actions pending before the Court which were brought in 1985, against Ireland, Italy, Belgium and France.

42. Two cases were closed, as the Member States concerned had complied with the Court judgment: one concerned the Italian system of excise duties on liqueur wines (Case 277/83 *Commission v. Italy*), and another the Danish system of taxation of fruit wines (Case 106/84 *Commission v. Denmark*).

43. Towards the end of 1986 the Commission began work on guidelines aimed at ensuring a general and balanced approach to parafiscal charges. 'Parafiscal charges' are levies collected by a private or public body on the production or sale of an agricultural product in order to finance activities which benefit the whole of the industry concerned. Such levies are collected for example by the *Comités Interprofessionnels* in France, the *Produktschappen* in the Netherlands and Milk Marketing Boards in the United Kingdom: the revenue is spent for a variety of purposes, such as quality control, advertising and

promotion, training and research, but also on the running of trade associations and social welfare expenditure.

44. The amount collected in parafiscal charges, which is very variable, may also be used to finance domestic aid measures. The Commission has considered whether such parafiscal charges are compatible with Community law. It has arrived at clear guidelines which govern the steps it itself takes in order to identify those parafiscal charges which are incompatible with the rules of the Treaty and to put an end to the general suspicion hanging over this form of financing.

45. The Commission applied these guidelines to several individual cases. It decided to initiate the procedure laid down in Article 93 of the EEC Treaty in respect of a series of aid measures granted out of parafiscal charges by the *Produktschappen* in the Netherlands. On the basis of the information in its possession the Commission could not conclude that the measures applied in the Netherlands were compatible with the Treaty. It also initiated infringement proceedings under Article 95 in the case of *Horticulture ornementale et pépinières* (Ornamental Horticulture and Nurseries) and of the *Association nationale interprofessionnelle du bétail et de la viande* (National Livestock and Meat Industry Association — ANIBEV) in France and of the *Absatzfonds* (Sales Promotion Fund) in Germany.

46. In the field of secondary legislation the Commission's main concern is to monitor the proper application of the Sixth VAT Directive (77/388/EEC); several new reasoned opinions were delivered here:

— Belgium and the Netherlands: the right of option provided for in Annex G to the Directive,

— Italy: exemption of the services of veterinary surgeons and farriers; taxation of payment cards; extension of the VAT exemption following earthquakes.

47. Two new actions were brought before the Court concerning the import of medical samples into Italy and the limitations of the right to deduction (the cut-off rule) in France; these join the actions already pending against Ireland and the United Kingdom (zero rating of certain supplies of goods), Italy (flat-rate reimbursement of producers of beef, veal and pigmeat), Germany (*Organschaft*) and the Netherlands (tax status of notaries and bailiffs⁽¹⁾).

48. Proceedings were closed in two cases, one concerning services rendered by carriers to the German Federal Post Office, where the Court's judgment in Case

(¹) Judgment delivered in 1987.

107/84 *Commission v. Germany* is now being applied, and the other concerning the reduction of the taxable amount.

49. In the course of its monitoring of the application of secondary legislation the Commission also found itself obliged to deliver a reasoned opinion against France, and to bring a Court action against Belgium, under Directive 72/464/EEC on manufactured tobacco; to initiate infringement proceedings against Italy and the Netherlands under Directive 83/386/EEC on VAT on the hiring out of movable tangible property; and to refer to the Court two cases concerning the implementation of Directives 83/181/EEC and 83/183/EEC in Italy (Cases 124 and 125/86).

50. The Commission delivered reasoned opinions against Italy, for failure to comply with the Court's judgment in Case 278/83 *Commission v. Italy*, on the taxation of sparkling wines, and against Germany, for failure to apply the judgments in Case 158/80 *REWE v. HZA Kiel*, Case 278/82 *REWE v. HZA Flensburg, Itzehoe and Lübeck-West* and Case 325/82 *Commission v. Germany*, concerning butter-buying cruises.

Free movement of farm produce

51. With regard to free movement of agricultural products, there were again many and various obstacles to trade in 1986, as is shown by the following examples:

- technical requirements relating to the presentation, quality or packaging of products and having the effect of limiting or discouraging imports; the Commission took action against this type of measure in the case of the restrictions imposed on the marketing or importation of butter, beef and veal in Greece and in the case of the German legislation reserving the use of a given bottle shape for certain national producers (*Bocksbeutel*),
- provisions promoting the use of national products, such as those contained in the German Wine Law,
- excessive or systematic checks, particularly health checks which are:
 - more restrictive for imported products and not justified under Article 36 of the EEC Treaty, such as the requirement imposed by the Italian authorities that there should be an inspection corridor in vehicles transporting meat,
 - not easily accomplished and fluid, such as the quantitative limit imposed by the Italian authorities on adult bovine animals imported through the Ventimiglia frontier post,

- the fixing of minimum import prices and profit margins which have the effect of discouraging and restricting imports; such methods are used in Greece in trade in beef, veal and pigmeat;
- prior import licences or authorizations, required in the case of potatoes in Ireland, products of animal origin in the United Kingdom, goats on the hoof in France, and frozen pigmeat in Greece,
- arrangements for granting or refusing to grant foreign currency licences, designed to control imports and applied, for example, in Greece in the case of beef, veal and pigmeat, live plants and fruit and vegetables,
- measures prohibiting or preventing imports, such as those applied to pasteurized milk and poultrymeat in the United Kingdom, poultrymeat in Ireland, certain kinds of preserved meat in the Federal Republic of Germany and bananas and olive oil in Greece.

B. A PEOPLE'S EUROPE

Economic and monetary policy

52. As regards transfers connected with tourism and other forms of travel (Article 106 of the EEC Treaty), the rules in almost all Member States are now in line with the Commission's interpretation, stated in July 1984, of the Court's judgment in Joined Cases 286/82 and 26/83 *Luisi and Carbone v. Ministero del Tesoro*.

53. The rules in force in Greece ought to set out more clearly the rights of residents as regards travel for purposes of business, study and medical treatment; the rules in the two new Member States are currently being studied.

Internal market

54. In general the Commission feels that an end has to be put to red tape at customs and all the forms of over-zealous application of outdated rules which often stand in the way of not only firms but particularly of ordinary citizens when they are crossing borders within the Community. The Commission has therefore set out to take action under Article 30 of the EEC Treaty against customs penalties which are unjustified or out of proportion to the offence committed. In several instances it has succeeded in having a fine reduced or repaid.

55. The situation as it stands represents a challenge to the public credibility of the movement towards the complete abolition of borders by 1992. The Commission

condemns these forms of protectionism and intends to act against them. In addition, in the course of 1987, it will be publishing a notice drawing attention to abuses in this field, and setting out the obligations imposed on customs authorities by Article 30 of the EEC Treaty.

Free movement of persons and freedom to provide services

56. In the sphere of broadcasting the Commission delivered two reasoned opinions concerning forms of discrimination against foreign broadcasts which are prohibited by Articles 59 and 62 of the EEC Treaty.

57. A regional law enacted in 1984 by the city of Hamburg authorized the cable relay of domestic German radio and television programmes only. At the Commission's request Germany put an end to this discrimination against foreign programmes in September 1985, and a new law, which complies with the Treaty, entered into force on 1 January 1986.

58. According to the Italian Broadcasting Law of 1975 the ministerial approval needed for the operation of an apparatus for the reception and wireless transmission of broadcast radio and television programmes of foreign origin was subject to the condition that all parts of the programme which were of an advertising nature be cut. Domestic broadcasts are not subject to any ban on advertising. Italy has complied with a Commission reasoned opinion.

59. Infringements of the provisions on the free movement of persons and freedom to provide services (Articles 52 and 59 of the EEC Treaty) once again related for the most part to discrimination on the grounds of nationality regarding access to an occupation, particularly in Greece, France and Italy. The Court delivered judgment in three cases, although the Member States concerned have not yet taken the measures necessary to comply with these judgments. The Commission brought three other cases to Court, two concerning Greece and one Italy.

60. However, there was a substantial fall in the number of infringements of the Directives adopted under Article 57 of the EEC Treaty with a view to ensuring the freedom of movement of persons practising a profession or occupation (doctors, nurses responsible for general care, dentists, midwives, lawyers, hairdressers and transport agents); the number of infringements fell from 53 to 13. The Commission referred four cases of incomplete or incorrect transposal of these Directives to the Court of Justice.

Employment, social policy and education

61. As regards the application of the Treaty and of regulations in the social field, the Commission referred three cases to the Court of Justice in 1986, concerning Belgium and Germany. Two other cases are still pending before the Court. Lastly, the Commission found that Belgium had not yet complied in full with the judgment in Case 275/83 *Commission v. Belgium*. Reasoned opinions were delivered concerning four new infringements (France, Greece and Belgium); two of these cases were later referred to the Court.

62. As regards the application of directives, seven disputes (with Denmark, the Netherlands, Belgium, Greece, Ireland, France and the United Kingdom) were settled to the Commission's satisfaction, and the cases were accordingly closed.

63. The following points deserve mention here:

- With reference to Directive 76/207/EEC (on equal treatment for men and women as regards access to employment, a reasoned opinion was sent to the United Kingdom, and three cases, concerning France and Luxembourg, were referred to the Court of Justice. A file which had been opened concerning the Netherlands was closed.
- A reasoned opinion was sent to Belgium concerning Directive 79/7/EEC on equal treatment for men and women in matters of social security. It may be noted that a Royal Decree put an end to the concept 'head of household' in Belgium, thus meeting one objection which had been raised by the Commission. The report on the implementation of this Directive should be finalized for the end of this year.
- Proceedings continued against Italy for failure to implement Directive 80/987/EEC on the protection of employees in the event of insolvability of their employer.
- In 1986 the Court of Justice delivered two judgments, against Belgium and Italy, concerning the application of Directive 77/187/EEC on the safeguarding of employees' rights in the event of transfers of businesses.
- The Commission particularly regrets that notwithstanding two judgments of the Court of Justice, in 1982 and 1985, Italy still has not taken the measures necessary to apply Directive 75/129/EEC on collective redundancies.
- As regards other directives:

- six letters of formal notice were adopted for failure to notify domestic measures implementing Directive 84/467/Euratom amending Directive 80/836/Euratom on the health protection of the general public and workers against the dangers of ionizing radiation,
 - there were ten letters of formal notice concerning Directive 84/466/Euratom on radiation protection of persons undergoing medical examination or treatment,
 - there were seven letters of formal notice concerning Directive 82/605/EEC on the protection of workers exposed to metallic lead,
 - and there were two reasoned opinions concerning the application of Directive 80/1107/EEC on the protection of workers against chemical agents.
- The Commission is drawing up the second report on the implementation of Directive 77/486/EEC on the education of the children of migrant workers.

Consumer protection

64. The first point to be made in connection with consumer protection is that a large proportion of what has been done is mentioned elsewhere in this report, particularly under the headings 'free movement of goods', 'free movement of persons and freedom to provide services', 'competition' and 'agricultural policy'. This is due to the fact that national measures in these fields frequently run counter to Community policy on consumer protection, based either on a provision of the Treaty or on a specific Community directive.

65. In the field of consumer protection properly so called the number of complaints by members of the public suggests that consumers have not yet realized the advantages offered by the Community rules aimed at protecting and informing them.

66. The infringement proceedings pursued this year follow on from the previous year. They relate mainly to cosmetic products (Directive 76/768/EEC with later amendments), the labelling of foodstuffs (Directive 79/112/EEC) and the unit pricing of foodstuffs (Directive 79/581/EEC). A further case concerned Directive 84/450/EEC on misleading advertising.

Driving licences

67. The proceedings commenced against Belgium and Italy for failure to apply the Directive on Community

driving licences are still pending before the Court. This question primarily interests private individuals, who send large numbers of complaints to the Commission, stating in particular that the authorities have refused to exchange a driving licence when the holder took up residence in another Member State.

Taxation

68. A reasoned opinion was sent by the Commission to several Member States (Denmark, Germany, France, Italy, Ireland, Luxembourg, United Kingdom, Netherlands) which do not observe the Court's rulings in the *Gaston Schul* cases (Cases 15/81 and 47/84) concerning the importation by a private individual of articles purchased from a private individual in another Member State. These rulings also formed the subject of a special announcement in the *Official Journal of the European Communities* ⁽¹⁾ inviting individuals who encounter difficulties in this sphere, particularly in the form of double taxation, to make themselves known to the Commission; the Commission has thus received a large number of complaints on this subject and it is following them up by bringing them to the attention of the Member States concerned. The Netherlands has already informed the Commission that it intends to take the necessary steps to comply with the Court's rulings.

69. The Commission is monitoring the application by the Member States of the Community rules on temporary importation of certain means of transport. It presented to the Council a new proposal for a directive (2 February 1987 (COM(87) 14 final)) in order to improve the existing situation and thus avoid cases of double taxation which might still arise.

II. OTHER QUESTIONS

Legal matters

70. On 13 August 1986 Greece sent the Commission the text of Law No 1640/86 of 18 July 1986 which confers jurisdiction on the Athens district court for appending an order for enforcement on enforceable Community acts after the Ministry of Foreign Affairs has verified the authenticity of such acts.

71. Enactment of this Law terminated the Greek infringement of the EEC and Euratom Treaties and the Commission was able to withdraw its action in Case 86/86.

⁽¹⁾ OJ No C 13, 21. 1. 1986.

72. Since the abovementioned Greek Law applies also to those acts (decisions of the Commission and judgments of the Court of Justice) enforceable under the ECSC Treaty, there should no longer be anything to prevent the placing of an order for enforcement on the individual decisions on recovery of ECSC debts in possession of the Greek authorities. It should thus be possible to terminate the infringements of Article 92 of the ECSC Treaty recorded in the Commission's reasoned decision dated 23 December 1985.

Statistical matters

73. As in previous years, cases of flagrant infringements as regards statistics are fairly rare. The few infringements that do occur generally concern delay in submitting data.

74. For this reason no new proceedings have been initiated this year. The proceedings concerning the infringement by reason of delay in furnishing tables of the results of the latest population census (Directive 73/403/EEC) were terminated since Belgium has furnished the missing information on the conditions and within the time limits specified in the commitments it had given to regularize the matter. In Italy, the failure to furnish a complete statement of carriage of goods by road carried out by Italian nationals (Directive 78/546/EEC), which gave rise to a Court judgment dated 11 July 1985, has not been formally regularized but the Commission has been informed of various steps taken to resolve this problem.

Administrative matters

75. The Commission used the infringement procedures under Article 169 of the Treaty in respect of the failure by certain Belgian administrations to observe the obligations arising from the Protocol on privileges and immunities in certain cases concerning the situation of officials of the European Communities working in Belgium. In one of these cases the Court has upheld the Commission's view. Steps are being taken to have the Court's judgment implemented by the Belgian State.

76. Other infringement proceedings are being continued against several Member States (Belgium, France, Luxembourg, Netherlands, Germany) with a view to securing the implementation of the provisions of the staff regulations concerning the transfer of the pension rights of European Community officials; in certain cases these proceedings have already formed the subject of a Court judgment.

77. Two cases of infringement, in Belgium and in Germany, concerning the social security of officials and former officials of the European Communities and those entitled under them have also been referred to the Court.

Budgetary matters

78. Certain infringements of Directive 77/388/EEC — uniform basis of assessment of VAT — are of such a nature as to reduce the Community's own VAT resources; the Commission is therefore continuing to demand payment of the amounts of own resources in question and of the interest due by reason of the delay.

79. Some infringement proceedings initiated against Belgium, France and Italy with a view to recovering own resources that had been evaded were terminated, since these Member States complied with the Commission's requirements. Two other infringement proceedings concerning own VAT resources, against Ireland and the Netherlands, were abandoned following a judgment by the Court of Justice, which declined to hold that there had been an infringement of Directive 77/388/EEC.

80. The Commission sent a reasoned opinion to Germany with a view to obtaining payment of the own resources evaded by reason of the continuation of the 'butter cruises' which the Court of Justice has held to be incompatible with Community rules.

81. An infringement concerning interest on the late payment of own resources led to the issue of a reasoned opinion. Another such infringement was referred to the Court of Justice. The reasoned opinion addressed to Italy concerns the delay arising from erroneous accounting in respect of certain customs duties, while the case concerning Greece which was referred to the Court of Justice concerns delay in paying over a financial contribution in consequence of a bank strike. Finally, the Court of Justice found in favour of the Commission in a case against Germany concerning late payment of a levy on sugar production, occasioned by delay in ascertaining the amounts due.

Competition

82. As regards the adjustment of national monopolies of a commercial character, the Commission in 1986 examined one case concerning France and two concerning Greece.

83. The Commission had sent the French Government a reasoned opinion in respect of the French monopoly in potash fertilizers; that Government has now sent the Commission a statement officially confirming its intention to abolish the requirement of a declaration prior to import of these products.

84. Following the letter of formal notice sent to the Greek Government concerning the monopoly in petroleum products, which by virtue of the Treaty of Accession should have been adjusted by 31 December 1985, that Government has just sent the Commission a

communication which is at present being studied. As regards the other monopolies, the Greek Government has sent the Commission a draft law adjusting these monopolies, which is also being studied.

85. Finally, mention should be made of Case 188/85, commenced by the Commission against Italy for failure to observe its obligations under Article 5 (2) of Directive 80/723/EEC on the transparency of financial relations between Member States and their public undertakings.

Banks, insurance companies and other financial institutions

86. In the insurance sector, the Court of Justice has delivered its judgment in the case against France concerning the refusal to grant a tax credit to branches of insurers whose head office is in another Member State. It demonstrates that non-discrimination under the rules of freedom of establishment is a valid concept in this area of taxation and consequently the Commission has started examining the possible effects of this judgment in all Member States.

87. Important judgments of the Court of Justice have also been delivered on freedom of services in the insurance sector in cases brought against France, Denmark and Ireland concerning co-insurance and against Germany concerning co-insurance and other aspects of freedom of services in the insurance sector.

88. In the cases relating to co-insurance, the Court ruled that there can be no requirement on a leading insurer to be established in or have an authorization from the destination state. Member States are being urged to take the necessary steps to implement this as soon as possible. The Commission awaits judgments of the Court of Justice in two cases — one against Italy and one against the Netherlands — for failure to communicate the national implementing measures adopted in order to incorporate into domestic law Directive 79/267/EEC on the taking-up and pursuit of the business of direct life assurance. The Commission has sent a letter of formal notice to Belgium, Luxembourg and the Netherlands, and a reasoned opinion to Italy, for failure to incorporate the co-insurance directive.

89. In the field of securities, judgments of the Court of Justice are awaited in two cases — one against Belgium⁽¹⁾ and one against Germany. They concern failure to incorporate into national law three directives i.e.: Directive 79/279/EEC concerning the conditions of

admission of securities to official stock exchange listing, Directive 80/390/EEC on the particulars to be published (prospectus for admission) and Directive 82/121/EEC on information to be published on a regular basis by listed companies.

90. A reasoned opinion has been sent to France for incomplete incorporation into national law of Directive 79/279/EEC concerning the conditions of admission of securities to official stock exchange listing.

91. In the field of company law, while the case brought against Germany before the Court of Justice for non-implementation of Directive 78/660/EEC on the annual accounts of certain types of companies was being considered, Germany introduced national legislation to bring this Directive into effect in December 1985. A case against Ireland before the Court of Justice was also being considered, for non-implementation of Directive 78/660/EEC, when Ireland brought into effect national legislation to implement it in July 1986. The Court of Justice delivered its judgment against Italy for non-implementation of Directive 78/660/EEC in 1986.

92. The Court of Justice had already delivered its judgment concerning the non-implementation of Directive 77/91/EEC concerning the formation of public limited liability companies and the maintenance and alteration of their capital when Italy brought into effect national legislation to implement it in February 1986.

93. A reasoned opinion has been sent to Italy, France, Luxembourg, Belgium, the United Kingdom, Ireland and Greece on Directive 78/855/EEC concerning mergers of public limited liability companies, and Directive 82/891/EEC concerning the division of public limited liability companies, since these countries have not implemented these directives.

94. Reasoned opinions were sent to Greece for failure to implement the following: Directive 68/151/EEC concerning publicity for public limited liability companies; Directive 77/91/EEC concerning the structure of public limited liability companies and the maintenance and alteration of their capital; Directive 78/660/EEC on the annual accounts of certain types of companies. In 1986, Greece brought into effect national legislation to implement all of these directives.

⁽¹⁾ The judgment has in the meantime been delivered, on 12 February 1987 (Case 390/85) after the period covered by the present report.

Environment

95. It must be stressed that the monitoring of the application of Community law in this sphere has certain quite special features. Damage to the environment is often irreparable, for example in the case of the disappearance of an animal species. Environmental standards are therefore primarily aimed at preventing deterioration in the environment and protecting it. Since the business community has less direct interest than in other spheres in seeing these standards effectively applied, the Commission has to take active steps to bring the problem of the direct and effective application of the Community rules in this sphere to the attention of those concerned.

96. For this purpose the Commission has begun, among other activities, holding more regular and systematic meetings with the competent authorities in the Member States who have the task of implementing the Community directives. It also takes care to ensure that the reports of the Member States on the implementation of the directives are submitted to it within the time limits fixed by the various Community instruments, that the information they give is such as to enable it to monitor their application effectively and that the plans and programmes the Member States are required to draw up under the various directives are submitted to the Commission more regularly.

97. The number both of suspected and of confirmed infringements has risen again during 1986. This increase is due not only to the Commission's more systematic approach along the lines indicated above but particularly to the fact that private individuals are becoming increasingly conscious of environmental problems and the possibilities available under Community law for contributing to their solution.

Agricultural policy

98. The vast range of Community rules containing specific measures for the organization of the market, intended to achieve for a particular sector the objectives laid down in Article 39 of the EEC Treaty (particularly intervention measures on the Community internal market and measures of adjustment to the world market) aims at attaining a price level at the production and wholesale stages which takes account both of the interests of the whole of Community production in the sector concerned (a fair standard of living for the agricultural population) and of the interests of consumers (reasonable prices to consumers). The aim is to ensure supplies without encouraging excessive Community production.

99. Thus, the infringements concern either delay in applying the Community rules (which have to be applied promptly if they are to attain the effects desired by the

Community legislature) or the incorrect application of the provisions of Community law itself.

100. The Commission felt obliged to take action in respect of the delay encountered in the complete application in Italy of the scheme for the supplementary milk levy.

101. As regards incorrect application of Community rules, this affects the functioning of the market organizations in the milk sector in the United Kingdom by reason of certain activities affecting prices by the Milk Marketing Boards, in the cereals and olive oil sector in Greece, in the fruit and vegetables, olive oil and milk sectors in Italy and in the wine sector in France and Germany.

102. Finally, it should be pointed out that failure to observe certain provisions concerning the common organization of the markets may have harmful effects in the internal trade in the Member States in question, as for example the incorrect application of common quality standards for fruit and vegetables in Belgium in infringement of the common agricultural organization.

103. As regards harmonization, the fields covered are: phytosanitary rules, seeds and plants, animal feedingstuffs and veterinary law.

104. The majority of the infringements against which action was taken related to failure to inform the Commission of national implementing measures:

— 77 procedures were initiated in 1986 under Article 169 of the Treaty (of which 49 concerned veterinary rules),

— 36 reasoned opinions were issued during the year and two cases were referred to the Court. Whilst experience shows that in general the infringements are terminated before the stage of proceedings before the Court, it also shows that it is primarily the directives concerning animal feedingstuffs that pose in certain Member States (especially in France and Italy) a problem of incorporation: 21 out of the 32 cases in which an action has been brought before the Court concern this type of directive.

105. In spite of the diversity of the infringements it may be of some interest to mention some characteristic features of infringements committed by different Member States.

106. For example, it has been found that in Italy many infringements arise from problems of administrative infrastructure at frontiers and from the slowness and particularly the length of Parliamentary procedures, which have repercussions on the time taken to incorporate directives, implement judgments of the Court of Justice or put Community measures into effect.

107. In Greece the large number of infringements arises from the difficulty of no longer practising a national policy as regards imports, exports and intervention, a difficulty doubtless due to the changes necessary to give effect to a large number of complex measures.

108. As regards the United Kingdom and Ireland, many infringements suggest that the geographical situation of these two Member States, which has preserved their agriculture from certain animal or plant diseases, encourages them to maintain a tradition of health or phytosanitary protection which culminates ultimately in imposing such measures even in cases where they are nothing more than disguised restrictions on trade.

109. In the case of the other Member States, analysis of the infringements does not bring out any significant characteristics, except perhaps for a larger number of infringements in the wine sector in Germany.

110. Finally, in an increasing number of cases the Commission has had to initiate or continue proceedings for failure to implement, or incorrect implementation of, judgments of the Court of Justice. This was so in the case of Italy, the United Kingdom and Ireland.

Fisheries

111. As was the case in 1985 and in previous years, the Commission continued to take action in 1986 in cases in which catch quotas were exceeded (overfishing). At the same time, in 1986 the Commission stepped up its monitoring of the national control procedures which Member States are required to establish to ensure observance of the Community rules by fishermen. This was started in 1985 and is all the more necessary since, of the various procedures, the recording by Member States of catches subject to TAC or quotas and their notification are essential if the Commission is to ensure that Member States do not exceed quotas. The monitoring of compliance with Community law in this field is regarded by the Commission as of primary importance.

112. The Commission is also endeavouring to secure more regular communication by the national authorities, in accordance with the rules in force, of the information prescribed pursuant to the common organization of the markets for fishery products. Failure by the Member States to communicate the information required by law in the manner and by the time limits specified precludes proper management of the common organization of the market and the adoption, where required, of measures intended to stabilize the Community market. For that reason, proceedings were continued in 1986 against Member States which had failed to fulfill Community obligations in this regard.

113. As in the past, the Commission continues to ensure that each Member State notifies it and the other Member States, in accordance with the rules in force, of national fishery measures. This enables checks to be carried out on the conformity of such measures with Community law and enables the consistency of Community policy to be enhanced. The Commission is therefore also continuing its regular scrutiny of the legislation of certain Member States in order that it may assess whether it is adequate to ensuring compliance with the common fisheries policy.

Transport policy

114. With regard to observance of Treaties and Regulations, France, against which proceedings had been brought for incorrect application of Regulation (EEC) No 543/69, informed the Commission that it was preparing a series of measures intended to bring its law into line with the new Regulation (EEC) No 3820/85 on the harmonization of certain social legislation relating to road transport. The transport operations which are the subject of the infringement procedure instituted against the Netherlands concerning its failure to implement the provisions relating to the 'tachograph' Regulation (Regulation (EEC) No 1463/70) are now included in the list of those derogations which are automatic or to be granted under the new Regulation in this field (Regulation (EEC) No 3820/85). It has been possible to formally close the proceedings in both cases.

115. With regard to the incorporation of directives into national law:

- those concerning admission to the occupations of road haulage operator and road passenger transport operator have still not been incorporated into national law by Italy despite further proceedings before the Court for failure to comply with its judgments. With regard to the mutual recognition of diplomas for goods haulage and road passenger transport operators, Italy has not yet complied with the judgment of the Court of Justice of 11 October 1983. A reasoned opinion was delivered in respect of Greece,
- a letter of formal notice was sent to Italy, which has so far failed to notify the Commission of any measure adopted for the purpose of complying with the judgment of the Court of Justice of 28 March 1985 in which it was held that the Italian Republic had failed to fulfill its obligations under Council Directive 75/130/EEC of 17 February 1975 by requiring a transport authorization for road vehicles registered in Germany which are transported by rail to Italy as far as Lugano, when that is the nearest suitable rail unloading station,
- most Member States have implemented the provisions of Directive 85/347/EEC increasing to 600 litres the quantity of fuel contained in the fuel tanks of passenger vehicles which is admitted duty-free. It

was, however, necessary to initiate infringement procedures against four countries (Denmark, Germany, Ireland and Italy),

- at the present time, proceedings have been brought in the Court of Justice against, on the one hand, Italy for failure to notify the Commission of measures adopted in implementation of Council Directive 82/603/EEC which amends Directive 75/130/EEC concerning certain types of combined road/rail carriage of goods and, on the other hand, Belgium for failure to incorporate into national law directives on the technical requirements and reciprocal recognition of navigability licences for inland waterway vessels. A letter of formal notice has been sent to Greece for failure to incorporate the first of these directives into national law,
- in the case of Directive 83/416/EEC concerning the authorization of inter-regional air services, a new procedure has been initiated in respect of Ireland while the procedure in respect of France was continued; in both cases the measure was not incorporated into national law by the prescribed time limit.

Energy policy

116. The Commission closely monitors movements in the prices of crude oil and petroleum products in the Community. To this end the Member States are required to transmit information to the Commission each quarter. The Commission commenced proceedings in the Court of Justice against Belgium for its failure to fulfill its obligations in regard to the provision of information despite a number of reminders.

117. In the case of the directive on the performance of heat generators for space heating and the production of hot water in new or existing non-industrial buildings and on the insulation of heat and domestic hot-water distribution in new non-industrial buildings the Member States are required to duly inform the Commission of measures taken in this field and of the results obtained or

anticipated from such measures. Infringement procedures were initiated against Belgium, Italy and Luxembourg for failure to notify national implementing measures.

External relations

118. In 1985, the Commission transmitted to the Member States a memorandum setting out the approach it intended to follow in future as regards cooperation agreements concluded by Member States with third countries. Having received specific commitments from the Member States concerned, the Commission formally closed the infringement procedures in this field.

119. Since then, implementation by Member States of Council Decision 74/393/EEC establishing a prior notification and consultation requirement in this field has considerably improved.

Development cooperation policy

120. In this sphere, the Commission's monitoring of the application of Community law is essentially designed to ensure observance by the Member States of various protocols concluded in the context of the Lomé Convention and of the Community acts arising from certain international agreements relating to products.

121. The Commission is following with particular attention the problems which importers of bananas from the ACP States seem to encounter in certain Member States. In one of these cases (Greece) the Commission brought proceedings in the Court of Justice.

122. In the meanwhile, in a case in which coffee was being imported in breach of the rules laid down by the International Coffee Agreement, it secured an assurance that the said rules will be observed in future.

123. The Commission is examining certain cases involving failure to observe Article 113 of the Treaty with regard to notification of the provisional application of the International Cocoa Agreement.

No 1

Infringement proceedings opened or pursued since 1979 (*) classified by:
 — stage of proceedings (formal notice/reasoned opinion/reference to Court of Justice);
 — Member State

| | Letter of formal notice | | | | | | | | | | Reasoned opinion | | | | | | | Reference to the Court of Justice | | | | | | |
|-------|-------------------------|------|------|------|------|------|------|------|------|------|------------------|------|------|------|------|------|------|-----------------------------------|------|------|------|------|------|------|
| | 1979 | 1980 | 1981 | 1982 | 1983 | 1984 | 1985 | 1986 | 1979 | 1980 | 1981 | 1982 | 1983 | 1984 | 1985 | 1986 | 1979 | 1980 | 1981 | 1982 | 1983 | 1984 | 1985 | 1986 |
| B | 25 | 34 | 29 | 27 | 34 | 55 | 68 | 56 | 13 | 10 | 26 | 18 | 8 | 17 | 37 | 25 | 4 | 8 | 9 | 8 | 4 | 4 | 23 | 15 |
| D | 15 | 15 | 22 | 26 | 16 | 36 | 29 | 40 | 7 | 3 | 14 | 15 | 8 | 13 | 17 | 17 | 1 | 1 | 2 | 4 | 4 | 7 | 9 | 11 |
| DK | 10 | 14 | 21 | 16 | 13 | 21 | 27 | 26 | 3 | 2 | 6 | 10 | 3 | 3 | 4 | 3 | — | 1 | 2 | 1 | 3 | 1 | 2 | 1 |
| EL | — | — | — | 8 | 26 | 60 | 69 | 106 | — | — | — | 2 | 4 | 27 | 30 | 24 | — | — | — | — | 2 | 4 | 10 | 11 |
| E | — | — | — | — | — | — | — | 22 | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — |
| F | 23 | 34 | 39 | 68 | 55 | 92 | 93 | 69 | 10 | 10 | 22 | 33 | 21 | 29 | 36 | 30 | 2 | 4 | 5 | 8 | 12 | 14 | 14 | 8 |
| IRL | 17 | 25 | 28 | 30 | 16 | 33 | 33 | 44 | 5 | 5 | 4 | 17 | 6 | 12 | 10 | 8 | 1 | 1 | 3 | 3 | 1 | 3 | 9 | 2 |
| I | 30 | 39 | 64 | 66 | 69 | 67 | 70 | 61 | 15 | 19 | 41 | 34 | 21 | 26 | 61 | 31 | 7 | 11 | 20 | 14 | 12 | 12 | 31 | 18 |
| L | 24 | 26 | 17 | 30 | 24 | 28 | 37 | 43 | 6 | 5 | 19 | 8 | 2 | 6 | 16 | 12 | 1 | 2 | 2 | 3 | — | 3 | 6 | 4 |
| NL | 19 | 21 | 16 | 32 | 16 | 28 | 48 | 30 | 9 | 7 | 7 | 16 | 3 | 5 | 11 | 9 | — | — | 5 | 2 | 3 | 2 | 4 | — |
| P | — | — | — | — | — | — | — | 2 | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — |
| UK | 24 | 19 | 20 | 32 | 20 | 34 | 29 | 37 | 7 | 7 | 8 | 4 | 7 | 10 | 11 | 5 | 2 | — | 2 | 1 | 4 | 5 | 1 | — |
| Total | 187 | 227 | 256 | 335 | 289 | 454 | 503 | 516 | 75 | 68 | 147 | 157 | 83 | 148 | 233 | 164 | 18 | 28 | 50 | 45 | 42 | 54 | 113 | 71 |

(*) Slight differences from figures published in the general report are due to change in methods of counting.

No 2

Infringement proceedings opened or pursued since 1979 classified by:
 — stage of proceedings (formal notice/reasoned opinion/reference to the Court of Justice);
 — sector

| | Statistical questions | Customs union | Commercial policy | Economic and financial policy | Internal market and industrial affairs | Competition | Employment and social affairs | Agriculture | Transport | Development | Administrative questions | Environment and consumer protection | Fisheries | Taxation | Energy | Budgets | Legal Service | Financial Institutions | Total |
|------|-----------------------------------|---------------|-------------------|-------------------------------|----------------------------------------|-------------|-------------------------------|-------------|-----------|-------------|--------------------------|-------------------------------------|-----------|----------|--------|---------|---------------|------------------------|-------|
| 1979 | Letter of formal notice | 13 | | | 104 | | 12 | 6 | 9 | | | 35 | 1 | 7 | | | | | 187 |
| | Reasoned opinion | | | | 51 | | 4 | 3 | | | 1 | 8 | 3 | 5 | | | | | 75 |
| | Reference to the Court of Justice | | | | 7 | | 2 | 3 | | | | | 2 | 4 | | | | | 18 |
| 1980 | Letter of formal notice | 17 | | | 140 | 1 | 12 | 29 | 5 | | | 4 | 5 | 14 | | | | | 227 |
| | Reasoned opinion | 1 | | | | 1 | 8 | 3 | 5 | | | 9 | | 2 | | | | | 68 |
| | Reference to the Court of Justice | | | | 25 | | | 2 | | | 1 | | | | | | | | 28 |
| 1981 | Letter of formal notice | 7 | 3 | | 92 | 3 | 16 | 67 | 5 | | | 27 | | 31 | | 5 | | | 256 |
| | Reasoned opinion | 5 | 1 | | 79 | | 18 | 31 | | | | 3 | | 5 | | 5 | | | 147 |
| | Reference to the Court of Justice | 2 | | | 22 | | 4 | 1 | 4 | | 1 | 12 | | 4 | | | | | 50 |
| 1982 | Letter of formal notice | 3 | 13 | | 97 | 1 | 10 | 164 | 9 | | | 16 | 5 | 16 | 1 | | | | 335 |
| | Reasoned opinion | 1 | | | 92 | 1 | 10 | 20 | 1 | | | 7 | | 25 | | | | | 157 |
| | Reference to the Court of Justice | 4 | | | 21 | 3 | 3 | 8 | 1 | | | | | 5 | | | | | 45 |
| 1983 | Letter of formal notice | 10 | 1 | 2 | 111 | 9 | 9 | 76 | 5 | 1 | 2 | 35 | 4 | 21 | 1 | 2 | | | 289 |
| | Reasoned opinion | 1 | 1 | | 40 | 3 | 6 | 14 | 2 | | | 1 | | 15 | | | | | 83 |
| | Reference to the Court of Justice | | | | 21 | 3 | 6 | 3 | 2 | | | | | 7 | | | | | 42 |
| 1984 | Letter of formal notice | 21 | 11 | | 172 | 6 | 15 | 91 | 7 | 2 | 4 | 65 | 13 | 43 | 1 | 3 | | | 454 |
| | Reasoned opinion | 1 | 5 | 2 | 46 | 3 | 4 | 25 | 1 | | 3 | 33 | | 20 | 1 | 2 | | | 148 |
| | Reference to the Court of Justice | 1 | 1 | 1 | 23 | | 3 | 7 | 3 | | | 2 | | 10 | 1 | 1 | | | 54 |
| 1985 | Letter of formal notice | 1 | 19 | 2 | 152 | 7 | 23 | 148 | 10 | 1 | 6 | 69 | 4 | 29 | 6 | 24 | 2 | | 503 |
| | Reasoned opinion | | 18 | | 93 | 9 | 6 | 43 | 7 | 1 | 5 | 26 | | 21 | | 2 | 2 | | 233 |
| | Reference to the Court of Justice | | 5 | | 34 | 1 | 2 | 17 | 5 | 1 | 6 | 23 | | 17 | | 1 | | | 113 |
| 1986 | Letter of formal notice | 22 | 1 | | 119 | 2 | 23 | 116 | 11 | | | 134 | 25 | 38 | 3 | 5 | 2 | 15 | 516 |
| | Reasoned opinion | | 6 | | 57 | | 9 | 42 | 4 | | 5 | 11 | 3 | 10 | 3 | 10 | | 4 | 164 |
| | Reference to the Court of Justice | 1 | 2 | | 29 | | 3 | 10 | 3 | | 4 | 10 | | 5 | 1 | 2 | 1 | | 71 |

No 3
Infringement proceedings initiated (letter of formal notice) since 1979 classified by:

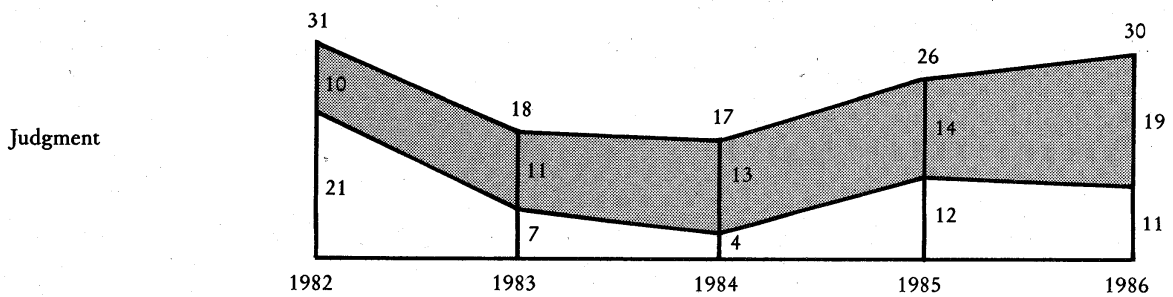
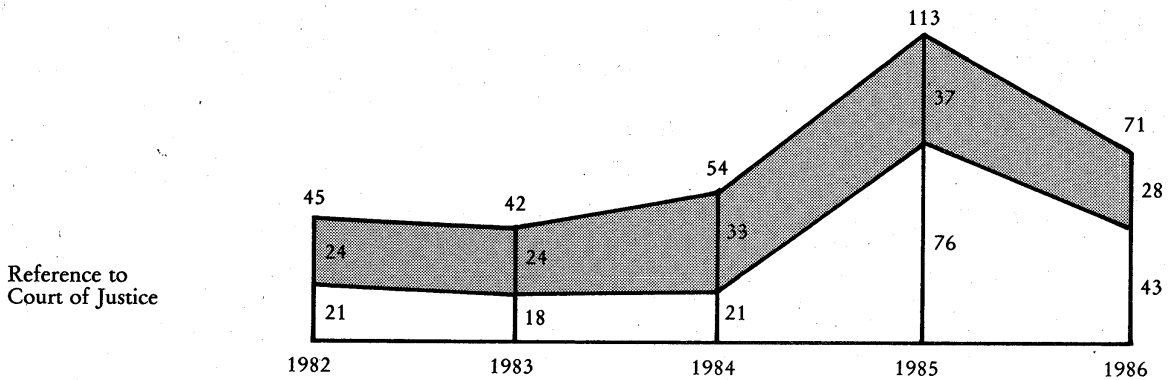
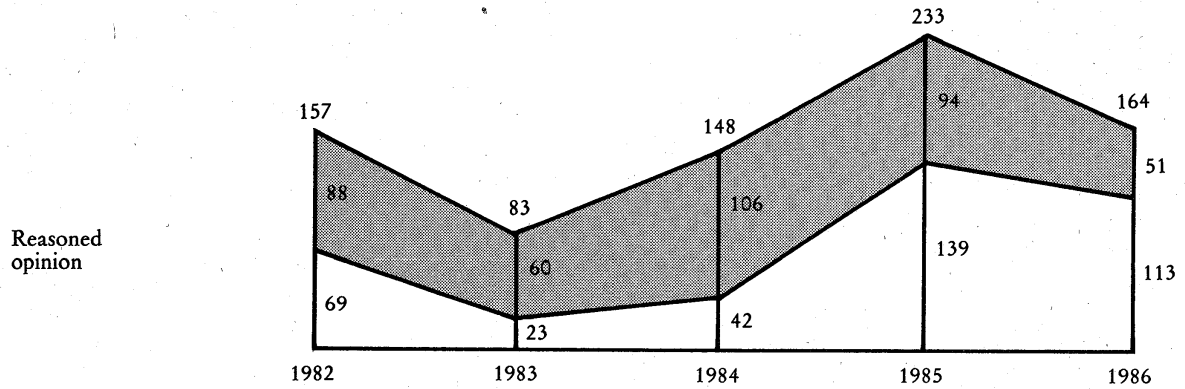
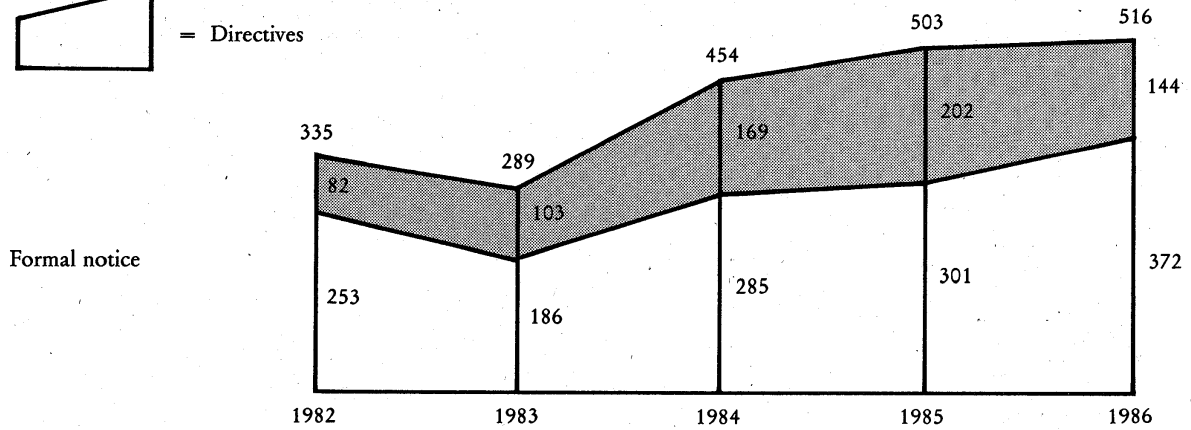
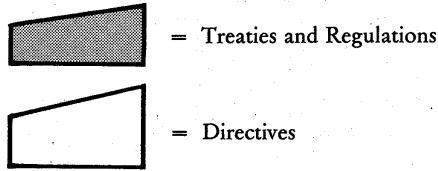
— sector;
— legal basis

| | Statistical questions | Customs union | Commercial policy | Economic and financial policy | Internal market and industrial affairs | Competition | Employment and social affairs | Agriculture | Transport | Development | Administrative questions | Environment and consumer protection | Fisheries | Taxation | Energy | Budgets | Legal Service | Financial Institutions | Subtotal | Total | |
|------|---------------------------|---------------|-------------------|-------------------------------|----------------------------------------|-------------|-------------------------------|-------------|-----------|-------------|--------------------------|-------------------------------------|-----------|----------|--------|---------|---------------|------------------------|----------|-------|--|
| 1979 | No measures notified | | | | 68 | | 2 | | 5 | | | 35 | | 1 | | | | | 110 | 187 | |
| | Not properly incorporated | | | | 6 | | 5 | | | | | | | 6 | | | | | 12 | | |
| | Not properly applied | 5 | | | 8 | | 5 | | 4 | | | | | | | | | | 28 | | |
| | Treaty/Regulations | 8 | | | 22 | | | 6 | | | | | 1 | | | | | | 37 | | |
| 1980 | No measures notified | 12 | | | 109 | | 6 | 19 | 4 | | | 4 | | 13 | | | | | 167 | 227 | |
| | Not properly incorporated | | | | 12 | | 4 | 2 | | | | | | 1 | | | | | 19 | | |
| | Not properly applied | | | | 5 | | 2 | 1 | | | | | | | | | | | 8 | | |
| | Treaty/Regulations | 5 | | | 14 | 1 | | 7 | 1 | | | | 5 | | | | | | 33 | | |
| 1981 | No measures notified | | | | 69 | | 6 | 45 | | | | 27 | | 17 | | | | | 164 | 256 | |
| | Not properly incorporated | | | | 5 | | 1 | 1 | | | | | | | | | | | 7 | | |
| | Not properly applied | | | | 1 | | 7 | 2 | 2 | | | | | 13 | | | | | 25 | | |
| | Treaty/Regulations | 7 | 3 | | 17 | 3 | 2 | 19 | 3 | | | | | 1 | | 5 | | | 60 | | |
| 1982 | No measures notified | | | | 48 | | | 142 | | | | 15 | | 1 | 1 | | | | 206 | 335 | |
| | Not properly incorporated | | | | 5 | | | | 3 | | 1 | | | | | | | | 10 | | |
| | Not properly applied | 10 | | | 5 | | 9 | 3 | 3 | | | | | 6 | | | | | 37 | | |
| | Treaty/Regulations | 2 | 3 | | 39 | 1 | 1 | 19 | 3 | | | | | 5 | | | | | 82 | | |
| 1983 | No measures notified | | | | 56 | | 2 | 45 | 4 | | | 23 | | 1 | 1 | | | | 140 | 289 | |
| | Not properly incorporated | | | | 3 | | 3 | | 1 | | | 10 | | 2 | | | | | 19 | | |
| | Not properly applied | | | | 6 | | 1 | 9 | | | | 2 | | 8 | | | | | 27 | | |
| | Treaty/Regulations | 2 | 1 | 1 | 46 | 9 | 3 | 22 | | 1 | 2 | | | 4 | | 2 | | | 103 | | |
| 1984 | No measures notified | 2 | | | 83 | | 7 | 43 | | | | 48 | | 32 | | | | | 222 | 454 | |
| | Not properly incorporated | 5 | | | 24 | | | 1 | | | | 15 | | 1 | | | | | 46 | | |
| | Not properly applied | 1 | | | 1 | 2 | 2 | 3 | | | | 2 | | 6 | | | | | 17 | | |
| | Treaty/Regulations | 13 | 11 | | 64 | 4 | 6 | 44 | | 2 | 4 | | | 4 | 1 | 3 | | | 169 | | |
| 1985 | No measures notified | 8 | | | 87 | | 5 | 80 | 8 | | | 58 | | 5 | 6 | | | | 257 | 503 | |
| | Not properly incorporated | 2 | | | 5 | | 7 | 5 | | | | 10 | | 1 | | | | | 30 | | |
| | Not properly applied | 1 | | | | | 2 | 1 | | | | 1 | | 9 | | | | | 14 | | |
| | Treaty/Regulations | 9 | 2 | | 60 | 7 | 8 | 63 | 2 | 1 | 6 | | | 4 | | 24 | 2 | | 202 | | |
| 1986 | No measures notified | 11 | | | 73 | | 2 | 68 | 9 | | | 84 | | 9 | | | | | 268 | 516 | |
| | Not properly incorporated | | | | 3 | | 11 | 1 | | | | 32 | | | | | | | 51 | | |
| | Not properly applied | 2 | | | 18 | | 3 | 4 | 1 | | | 9 | | 11 | | | | | 54 | | |
| | Treaty/Regulations | 9 | 1 | | 25 | 2 | 7 | 43 | 1 | | | 9 | | 18 | | 1 | 2 | | 143 | | |

No 4

Number of infringements acted against since 1982 classified by:

- stage of proceedings (formal notice/reasoned opinion/reference to Court of Justice);
- legal basis (Treaties and Regulations or Directives)



No 5

Number of infringements acted against since 1983 classified by:

- Member State;
- legal basis (Treaties and Regulations or Directives);
- stage of proceedings (formal notice/reasoned opinion/reference to the Court of Justice)

| State of the infringement proceeding (⁽¹⁾) | 1983 | | | 1984 | | | 1985 | | | 1986 | | | | | |
|------------------------------------------------------------|----------------------|---------------------------|----------------------------------|----------------------|---------------------------|----------------------------------|----------------------|---------------------------|----------------------------------|----------------------|---------------------------|----------------------------------|-------------|--------------|---------------|
| | Directives | | | Directives | | | Directives | | | Directives | | | | | |
| | No measures notified | Not properly incorporated | Treaties and Regulations applied | No measures notified | Not properly incorporated | Treaties and Regulations applied | No measures notified | Not properly incorporated | Treaties and Regulations applied | No measures notified | Not properly incorporated | Treaties and Regulations applied | | | |
| B | FN RO RCJ | 3 1 1 | 9 6 3 | 27 6 1 | 10 2 2 | 2 1 — | 16 8 1 | 33 17 8 | 5 5 7 | 1 — 2 | 29 15 6 | 39 13 6 | 4 3 2 | 6 1 2 | 7 8 5 |
| D | FN RO RCJ | 1 — 4 | 9 5 — | 17 2 1 | 7 1 1 | 1 1 2 | 11 9 3 | 11 5 2 | — 3 3 | 2 — 1 | 16 9 3 | 14 8 2 | 6 — 1 | 5 2 1 | 15 7 7 |
| DK | FN RO RCJ | 9 — 1 | 2 1 — | 10 — — | 5 2 — | — — — | 6 1 1 | 15 — — | 4 2 2 | — — — | 8 2 — | 13 1 — | 4 2 — | 2 — — | 7 — 1 |
| EL | FN RO RCJ | 6 — — | 18 3 2 | 25 4 — | 1 — — | 1 — — | 33 23 4 | 35 8 4 | 1 — — | — — — | 33 22 6 | 63 7 4 | 6 — — | 1 2 1 | 36 15 6 |
| ES | FN RO RCJ | — — — | — — — | — — — | — — — | — — — | — — — | — — — | — — — | — — — | — — — | — — — | — — — | — — — | 21 — — |
| F | FN RO RCJ | 16 1 1 | 29 17 12 | 41 6 — | 7 2 — | 3 1 2 | 41 20 12 | 42 17 4 | 3 4 2 | 5 3 2 | 43 12 6 | 19 11 3 | 9 4 2 | 7 6 — | 34 9 3 |
| IRL | FN RO RCJ | 8 1 — | 4 4 1 | 24 6 — | 2 2 1 | 1 2 1 | 6 2 1 | 21 6 4 | 1 1 1 | 1 — 1 | 10 3 3 | 31 10 8 | 8 4 2 | 13 6 2 | 9 11 6 |
| I | FN RO RCJ | 40 4 3 | 21 14 12 | 25 5 1 | 5 1 2 | 3 2 2 | 34 18 7 | 35 30 17 | 6 4 3 | 1 3 3 | 28 24 8 | 26 6 2 | 3 — — | 8 — — | 7 2 2 |
| L | FN RO RCJ | 17 — — | 4 2 — | 22 2 — | 1 2 3 | — — — | 5 2 — | 29 13 4 | 4 — — | — — — | 4 3 2 | 35 10 3 | 2 2 1 | 2 — — | 4 — — |
| NL | FN RO RCJ | 12 1 3 | 3 1 — | 16 1 1 | 5 1 — | 1 2 1 | 6 1 — | 21 6 1 | 4 3 1 | 2 — 1 | 21 2 1 | 15 6 — | 2 — — | 4 2 — | 9 1 — |
| P | FN RO RCJ | — — — | — — — | — — — | — — — | — — — | — — — | — — — | — — — | — — — | — — — | — — — | — — — | — — — | — — — |
| UK | FN RO RCJ | 12 — — | 4 7 1 | 15 1 — | 3 2 — | 5 2 — | 11 5 4 | 15 4 — | 2 — — | 2 5 2 | 10 2 3 | 13 1 — | 7 1 1 | 5 2 — | 12 1 — |

(⁽¹⁾) FN = Formal notice,
RO = Reasoned opinion,
RCJ = Reference to the Court of Justice.

No 7

Court of Justice judgments not yet complied with by 31 December 1986 (Article 169 of the EEC Treaty)

Judgments delivered since 1 July 1986

GERMANY

| | | | |
|-------------|-------------|----------------------------------------------------|------------|
| 18. 9. 1986 | Case 116/82 | Wine law 1971 | (A 212/72) |
| 18. 9. 1986 | Case 48/85 | Ban on the use of rectified grape must concentrate | (A 30/83) |
| 4. 12. 1986 | Case 205/84 | Community co-insurance | (A 126/83) |
| 4. 12. 1986 | Case 179/85 | Bottling of <i>pétillant de raisin</i> | (A 183/83) |

BELGIUM

| | | | |
|-------------|-------------|-------------------------------------|------------|
| 2. 12. 1986 | Case 239/85 | Directive 78/319/EEC on toxic waste | (A 169/83) |
|-------------|-------------|-------------------------------------|------------|

DENMARK

| | | | |
|-------------|-------------|------------------------|-----------|
| 4. 12. 1986 | Case 252/83 | Community co-insurance | (A 57/82) |
|-------------|-------------|------------------------|-----------|

FRANCE

| | | | |
|-------------|-------------|------------------------|------------|
| 4. 12. 1986 | Case 220/83 | Community co-insurance | (A 265/81) |
|-------------|-------------|------------------------|------------|

GREECE

| | | | |
|--------------|-------------|-------------------------------------------------------------------------------------------------------------------|--------------------------|
| 16. 12. 1986 | Case 124/85 | Restrictions on import of meat. Ban on the import of beef and veal otherwise than in carcasses and half-carcasses | (A 180/84) (A 284/84) |
|--------------|-------------|-------------------------------------------------------------------------------------------------------------------|--------------------------|

IRELAND

4. 12. 1986 Case 206/84 Community co-insurance (A 127/83)

ITALY

10. 7. 1986 Case 235/84 Employees' rights in the event of transfers of businesses
The Court found for the Commission on one of its two claims; the judgment not yet been complied with. A preliminary draft law has been drawn up by the Minister for Labour.
(A 24/82)

15. 10. 1986 Case 168/85 Nationality requirements (tourist guides, journalists, licenced pharmacists) (A 36/84)

5. 11. 1986 Case 160/85 Admission to the occupation of road haulage operator and road passenger transport operator
(A 175/83)
(A 176/83)

UNITED KINGDOM

2. 12. 1986 Case 23/84 Milk Marketing Boards, dual pricing system for butter, cream and skimmed milk
The UK authorities had already put an end to the infringements in practice before the judgment.
(A 78/82)

Judgments delivered prior to 1 July 1986

Cases where the Commission has been informed that measures are being taken (to end January 1987)

GERMANY

21. 5. 1985 Case 248/83 Equal treatment of men and women as regards access to employment
The Court found for the Commission only on its sixth ground of complaint (Article 9 of Directive 76/207/EEC). On this point Germany is assembling the necessary information, which will be supplied at the beginning of 1987.
(A 3/82)

23. 5. 1985 Case 29/84 Nurses
Following the judgment Germany passed an implementing law. The question whether the Directive is fully and faithfully transposed there is under study.
(A 105/80)

3. 10. 1985 Case 28/84 Animal feedingsuffs
The Commission intends to amend the Directives in question. A draft is being drawn up. Germany has still to make a formal amendment to its legislation in respect of sodium. There is no longer any question of principle at stake.
(A 1/80)

BELGIUM

28. 3. 1985 Case 275/83 Sickness insurance; social security contributions
The judgment appears to have been complied with the deductions of social security contributions from pensions which where at issue are no longer being made. The Commission is awaiting official notification of the measures taken by the Belgian Government.
(A 15/83)

18. 3. 1986 Case 85/85 Tax on secondary residences
With a view to applying the judgment the Belgian authorities have proposed an agreement with the Community institutions under which Community officials would have the same rights as persons registered in Belgian municipalities with reference to Article 12 (b) of the Protocol on Privileges and Immunities. The Commission is studying this proposal.
(A 46/85)

15. 4. 1986 Case 237/84 Employees' rights in the event of transfers of businesses
Compliance with the judgment requires amendment of Collective Agreement No 32 of 28 February 1978 and the adoption of a Royal Decree making the amendment binding. The domestic procedures for this purpose have been set in in motion, but has not yet been completed.

| | | | | | |
|--------------|-------------|-----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|--|
| FRANCE | | | | | |
| 7. 2. 1985 | Case 173/83 | Restrictions on the export of waste oils | On 29 March 1985 the French authorities issued Decree No 85-387. This Decree still does comply with Community law. | Fresh infringement procedure (A/103/86) | |
| 7. 5. 1985 | Case 18/84 | Tax advantages for newspaper publishers | The rules at issue are now being applied to those who print in other Member States as well as those who print in France. A legislative amendment is awaited. (A 29/82) | | |
| 9. 5. 1985 | Case 21/84 | Exclusion from the French market of postal franking machines manufactured by Pitney-Bowes Limited | The French authorities are considering an application for approval submitted by Pitney-Bowes. The Commission is awaiting the outcome in order to satisfy itself that the administrative practices condemned by the Court no longer exist. (A 252/81) | | |
| GREECE | | | | | |
| 11. 12. 1985 | Case 192/84 | Discrimination in the award of grants for the purchase of tractors and other agricultural machinery | The Greek Government has already put an end to the discrimination in respect of centrifuges. More general measures have been taken by the Agricultural Bank of Greece, and these are being studied to ensure that Community Law is being properly applied. (A 110/83) | | |
| IRELAND | | | | | |
| 31. 1. 1984 | Case 74/82 | Restrictions on the import of poultrymeat and eggs — Newcastle disease | The Commission has asked a Committee of veterinary experts to report on the veterinary aspects of the case. | Fresh infringement proceeding (A 398/85) | |
| 11. 6. 1985 | Case 288/83 | Restrictions on the import of potatoes | In response to a letter of formal notice Ireland has announced its intention of making the necessary legislative changes (December 1986). | Fresh infringement proceedings (A 99/86) | |

ITALY

27. 3. 1984 Case 169/82
Common organization of the market: national aid: wine growing, tomatoes and citrus fruit in Sicily
A draft law has been forwarded to the Commission and is currently being studied.
Fresh infringement proceedings: Annex A (A 445/86)
27. 3. 1984 Case 50/83
Refusing to permit entry into service of buses more than seven years old from other countries
On 23 November 1985 the Italian authorities supplied the text of a draft decree. This was studied by the Commission departments. DG III and DG VII took the view that the draft contained provisions which were still not in line with Community law. The Italian authorities have since sent two further drafts, both unsatisfactory.
Fresh infringement proceedings: Annex A (A 368/85)

18. 8. 1984 Case 221/83
Two directives on the freedom of establishment and freedom to provide services of veterinary surgeons
Italy has forwarded a decree to the Commission which is stated to remove the infringement. The Commission departments are studying it.
Fresh infringement proceedings: Annex B (A 285/85)

5. 6. 1986 Case 103/84
Assistance with the purchase of domestically-produced trams
The Italian authorities have informed the Commission that since it expired on 31 December 1982 the provision in question has not been extended or financed.
(A 322/82)

UNITED KINGDOM

8. 11. 1983 Case 165/82
Equal treatment of men and women as regards access to employment
The United Kingdom authorities have taken measures, notifying them on 15 December 1986; they are generally satisfactory, but one point is still under study.
Fresh infringement proceedings: Annex B (A 260/85)
31. 1. 1984 Case 40/82
Restrictions on the import of poultrymeat and eggs — Newcastle disease
The Commission has asked a committee of veterinary experts to report on the veterinary aspects of the case.
Fresh infringement proceedings: Annex A (A 397/85)

Other cases (to end January 1987)

GERMANY

14. 2. 1984 Case 325/82 Exemptions from turnover tax and excise duties on imports (butter-buying cruises) Fresh infringement proceedings: Annex B (A 320/85)

BELGIUM

19. 10. 1981 Case 137/80 Transfer of pension rights Fresh infringement proceedings: Annex A (A 303/84 — Case 383/85)

2. 2. 1983 Cases 68 to 73/81 Six environmental directives; titanium dioxide waste Fresh infringement proceedings: Annex B (A 169 to 172/84 — Cases 227 to 230/85)

10. 4. 1984 Case 324/82 Retaining the list price as the basis for charging VAT on cars Fresh infringement proceedings: Annex A (A 386/84 — Case 391/85)

FRANCE

30. 4. 1986 Case 96/85 Replacement of doctors; dual practices

3. 6. 1986 Case 307/84 Discrimination against foreign nurses in access to public hospitals

The judgment has not been complied with. The infringement, a nationality requirement for appointment and establishment in permanent employment as a nurse in public hospitals, still exists. It now derives not from the provision challenged before the Court (Article 809 of the Public Health Code), which has since been repealed, but from another provision (Article 5 of the Law of 13 July 1983 on the general staff regulations of officials) which was not challenged in the letter of formal notice of December 1982. (A 324/82)

ITALY

| | | | |
|--------------|-------------|--------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 15. 3. 1983 | Case 145/82 | Three directives on proprietary medicinal products | Fresh infringement proceedings: Annex B (A 53/85) |
| 11. 10. 1983 | Case 273/82 | Recognition of qualifications of goods haulage and road passenger transport operators | Fresh infringement proceedings: Annex B (A 17/85) |
| 15. 11. 1983 | Case 322/82 | Fruit and vegetables quality control | Fresh infringement proceedings: Annex A (A 68/85 — Case 69/86) |
| 7. 2. 1984 | Case 166/82 | Fixing the price of milk | Fresh infringement proceedings: Annex A (A 242/85 — 225/86) |
| 28. 3. 1985 | Case 2/84 | Authorization required for combined road/rail transport | Fresh infringement proceedings: Annex A (A 456/86) |
| 11. 7. 1985 | Case 278/83 | Differential taxation of sparkling wines through the use for tax purposes of the designation of origin | Fresh infringement proceedings: Annex A (A 36/86) |
| 11. 7. 1985 | Case 101/84 | Statistics on domestic goods transport by road | |
| 17. 10. 1985 | Case 281/83 | Rules on the manufacture and marketing of vinegar | (A 74/82) |
| 6. 11. 1985 | Case 131/84 | Collective redundancies | (A 4/83) |
| 20. 2. 1986 | Case 309/84 | Delays in the payment of premiums for the abandonment of areas under vines | (A 102/83) |
| 20. 3. 1986 | Case 17/85 | Annual accounts of companies | (A 79/83) |
| 30. 4. 1986 | Case 158/85 | Export procedures for Community goods | (A 306/82) |
| | | | (A 162/83) (A 168/83) |

NETHERLANDS

| | | | |
|-------------|------------|----------------------------|----------|
| 20. 3. 1986 | Case 72/85 | Transfer of pension rights | (A 8/78) |
|-------------|------------|----------------------------|----------|

No 8

Review of significant judgments of national courts of final instance

In general, it can be said that the courts and tribunals of the various Member States apply Community law in full. They referred 91 cases under Article 177 in 1986.

Nevertheless, certain cases cause the Commission concern. For that reason, the Commission, in response to a wish expressed by the European Parliament⁽¹⁾, has included in this report various significant judgments by national supreme courts or by courts against whose decisions there is no judicial remedy under national law, which have come to the Commission's notice in 1986.

The judgments mentioned below concern cases in which such supreme courts have clearly failed to take account of the case law of the Court of Justice or have failed, contrary to the requirements laid down in the last paragraph of Article 177 of the EEC Treaty, to refer a matter to the Court of Justice for a preliminary ruling. Mention is also made of certain judgments which, by departing from previous case law, assist in ensuring the correct application of Community law.

It must be emphasized that this review serves only to provide information and does not claim to be exhaustive; the judgments referred to are those which the Commission has noted in legal journals or to which its attention has been drawn.

As the Commission has made clear on a number of occasions in regard to cases in which national courts disregard the legal force and the requirements of Article 177 of the EEC Treaty⁽²⁾ an infringement procedure may, where a national court fails to respect Community law, be initiated against the Member State in which the court is situated. However, such a procedure does not constitute the most suitable basis for cooperation between the national courts and the Court of Justice. For that reason, where circumstances permit, the Commission endeavours in such cases to induce the Member States to ensure, without impairing the independence of the judiciary, that Community law is respected, by recourse to primary or secondary legislation or to administrative means. In other cases the European Parliament can play a valuable part by informing public opinion.

1. *Belgian Conseil d'État — Judgment of 30 July 1985 — Mees v. État Belge — Journal des Tribunaux 1987, p. 1885*

One of the questions at issue in this case was whether the Royal Decrees establishing and organizing a scheme of compulsory health and invalidity insurance, and conferring preferential treatment on preparations made up individually on prescription as distinct from pre-packed pharmaceutical specialities (the former being used as a basis of price comparison in determining whether the cost of the latter can be reimbursed) are compatible with Article 30 of the Treaty.

The plaintiff contended that preparations made up individually on prescription, which by definition are domestic products, had been deliberately protected in relation to pharmaceutical specialities, which are generally imported.

The Conseil d'État held that these measures, although intended to protect the business of retail pharmacists, did not infringe Article 30, since they applied indiscriminately to domestic and imported products. It also held that protection of a doctor's freedom to prescribe treatment could be considered a non-economic requirement of public health, covered by Article 36 of the Treaty.

The Conseil d'État decided not to refer the question to the Court of Justice. At the very least, it must be said that the decisions of the Court of Justice do not permit the categorical conclusions drawn by the Belgian Conseil d'État.

2. *Belgian Conseil d'État, Judgment No 26.061(III) of 15 January 1986 — SA Salik v. EB AFF.EC*

In this case the Conseil d'État interpreted Article 3 of Annex V to Regulation (EEC) No 3059/78 and declined to make a reference for a preliminary ruling. This provision is open to two differing interpretations and there is accordingly a danger of discrimination as between traders.

3. *French Conseil d'État — Judgment of 19 November 1986 — Société Smanor — Actualité Juridique, 20 December 1986, p. 715*

The case concerned the right to use the appellation 'yoghourt' in cases in which the products in question had previously undergone quick freezing. In response to the appellant's submission pursuant to Article 30, the Conseil d'État held *inter alia* that 'the sole object of the provisions (of the contested decree) which, in themselves, entail no quantitative restriction on imports is to restrict the appellation "yoghourt", in the interests of consumers, to products displaying certain characteristics, and they cannot be regarded as having an effect equivalent to such restrictions'. On that basis it decided not to make a reference to the Court of Justice for a preliminary ruling and rejected the submission.

⁽¹⁾ See, in particular, the report of the Committee on Legal Affairs and Citizens' Rights on the monitoring of the application of Community law by the Member States, by Mrs Vayssade (Doc. A2-112/85 of 9 October 1985, notably § 34, pp. 16 to 18) and the resolution adopted by Parliament on this matter on 21 October 1985 (OJ No C 343, 31. 12. 1985, p. 8).

⁽²⁾ See, in particular, the Commission's answers to Written Questions No 100/67 and No 349/69 by Mr Westerterp, No 28/69 by Mr Deringer, No 608/78 by Mr Krieg and No 526/83 by Mr Tyrrell (OJ No 270, 8. 11. 1967, p. 2; OJ No C 20, 14. 2. 1970, p. 3; OJ No C 71, 17. 7. 1968, p. 1; OJ No C 28, 31. 1. 1979, p. 8 and OJ No C 268, 6. 10. 1983, p. 25).

In so doing, the Conseil d'État interpreted and applied Community law in a manner which, at the very least, raises questions in view of the established case law of the Court of Justice concerning Article 30.

4. *French Conseil d'État — Judgments of 16 June 1986 — SARL 'Cabinet Mantout', Sarl 'Société de courtage d'assurances'*

In support of a claim for relief from value added tax to which they had been held liable between 1 January and 30 June 1978, the two appellants had argued that they were covered by the provisions of the Sixth Council Directive on VAT of 17 May 1977. Initially, that Directive had to be incorporated into national law by 1 January 1978; subsequently, the Ninth Directive of 28 June 1978 postponed the entry into force of the Sixth Directive until 1 January 1979.

The Conseil d'État dismissed the appeal on the ground that the measures necessary to enable the Sixth Directive to take effect in national law had not been taken during the taxation period at issue; in addition, it held that the request that a reference be made to the Court of Justice was devoid of purpose.

This ruling is clearly contrary to the Court's decision in Kloppenburg⁽¹⁾ that the provision in question in the Sixth Directive was directly applicable during the period 1 January to 28 June 1978. At the very least, the Conseil d'État was required to make a reference for a preliminary ruling.

5. *Federal Constitutional Court — Judgment of 22 October 1986 — 2 BUR 197/83*

This is a leading judgment of the Constitutional Court of the Federal Republic of Germany which contributes to strengthening the effectiveness of Community law. In the judgment the Constitutional Court acknowledges that the Court of Justice of the European Communities has the status of 'a

legally competent judge' within the meaning of Article 101 of the German constitution; as a result, a judgment of a national court which fails arbitrarily to make use of the Article 177 procedure is liable to be declared void by the Constitutional Court on the ground of infringement of the constitution.

In the judgment the Constitutional Court also lays down the principle that as long as the European Communities and more particularly the decisions of the Court of Justice ensure effective protection of fundamental rights it will cease to review Community law in the light of the rights and freedoms for which provision is made in the German constitution. This judgment thus puts an end to the conflict created by previous rulings that the Constitutional Court had the right to declare void a Community Regulation which was held to conflict with the fundamental rights guaranteed by the German constitution.

6. *Federal Administrative Court — Judgment of 5 June 1986 (BVerwG 3 C 12.82) Europarecht 1986, p. 372*

This judgment gives effect to the Court's judgment of 3 October 1985 in Case 195/84 (*Denkavit v. Nordrhein-Westfalen*, not yet reported).

It states that Article 36 of the EEC Treaty cannot be relied on once Community harmonization of laws has been carried out and it acknowledges, together with the Court of Justice, that certain provisions of directives are directly applicable. It recognizes that directives are addressed solely to the Member States and do not vest any right that is directly applicable in relations between States and individuals. However, it concedes that individuals may, by virtue of the principle of good faith, challenge acts by a Member State which are at variance with its obligations under a Community directive.

It is to be distinguished from the judgment of the Federal Finance Court of 25 April 1985⁽²⁾, referred to in the last report.

⁽¹⁾ Case 70/83, *Gerda Kloppenburg v. Finanzamt Leer*, 1984, ECR 1075.

⁽²⁾ OJ No C 220, 1. 9. 1986, p. 27.

| | | B | | D | | DK | | E | | F | | GB | | GR | | IRL | | IT | | L | | NL | | P | | Total | | | |
|-----------------|------|----|----|----|----|----|----|-----|----|-----|----|----|----|-----|----|-----|----|-----|----|----|----|----|----|----|---|-------|-----|----|----|
| | | C | I | C | I | C | I | C | I | C | I | C | I | C | I | C | I | C | I | C | I | C | I | C | I | C | I | C | I |
| DG XV | 1982 | — | — | 1 | — | 1 | — | | | 4 | 1 | 2 | — | 11 | 9 | 2 | 1 | 3 | — | 1 | — | — | — | | | | | 25 | 11 |
| | 1983 | — | — | 2 | 1 | 1 | 2 | | | 5 | 2 | — | 1 | 2 | 1 | — | 2 | — | — | 1 | — | — | 2 | | | 11 | 11 | | |
| | 1984 | 2 | 4 | 5 | 1 | 1 | — | | | 9 | 2 | — | 3 | 3 | — | 2 | 1 | 4 | 1 | — | — | 1 | 1 | | | 27 | 13 | | |
| | 1985 | 2 | 1 | — | 2 | 1 | 1 | | | 10 | 8 | 3 | 5 | 5 | 5 | 4 | 4 | 1 | 8 | 1 | 1 | 2 | 1 | | | 29 | 36 | | |
| | 1986 | — | 1 | 1 | 3 | 1 | — | — | — | 1 | 1 | — | — | — | 2 | — | — | — | 2 | 1 | — | — | 2 | — | — | 4 | 11 | | |
| DG XVII | 1982 | — | — | — | — | — | — | | | 2 | — | — | — | — | — | — | — | — | — | — | — | — | — | | | 2 | — | | |
| | 1983 | — | — | — | — | — | — | | | — | 1 | — | — | — | — | — | — | — | 1 | — | — | — | — | | | 1 | 2 | | |
| | 1984 | — | 1 | — | — | — | — | | | — | — | — | 2 | — | — | — | — | — | — | — | — | — | — | | | — | 3 | | |
| | 1985 | — | 1 | — | — | — | — | | | — | — | — | — | — | — | — | — | — | — | — | — | — | — | | | — | 1 | | |
| DG XIX | 1983 | — | — | — | 1 | — | — | | | — | 1 | — | 1 | — | — | — | 1 | — | — | — | — | — | — | | | — | 4 | | |
| | 1984 | — | — | — | 1 | — | — | | | — | — | — | — | — | 1 | — | — | — | 1 | — | — | — | — | | | — | 3 | | |
| | 1985 | — | 1 | — | 1 | — | 1 | | | — | 1 | — | 3 | — | — | — | — | — | 5 | — | — | — | 2 | | | — | 14 | | |
| | 1986 | — | 1 | — | 3 | — | — | — | — | — | 1 | — | 1 | — | — | — | 1 | — | 2 | — | — | — | — | — | — | — | 9 | | |
| DG XXI/B (CUS) | 1982 | — | — | 6 | 1 | — | — | | | 2 | — | — | 1 | 4 | — | — | — | — | — | — | — | — | — | | | 12 | 2 | | |
| | 1983 | — | 1 | — | — | — | — | | | 5 | 3 | — | 1 | 8 | 1 | — | 1 | 1 | 1 | — | — | 1 | 1 | | | 15 | 9 | | |
| | 1984 | — | — | — | — | — | — | | | 1 | 1 | — | — | 3 | — | — | — | 1 | 1 | — | — | — | — | | | 5 | 2 | | |
| | 1985 | 3 | 2 | 1 | 3 | 6 | 1 | | | 3 | 1 | 1 | 3 | 3 | 2 | 1 | 1 | 1 | 2 | — | 2 | — | 2 | | | 13 | 19 | | |
| | 1986 | 1 | — | 2 | 1 | — | — | 7 | 1 | 7 | — | — | 1 | 3 | 5 | 1 | 1 | 4 | — | — | — | — | — | 2 | 1 | 27 | 10 | | |
| DG XXI/C (XV/B) | 1986 | 2 | — | 2 | 2 | 3 | 1 | 3 | 2 | 19 | 2 | 3 | 1 | 2 | 1 | 1 | — | 4 | — | 5 | — | — | — | — | — | 44 | 9 | | |
| | 1982 | 22 | 10 | 31 | 12 | 7 | 2 | | | 106 | 25 | 39 | 10 | 59 | 30 | 17 | 4 | 53 | 13 | 5 | 1 | 13 | 5 | | | 352 | 112 | | |
| | 1983 | 24 | 12 | 31 | 15 | 9 | 9 | | | 117 | 50 | 29 | 23 | 94 | 23 | 19 | 9 | 51 | 28 | 3 | 8 | 21 | 15 | | | 399 | 192 | | |
| | 1984 | 14 | 21 | 34 | 14 | 13 | 4 | | | 102 | 30 | 36 | 12 | 144 | 26 | 9 | 6 | 102 | 21 | 3 | 4 | 19 | 7 | | | 476 | 145 | | |
| | 1985 | 28 | 31 | 45 | 24 | 14 | 12 | | | 106 | 41 | 55 | 26 | 200 | 22 | 16 | 18 | 104 | 38 | 3 | 13 | 14 | 19 | | | 585 | 244 | | |
| | 1986 | 35 | 31 | 68 | 38 | 13 | 13 | 135 | 13 | 163 | 73 | 57 | 11 | 154 | 23 | 12 | 16 | 92 | 33 | 10 | 10 | 20 | 24 | 32 | 8 | 791 | 293 | | |

ANNEX A

Infringements of the Treaties and of Regulations

Contents

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| Administrative questions | 40 |
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Legal basis

The indication of the legal basis provided here is derived from the document number in the Celex data base, which is itself derived from the act's own original number; it is made up as follows:

- one figure identifying the documentary sector (e.g. 1 = Treaties establishing the Communities, etc.),
- two figures identifying the reference year (year of publication, signature, etc.),
- one or two letters identifying the legal form (e.g. E (in sector 1) = EEC Treaty),
- a serial number representing the number given to the document on publication or the article number.

Example:

| | | | |
|---|----|---|------|
| 3 | 80 | R | 2144 |
|---|----|---|------|

- Sector 3: secondary legislation
- Year of publication
- Regulation
- Regulation No 2144/80

| Sector | Form | |
|--------|----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | A B E F H K R G | TREATIES ESTABLISHING THE COMMUNITIES; AMENDING AND ACCESSION TREATIES Euratom Treaty Accession Treaties for Denmark, Ireland, Norway and the United Kingdom EEC Treaty Merger Treaty Treaty amending certain budgetary provisions Accession Treaty for Greece ECSC Treaty Treaty amending certain financial provisions Treaty amending certain provisions of the statute of the EIB Greenland Treaty |
| 2 | A | LAW RESULTING FROM COMMUNITY EXTERNAL RELATIONS Agreements with non-member countries |
| 3 | B C D L R X Y | SECONDARY LEGISLATION Budget Censure Decisions (except ECSC Decisions of general scope) EEC and Euratom Directives ECSC recommendations EEC and Euratom Regulations ECSC Decisions of general scope Other acts (resolutions, opinions, etc.), published in OJ 'L' series (or old single series) Other acts published in OJ 'C' series |
| 4 | A D X Y | COMPLEMENTARY LEGISLATION Intra-Community Agreements Decisions (of the representatives of the Governments of the Member States) Other acts published in OJ 'L' series (or old single series) Other acts published in OJ 'C' series |
| 5 | PC AP IP AC IC CC BP | PREPARATORY DOCUMENTS Commission proposals EP Opinions (consultation) EP Opinions (own-initiative) ESC Opinions (consultation) ESC Opinions (own-initiative) Opinions of the Court of Auditors Acts preparatory to the budget |

| Sector | Form | |
|--------|--------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6 | B C J O S T V X | CASE-LAW OF THE COURT OF JUSTICE Observations Opinions of the Advocate-General Judgments Orders Attachment orders Third party proceedings Opinions of the Court of Justice Other acts |
| 9 | E H O P | PARLIAMENTARY QUESTIONS Written questions Questions arising during Question Time Oral questions Petitions |

Note: Sectors planned:

- 7 — National implementing measures.
- 8 — National case-law.
- 10 — Academic writing.

| Sector | Legal basis | Inf. No | Member State | Subject | Stage of proceedings |
|---------------------------------|-----------------------|----------|----------------|-----------------------------------------------------------------------------|----------------------------------------------------------------------|
| Administrative questions | Staff Regulations | A/78/008 | Netherlands | Transfer to Community pension scheme | Reference to the Court of Justice (Case 72/85) Judgment 20. 3. 1986 |
| | 157E005; 165F/PRO/PRI | A/83/019 | Belgium | Family allowances from more than one source | Reference to the Court of Justice (Case 186/85) |
| | 165F/PRO/PRI | A/83/065 | Germany | Family allowances from more than one source | Reference to the Court of Justice (Case 189/85) |
| | 157F/PRO/PRI; 157E171 | A/84/303 | Belgium | Transfer to Community pension scheme | Reference to the Court of Justice (Case 383/85) |
| | 165F/PRO/PRI | A/84/304 | Germany | Transfer to Community pension scheme | Reference to the Court of Justice (Case 146/86) |
| | 165F/PRO/PRI | A/84/305 | France | Transfer of pension rights | Reference to the Court of Justice (Case 303/86) |
| | 165F/PRO/PRI | A/84/306 | Luxembourg | Transfer to Community pension scheme | Reference to the Court of Justice (Case 315/85) |
| | 165F/PRO/PRI | A/85/046 | Belgium | Tax on residence other than the principal residence | Reference to the Court of Justice (Case 85/85) Judgment 18. 3. 1986 |
| | 165F/PRO/PRI | A/85/064 | Belgium | Levying of property tax on EC officials | Reference to the Court of Justice (Case 260/86) |
| | 165F/PRO/PRI | A/85/191 | Belgium | Grants for the acquisition and renovation of buildings | Reasoned opinion |
| | 165F/PRO/PRI | A/85/212 | Belgium | Charges for non-residents at sports and cultural centres | Reasoned opinion |
| | 165F/PRO/PRI | A/85/213 | Belgium | Water consumption tariff for non-residents | Reasoned opinion |
| | 165F/PRO/PRI | A/85/287 | Germany | Compulsory membership for Community officials in sickness insurance schemes | Reference to the Court of Justice (Case 261/86) |
| Budgetary questions | 373R0700; 377R2891 | A/83/112 | Germany | Refusal to pay interest on late payment of own resources: sugar | Terminated |
| | 377R2891 | A/83/181 | United Kingdom | Interest on late payment of own resources | Reference to the Court of Justice (Case 93/85) Judgment 18. 12. 1986 |
| | 378R1998; 377R2891 | A/84/109 | France | Refusal to pay interest on late payment of own resources | Terminated |

| Sector | Legal basis | Inf. No | Member State | Subject | Stage of proceedings |
|---------------------------------------------------|-------------------------------|----------|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| Budgetary questions (<i>cont'd</i>) | 377R2891 | A/84/362 | Greece | Interest to late payments | Reference to the Court of Justice (Case 86/70) |
| | 378R1998; 377R2891 | A/85/221 | Germany | Interest on late payments: sugar storage | Reasoned opinion |
| | 377R2891 | A/85/355 | Italy | Interest on late payments | Reasoned opinion |
| | 377R2891; 680J158; 682J325 | A/85/393 | Germany | Own resources; customs duties, VAT interest payments; butter cruises | Reasoned opinion |
| Economic and monetary policy | 180H052 | A/83/039 | Greece | Failure to authorize transfer of funds on blocked accounts belonging to EC residents | Reference to the Court of Justice (Case 194/84) |
| | 157E030 | A/79/022 | Germany | Requirement that person responsible for marketing of medicinal preparations be established in the Federal Republic | Terminated |
| Internal market and industrial affairs | 157E030 | A/80/009 | France | Refusal to market milk powder substitute | Reference to the Court of Justice (Case 216/84) |
| | 157E030 | A/81/252 | France | Exclusion from French market of franking machines manufactured in another Member State | Reference to the Court of Justice (Case 21/84) Judgment 9. 5. 1985 |
| | 157E030 | A/81/253 | Italy | Ban on registration of used buses more than seven years old, of foreign origin | Reference to the Court of Justice (Case 50/83) Judgment 27. 3. 1984 New proceedings started A/85/368 |
| | 157E030 | A/81/267 | United Kingdom | Indication of origin to be provided in retail sale of certain products | Terminated |
| | 157E030 | A/81/268 | Denmark | New order on packaging for beers and soft drinks | Reference to the Court of Justice (Case 86/302) |
| | 157E030 | A/82/002 | France | Order of 23 June 1978 concerning fixed heating installations | Terminated |
| | 157E030 | A/82/004 | Greece | Provisions establishing that only malt- based beers may be sold | Reference to the Court of Justice (Case 176/84) |
| | 157E030 | A/82/005 | Germany | Ban on the sale of beers not brewed solely from malted barley | Reference to the Court of Justice (Case 178/84) |
| | 157E030 | A/82/028 | France | Guaranteeing import prices against price rises due to increase in certain costs between time of contract signature and delivery of imported product | Discontinued |

| Sector | Legal basis | Inf. No | Member State | Subject | Stage of proceedings |
|----------------------------------------------------|---------------------------------------|----------|----------------|---------------------------------------------------------------------|--------------------------------------------------------------------------|
| Internal market and industrial affairs (cont'd) | 157E030 | A/82/029 | France | Tax provisions applicable to newspaper publishers | Reference to the Court of Justice (Case 18/84) |
| | 157E030 | A/82/051 | Germany | Restrictions on imports of Vermouth | Reasoned opinion |
| | 157E030 | A/82/097 | France | Discrimination in the distribution of newspapers and periodicals | Reference to the Court of Justice (Case 269/83) Judgment 14. 3. 1985 |
| | 157E030 | A/82/289 | Germany | Provisions concerning shapes of packaging for margarine | Terminated |
| | 157E030 | A/82/316 | Belgium | Refusal to grant import licences for codeine | Reasoned opinion |
| | 157E030 | A/82/320 | United Kingdom | Refusal to grant import licences for codeine | Reasoned opinion |
| | 157E030 | A/82/322 | Italy | Grants for the purchase of domestically produced trams | Reference to the Court of Justice (Case 103/84) Judgment 5. 6. 1986 |
| | 157E0034 | A/82/333 | France | Restrictions on the import of used oils | Terminated |
| | 157E030; 157E171 | A/83/004 | Italy | Rules on the production and marketing of vinegar | Reference to the Court of Justice (Case 281/83) Judgment 15. 10. 1985 |
| | 157E030; 157E085; 157E086; 157E090 | A/83/016 | Ireland | Restrictions on the import of petroleum products | Discontinued |
| | 157E030 | A/83/021 | Italy | Ban on sales of bottled beer fitted with swing stoppers | Reasoned opinion |
| | 157E030 | A/83/022 | Italy | Law on the use of pesticides | Reasoned opinion |
| | 157E030 | A/83/026 | France | Requirements and procedures in regard to type approval of machinery | Terminated |
| | 157E030 | A/83/042 | Italy | Import of spirits and agricultural alcohol produced in France | Terminated |
| | 157E030 | A/83/043 | Greece | Profit margins | Reference to the Court of Justice (Case 235/86) |
| | 37110307; 157E030 | A/83/048 | Greece | Labelling of certain products | Reference to the Court of Justice (Case 4/85) |
| | 157E030 | A/83/067 | France | New definition of rum | Reasoned opinion |

| Sector | Legal basis | Inf. No | Member State | Subject | Stage of proceedings |
|----------------------------------------------------|------------------------------|----------|----------------------------------------------|---------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| Internal market and industrial affairs (cont'd) | 157E030 | A/83/081 | France | "Buy French" campaign | Terminated |
| | 157E030 | A/83/091 | France | Import of letter-weighing and package-weighing machines | Terminated |
| | 157E030 | A/83/101 | Belgium | Prices of pharmaceutical products | Reasoned opinion |
| | 157E030; 157E037; 157E095 | A/83/103 | Greece | Pharmaceutical products | Reasoned opinion |
| | 157E030 | A/83/109 | Luxembourg | Milk substitutes | Discontinued |
| | 157E030 | A/83/110 | Greece | Granting of loans for the purchase of tractors and other agricultural machinery | Reference to the Court of Justice (Case 192/84) Judgment 11. 12. 1985 |
| | 157E030 | A/83/135 | France | Vehicle registration | Terminated |
| | 157E030 | A/83/172 | Italy | Grants for the purchase of buses and trams | Reference to the Court of Justice (Case 263/85) |
| | 157E030 | A/83/173 | Germany | Import of particle board | Reasoned opinion |
| | 157E030 | A/83/174 | Italy | Grants for the purchase of domestically produced buses in Calabria | Linked to case A/83/172 |
| | 157E030 | A/83/183 | Germany | Packaging of sparkling grape juice | Reference to the Court of Justice (Case 179/85) Judgment 4. 12. 1986 |
| | 157E030 | A/83/224 | France | Health and safety rules for the import of certain equipment and machinery | Reference to the Court of Justice (Case 180/85) |
| | 157E030 | A/84/107 | France | Inspection measures for disposable syringes coming from other Member States | Reasoned opinion |
| | 157E030 | A/84/112 | Netherlands | Sale of ready-mixed concrete | Terminated |
| | 157E030 | A/84/115 | Italy | Grants for the purchase of buses and trams | Linked to case A/83/172 |
| 157E030 | A/84/152 | France | Import of barbecue equipment | Terminated | |
| 157E030 | A/84/200 | France | Ban on use of lead salts in imitation pearls | Reasoned opinion | |

| Sector | Legal basis | Inf. No | Member State | Subject | Stage of proceedings |
|----------------------------------------------------|----------------------------------------------------------------|-------------|------------------------------------------------------------------------------------|----------------------------------------------------------------------|-------------------------------------------------|
| Internal market and industrial affairs (cont'd) | 157E030; 157E106 | A/84/249 | Greece | Import procedures and formalities | Reasoned opinion |
| | 157E030 | A/84/252 | Ireland | Marketing of rum and vodka | Terminated |
| | 157E030 | A/84/256 | France | Import declarations for horsemeat | Reasoned opinion |
| | 157E030 | A/84/257 | Italy | Excessive customs formalities | Reasoned opinion |
| | 157E030 | A/84/258 | Belgium | Reimbursement of the cost of proprietary medicinal products | Reasoned opinion |
| | 157E030 | A/84/266 | Denmark | Packaging of beer and non-alcoholic beverages | Reference to the Court of Justice (Case 302/86) |
| | 157E030 | A/84/279 | Greece | Import quotas for fertilizers | Terminated |
| | 157E030 | A/84/283 | Greece | Maximum prices for flat glass | Terminated |
| | 157E030; 379L0112 | A/84/285 | Greece | Import and marketing of fishery products | Reasoned opinion |
| | 157E030; 157E171; 678J0152; 681J0314; 681J0316; 682J0083 | A/84/290 | France | Advertising of alcoholic drink | Terminated |
| | 157E030; 368R0802 | A/84/307 | Italy | Import ban on motorcycles | Terminated |
| | 157E030 | A/84/331 | Italy | Obstacles to the import of explosives for non-military use | Terminated |
| | 157E030 | A/84/350 | France | Prices and reimbursement for medicinal products | Reasoned opinion |
| | 157E030 | A/84/351 | Italy | Origin marking on textile product labels | Reasoned opinion |
| | 157E030 | A/84/354 | Germany | Marketing of milk substitutes | Reference to the Court of Justice (Case 76/86) |
| | 157E030 | A/84/356 | Ireland | Restrictions on access to market by building materials manufacturers | Terminated |
| 157E030 | A/84/370 | Netherlands | The name <i>genever</i> (gin) | Terminated | |
| 157E030 | A/84/371 | France | Rules on public contracts | Reasoned opinion | |
| 157E007; 157E030; 157E052; 157E059; 337L0062 | A/84/382 | Greece | Public supply contracts | Reference to the Court of Justice (Case 84/86) | |
| 157E030 | A/84/385 | Germany | Protection of legitimate expectations: deep-frozen poultrymeat inspection measures | Reasoned opinion | |

| Sector | Legal basis | Inf. No | Member State | Subject | Stage of proceedings |
|-------------------------------------------------------------|----------------------------------------------------------------|----------|----------------|-----------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| Internal market and industrial affairs (<i>cont'd</i>) | 157E030 | A/84/407 | Italy | Parallel imports of motor vehicles | Reference to the Court of Justice (Case 154/85) Judgment 7. 6. 1985 |
| | 157E030 | A/85/028 | Italy | Prices of pharmaceutical products and medicines | Reasoned opinion |
| | 157E030 | A/85/119 | Italy | Difficulties in importing Belgian beer | Reasoned opinion |
| | 157E030 | A/85/138 | Belgium | Obstacles to the import of liquid manure | Reasoned opinion |
| | 157E030 | A/85/140 | France | Change of registration for second-hand motor vehicles | Reasoned opinion |
| | 157E030 | A/85/146 | France | Parallel imports of pesticides | Reasoned opinion |
| | 157E030 | A/85/199 | France | Suspension of approval for welded wire mesh | Discontinued |
| | 157E030 | A/85/205 | United Kingdom | Larger loans granted to purchasers of British vehicles | Terminated |
| | 157E030 | A/85/211 | Italy | Marketing of beer | Reasoned opinion |
| | 157E030 | A/85/214 | Belgium | Approval of coaches (turning circles) | Reference to the Court of Justice (Case 288/86) |
| | 157E030; 157E059 | A/85/291 | Germany | Inland waterway scrapping premiums | Reasoned opinion |
| | 157E030 | A/85/357 | Belgium | Registration of imported vehicles (certificate of conformity and road worthiness tests) | Reasoned opinion |
| | 157E030; 683J0050; 157E171 | A/85/368 | Italy | Ban on registration of used buses more than seven years old, of foreign origin | Reasoned opinion |
| | 157E030 | A/85/447 | Belgium | Restrictions on the use of gelatin in certain food products | Reasoned opinion |
| | 157E030 | A/85/449 | France | Restrictions on the use of gelatin in certain food products | Reasoned opinion |
| | 157E052; 157E059; 157E030; 157E086; 157E090; 157E092; 377L0062 | A/85/466 | Italy | Installation of data-processing systems reserved for Italian State-owned companies | Reasoned opinion |
| | 157E030; 157E059 | A/85/479 | United Kingdom | Buy British campaign; preferential credit terms for shipowners building in UK shipyards | Reasoned opinion |

| Sector | Legal basis | Inf. No | Member State | Subject | Stage of proceedings |
|----------------------------------------------------|---------------------------------------------------|----------|--------------|-------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|
| Internal market and industrial affairs (cont'd) | 157E030 | A/85/500 | Germany | Difficulties in the import of paté | Reasoned opinion |
| | 157E030 | A/86/394 | Greece | Difficulties in the import of flat glass | Reasoned opinion |
| | 157E048; 157E052; 157E059 | A/79/123 | Germany | Subsidies on services in film industry | Reasoned opinion |
| | 157E048; 157E052; 157E059 | A/79/124 | France | Subsidies on services in film industry | Reasoned opinion |
| | 157E048; 157E052; 157E059 | A/79/125 | Denmark | Subsidies on services in film industry | Reasoned opinion |
| | 157E048; 157E052; 157E059 | A/79/126 | Italy | Subsidies on services in film industry | Reasoned opinion |
| | 157E003; 157E007; 157E059; 157E062; 157E030 | A/84/302 | Italy | Blacking out of advertisements | Terminated |
| | 157E007; 157E052; 157E221 | A/82/292 | Greece | Mining law | Discontinued |
| | 157E052; 157E059 | A/83/182 | Belgium | Medical analyses; obstacle to freedom to provide services and entitlement to maintain a secondary residence | Reference to the Court of Justice (Case 221/85) |
| | 157E052; 157E059 | A/84/036 | Italy | Discriminatory provisions in the laws relating to several occupations | Reference to the Court of Justice (Case 168/85) Judgment 15. 10. 1986 |
| | 157E007; 157E048; 157E052; 157E059 | A/84/182 | Greece | Laws relating to frontier areas | Reasoned opinion |
| | 157E052 | A/84/325 | Italy | Access to real-estate loans and renting of housing | Reference to the Court of Justice (Case 63/86) |
| | 157E048; 157E052; 157E059 | A/84/388 | Greece | Requirement of Greek nationality for teaching | Reference to the Court of Justice (Case 147/86) |
| | 157E052 | A/84/425 | France | City of Biarritz — French nationality requirement for certain occupations | Terminated |
| | 157E052; 157E059 | A/85/100 | Greece | Nationality requirement for tourist guides | Reasoned opinion |
| | 157E052; 157E059 | A/85/264 | Greece | Nationality requirement for lawyers | Reasoned opinion |

| Sector | Legal basis | Inf. No | Member State | Subject | Stage of proceedings |
|--------------------------------------------------------------------|-------------------------------|----------|----------------|------------------------------------------------------------------------|-------------------------------------------------|
| Internal market and industrial affairs (<i>cont'd</i>) | 157E052; 157E059 | A/85/265 | Greece | Nationality requirement for architects, engineers and land surveyors | Reasoned opinion |
| | 157E052; 157E059 | A/85/266 | Greece | Nationality requirement for pharmacists | Reasoned opinion |
| | 157E052; 157E059 | A/85/267 | Greece | Nationality requirement for doctors and dentists | Reasoned opinion |
| | 157E052; 157E059 | A/86/045 | France | Nationality requirement for registration as a land surveyor and valuer | Reasoned opinion |
| | 157E009; 157E012 | A/83/069 | France | Charge for imports of seeds and plants | Discontinued |
| | 383R1226 | A/84/079 | Ireland | Import of new potatoes originating in Cyprus | Reasoned opinion |
| | 157E009 | A/84/154 | Greece | Charge for price control of imported products | Discontinued |
| | 157E009; 157E028; 368R0950 | A/84/277 | Belgium | Charge for customs presentation of postal parcels | Terminated |
| | 157E009; 157E028; 368R0950 | A/84/342 | Belgium | Duty-free importation of military equipment | Reasoned opinion |
| | 157E009; 157E028; 368R0950 | A/84/343 | Denmark | Duty-free importation of military equipment | Reasoned opinion |
| Customs union | 157E009; 157E028; 368R0950 | A/84/344 | United Kingdom | Duty-free importation of military equipment | Reasoned opinion |
| | 157E009; 157E028; 368R0950 | A/84/345 | Italy | Duty-free importation of military equipment | Reasoned opinion |
| | 157E009; 157E028, 368R0950 | A/84/346 | Luxembourg | Duty-free importation of military equipment | Reasoned opinion |
| | 157E009; 157E028; 368R0950 | A/84/347 | Netherlands | Duty-free importation of military equipment | Reasoned opinion |
| | 682J0199 | A/84/437 | France | Repayment of national charges having equivalent effect | Reference to the Court of Justice (Case 105/86) |
| | 682J0199 | A/84/438 | Italy | Repayment of national charges having equivalent effect | Reference to the Court of Justice (Case 104/86) |
| | 157E009; 157E012; 157E171 | A/85/034 | Belgium | Inspection fees on importation of poultrymeat | Terminated |

| Sector | Legal basis | Inf. No | Member State | Subject | Stage of proceedings |
|-------------------------------------------|--------------------------------------------|----------|--------------|------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|
| Customs union (<i>cont'd</i>) | 157E009 | A/85/038 | Germany | Special levy on the import of livestock | Reasoned opinion |
| | 157E009; 181H029 | A/86/229 | Greece | Bank charge for checking imported products | Reasoned opinion |
| Competition | 157E037 | A/83/294 | France | Potash fertilizers monopoly | Reasoned opinion |
| | 157E037; 179H040 | A/84/287 | Greece | Petroleum products monopoly | Reasoned opinion |
| | 157E005; 157E089 | A/85/193 | Belgium | Air transport — refusal to give assistance | Terminated |
| | 157E005; 157E089 | A/85/194 | France | Air transport — refusal to give assistance | Terminated |
| | 157E005; 157E089 | A/85/195 | Greece | Air transport — refusal to give assistance | Terminated |
| | 157E005; 157E089 | A/85/196 | Italy | Air transport — refusal to give assistance | Terminated |
| | 157E005; 157E089 | A/85/197 | Ireland | Air transport — refusal to give assistance | Reasoned opinion |
| | 157E005; 157E089 | A/85/198 | Denmark | Air transport — refusal to give assistance | Reasoned opinion |
| | 157E005; 157E089 | A/85/206 | Germany | Air transport — refusal to give assistance | Terminated |
| | 157E095 | A/81/083 | France | Parafiscal charge in horticulture | Reasoned opinion |
| | 157E052 | A/81/269 | France | Refusal to grant to the French branches of foreign companies the benefit of tax credits on the same terms as those enjoyed by French companies | Reference to the Court of Justice (Case 270/83) Judgment 28. 1. 1986 |
| | Financial institutions and taxation | 157E095 | A/82/277 | Ireland | Differential taxation in respect of excise duties on wines |
| 157E095 | | A/82/278 | Italy | Differential taxation in respect of excise duties on liqueur wines | Terminated |
| 157E095 | | A/82/279 | Italy | Differential taxation in respect of excise duties on sparkling wines | Terminated |
| 157E095 | | A/82/280 | Denmark | Differential taxation in respect of excise duties on fruit wines | Reference to the Court of Justice (Case 106/84) Judgment 4. 3. 1986 |
| 157E095 | | A/82/330 | Italy | Taxation of vehicles with an engine capacity greater than 2 500 cm ³ | Reference to the Court of Justice (Case 200/85) Judgment 16. 12. 1986 |
| 157E095 | | A/82/331 | France | Special tax on motor vehicles | Discontinued |
| 157E095 | | A/83/038 | Ireland | Import of tyres | Discontinued |

| Sector | Legal basis | Inf. No | Member State | Subject | Stage of proceedings |
|-------------|---------------------------------------|----------|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|
| Agriculture | 157E030; 370R1698 | A/72/212 | Germany | Wine Law 1971 | Reference to the Court of Justice (Case 116/82) Judgment 18. 9. 1986 |
| | 157E030 | A/81/008 | Italy | Imports of live animals transported by lorry | Terminated |
| | 379R0337; 377R0516; 372R1035; 157E171 | A/81/090 | Italy | Regional aids to the wine and fruit and vegetable sectors in Sicily | Reference to the Court of Justice (Case 169/82) Judgment 27. 3. 1984 New proceedings started A/86/445 |
| | 368R0804; 378R1422; 379R1565 | A/82/078 | United Kingdom | Milk Marketing Boards | Reference to the Court of Justice (Case 23/84) Judgment 2. 12. 1986 |
| | 157E171; 157E030 | A/82/291 | Ireland | Requirement of licences in respect of the import of potatoes and refusal to grant a licence for the import of potatoes in free circulation in the Community | Reference to the Court of Justice (Case 288/83) Judgment 11. 6. 1985 New proceedings started A/86/099 |
| | 379R0337; 379R0338 | A/83/030 | Germany | Grape must | Reference to the Court of Justice (Case 48/85) Judgment 18. 9. 1986 |
| | 157E030; 368R0804 | A/83/035 | Italy | 'Cagliata' cheeses — systematic checks on imports | Terminated |
| | 157E030; 368R0804 | A/83/041 | Greece | Age of butter | Reasoned opinion |
| | 157E030; 368R0804 | A/83/060 | Italy | Restrictions on import of milk | Terminated |
| | 378R1422; 379R1565; 157E030 | A/83/061 | United Kingdom | Milk Marketing Boards | Reference to the Court of Justice (Case 428/85) |
| | 380R0456 | A/83/079 | Italy | Delays in the granting of abandonment premiums in respect of areas under vines | Reference to the Court of Justice (Case 309/84) Judgment 20. 2. 1986 |
| | 157E092 | A/83/082 | Greece | Marketing aids for new potatoes | Linked to infringement A/84/324 |
| | 157E030; 181H065 | A/83/085 | Greece | Import ban on bananas | Reference to the Court of Justice (Case 194/85) |

| Sector | Legal basis | Inf. No | Member State | Subject | Stage of proceedings |
|---------------------------------------|------------------------------|----------|----------------|----------------------------------------------------------------------------|--------------------------------------------------------------------------|
| Agriculture <i>(cont'd)</i> | 375R2759; 157E030 | A/83/086 | Greece | Import licence for pigmeat | Reasoned opinion |
| | 379R0338 | A/83/115 | Italy | Lago di Caldaro wine | Reasoned opinion |
| | 368R0804; 157E030 | A/83/155 | United Kingdom | Milk products | Reasoned opinion |
| | 157E030; 157E106 | A/83/185 | Greece | Restrictions on intra-Community trade in meat | Reasoned opinion |
| | 375R2727; 157E092 | A/83/186 | Greece | Export prices of pasta products | Discontinued |
| | 157E030 | A/84/001 | Belgium | Measures in respect of the distributive trades and of fruit and vegetables | Reference to the Court of Justice (Case 255/86) |
| | 368R0804; 379R0262 | A/84/085 | Italy | Marketing of fractionated concentrated butter | Reasoned opinion |
| | 681J0124; 157E030; 157E036 | A/84/105 | United Kingdom | Pasteurized milk | Reference to the Court of Justice (Case 261/85) |
| | 377R2680 | A/84/128 | Italy | Sugar market | Discontinued |
| | 157E030 | A/84/180 | United Kingdom | Restrictions on meat imports | Reference to the Court of Justice (Case 124/85) Judgment 16. 12. 1986 |
| | 368R0804; 368R0986; 379R1725 | A/84/181 | Italy | Denaturing of skimmed milk | Terminated |
| | 368R0805; 157E030 | A/84/253 | Italy | Quantitative limit on the importation of beef cattle through Ventimiglia | Terminated |
| | 372R1035; 157E030; 157E0106 | A/84/254 | Greece | Obstacles to the import of fruit and vegetables | Reasoned opinion |
| | 157E030; 157R106; 368R0234 | A/84/268 | Greece | Import of live plants | Reasoned opinion |
| | 368R0805; 157E030 | A/84/284 | Greece | Ban on importing beef other than as carcasses or half-carcasses | Reference to the Court of Justice (Case 124/84) |
| | 373R205; 372R1204; 371R2114 | A/84/291 | Italy | Inspection of oilseeds imported from non-Community countries | Terminated |
| | 366R0136 | A/84/308 | Italy | Designation of olive oil for export to non-member countries | Terminated |
| | 375R2782; 377R1868 | A/84/309 | Italy | Forwarding of hatching statistics | Reference to the Court of Justice (Case 113/86) |

| Sector | Legal basis | Inf. No | Member State | Subject | Stage of proceedings |
|-----------------------------------------|------------------------------------------|----------|-------------------------------------------------|--------------------------------------------------------------------------------------------------|----------------------------------------------------|
| Agriculture (<i>cont'd</i>) | 368R805; 375R2759; 157E030 | A/84/327 | Germany | Export of agar preserved meat | Reference to the Court of Justice (Case 148/86) |
| | 157E030; 157E106; 375R2727 | A/84/341 | Greece | Currency authorization required for importation of wheat | Reference to the Court of Justice (Case 240/86) |
| | 371R2358; 157E030; 157E034; 157E037 | A/84/348 | Greece | Exclusive rights to import grain maize | Terminated |
| | 157E030 | A/84/357 | Italy | Inspection lanes | Terminated |
| | 157E189; 157E005; 379R0337 | A/84/358 | Germany | Increase in alcoholic strength of Moselle wines | Reference to the Court of Justice (Case 74/86) |
| | 368R0804; 157E030 | A/84/359 | Luxembourg | National symbol refused for certain butters | Reasoned opinion |
| | 379R0337; 157E030 | A/84/360 | Germany | Protection of the <i>Bocksbentel</i> bottle | Reference to the Court of Justice (Case 87/86) |
| | 157E030; 368R0805; 375R2759; 380R1837 | A/84/384 | Greece | Closure of the ports of Patras and Igoumenitsa for unloading livestock | Reasoned opinion |
| | 384R0857 | A/84/387 | Italy | Milk levy | Reference to the Court of Justice (Case 394/85) |
| | 157E005; 157E030; 157E036 | A/84/389 | Italy | Excessively long delays in carrying out animal and plant health checks at the Modane border post | Reasoned opinion |
| | 379R337; 157E030 | A/85/016 | Germany | Sparkling wines | Reasoned opinion |
| | 372R1035; 371R1641; 157E030 | A/85/018 | France | Marketing of pears | Discontinued |
| | 157E171; 372R1035; 369R2638; 380R2150 | A/85/068 | Italy | Quality standards for fruit and vegetables | Reference to the Court of Justice (Case 69/86) |
| | 379R0337; 379R0355 | A/85/074 | France | Coupage of rosé table wines | Terminated |
| | 380R1837; 382R0019; 383R0020; 157E113 | A/85/101 | Greece | Prices for sheep and goats imported from Hungary | Reasoned opinion |
| 157E030 | A/85/117 | Greece | Quality standards for imported deep-frozen meat | Reasoned opinion | |

| Sector | Legal basis | Inf. No | Member State | Subject | Stage of proceedings |
|----------------------------------|------------------------------------------|----------|----------------|-----------------------------------------------------------------------------------|----------------------------------------------------|
| Agriculture (<i>cont'd</i>) | 366R0136; 157E030; 157E034 | A/85/142 | Greece | Obstacles to trade in olive oil | Reference to the Court of Justice (Case 272/86) |
| | 157E171; 376R2967; 380R2785 | A/85/207 | Italy | Water content of frozen poultry | Terminated |
| | 157E171; 368R0804 | A/85/242 | Italy | Selling price for milk | Reference to the Court of Justice (Case 225/86) |
| | 157E034 | A/85/257 | France | Formalities required on export of horses | Reasoned opinion |
| | 385D0341 | A/85/292 | Italy | Protection against swine fever | Reference to the Court of Justice (Case 11/86) |
| | 157E030; 375R2777; 682J0040; 157E171 | A/85/397 | United Kingdom | Newcastle disease — restrictions on imports of poultrymeat and eggs | Formal notice |
| | 157E171; 682J0074; 157E030; 375R2777 | A/85/398 | Ireland | Newcastle disease — restrictions on imports of poultrymeat and eggs | Formal notice |
| | 157E030; 157E106; 368R0804 | A/85/401 | Greece | Maximum prices for cheeses and other milk products | Reasoned opinion |
| | 384R2261; 157E040 | A/85/413 | Greece | Recognition of olive oil producer organizations: recognition of cooperatives only | Reasoned opinion |
| | 157E030; 157E106; 375R2727 | A/85/430 | Greece | Import of wheat; revoking of authorizations and insistence on re-export | Reference to the Court of Justice (Case 240/86) |
| | 157E034; 384R3444; 385R0626; 385R2146 | A/85/462 | Greece | Restrictions on import of dried grapes | Reasoned opinion |
| | 375R2727 | A/86/025 | Greece | Purchase of substandard durum wheat from 1982 harvest | Reasoned opinion |
| | 157E171; 683J0288; 157E030 | A/86/099 | Ireland | Restrictions on potato imports | Formal notice |
| | 366R0136; 157E034 | A/86/108 | Greece | Barriers to trade in olive oil | Reference to the Court of Justice (Case 212/86) |
| | 157E106; 157E034; 386R0426 | A/86/122 | Greece | Refusal to authorize transfer of foreign currency | Reasoned opinion |
| | 379R0337; 377R0516; 372R1035; 157E171 | A/86/445 | Italy | Aid from Sicilian region to wine growers, tomato growers and durum wheat growers | Formal notice |

| Sector | Legal basis | Inf. No | Member State | Subject | Stage of proceedings |
|---------------------------|------------------------------------------------------------------|----------|--------------|---------------------------------------------------------------------------|-------------------------------------------------|
| Transport | 369R0543; 385R3820 | A/80/145 | France | Road transport — failure to implement health and safety regulations | Reference to the Court of Justice (Case 7/84) |
| Energy | 157A064 | A/75/002 | France | Toll enrichment (uranium) | Reasoned opinion |
| External relations | 157E113; 374D0393 | A/84/127 | France | Disregard of Community powers in the field of commercial policy (USSR) | Terminated |
| | 374D393 (Article 1, paragraphs 1 and 2) | A/84/162 | Greece | Failure to notify a cooperation agreement (Algeria) | Terminated |
| | 374D0393 | A/84/164 | Greece | Failure to notify a cooperation agreement (USSR) | Terminated |
| | 374D0393 | A/84/165 | Greece | Failure to notify a cooperation agreement (China) | Terminated |
| Development | Lomé Convention | A/84/392 | Greece | Ban of importation of bananas from ACP countries | Reference to the Court of Justice (Case 241/85) |
| Miscellaneous | 152K092 | A/85/200 | Greece | Issue of an EEC/Euratom order for enforcement | Reasoned opinion |
| | 157E192; 157A164 | A/85/201 | Greece | Issue of an EEC/Euratom order for enforcement | Discontinued |
| Fisheries | 383R0170; 382R2057; 383R0098; 383R3624; 384R0320; 385R0001 | A/84/404 | Netherlands | Overfishing 1983 and 1984 | Reasoned opinion |
| | 382R2057; 383R0171 | A/84/445 | France | Fisheries; inadequate compliance with technical conservation measures | Reasoned opinion |
| | 383R0170; 382R2057; 383R0098; 383R3624; 384R0320; 385R0001 | A/85/354 | Netherlands | Overfishing 1985 | Reasoned opinion |
| | 157E052 | A/85/394 | Ireland | Lack of conformity with Community law of the Fisheries Amendment Act 1983 | Reasoned opinion |

ANNEX B

Infringement of directives

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Explanation of entries

| | |
|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 78/546 | = number of directive |
| (31. 12. 1980) | = deadline for incorporation of directive into national law |
| blank | = no measures notified by 31 December 1986 although measures may in fact have been taken/measures notified by MS currently under study/infringement proceedings decided but not yet initiated |
| yes | = national implementing measures notified |
| n.m.n. | = proceedings initiated or pursued on the grounds that no measures have been notified |
| n.p.i. | = proceedings pursued on the grounds that the directive has not been properly incorporated into national law |
| n.p.a. | = proceedings pursued on the grounds that the directive is not being properly applied |
| 1. 1. 1984 | = deadline for incorporation by the particular Member State |
| A 74/82 | = infringement number (/82 = year in which proceedings were initiated) |
| Case 101/84 | = number of case on Court of Justice register |
| Judgment 18. 3. 1980 | = date of Court judgment |

| Directive | Subject | B | D | DK | F | GB | GR | I | IRL | L | NL |
|-----------------------------------------------|-------------------------------------------------------|-----|-----|-----|-----|-----|-------------------------------------------|---------------------------------------------------------------------------------------------------------|-----|-----|-----|
| Statistical questions | | | | | | | | | | | |
| 78/546 (31. 12. 1980) | Statistical returns — carriage of goods by road | yes | yes | yes | yes | yes | yes | A 74/82 n.p.a. Judgment 11. 7. 1985 Case 101/84 | yes | yes | yes |
| Internal market and industrial affairs | | | | | | | | | | | |
| 64/54 (1. 1. 1981) | Preservatives | yes | yes | yes | yes | yes | A 278/84 n.p.a. reasoned opinion | yes | yes | yes | yes |
| 65/65 (4. 8. 1966) | Proprietary medicinal products | yes | yes | yes | yes | yes | yes | A 29/80 n.p.i. Judgment 15. 3. 1983 Case 145/82 A 53/85 n.p.i. reasoned opinion | yes | yes | yes |
| 71/305 (29. 7. 1972) | Public works contracts | yes | yes | yes | yes | yes | yes | A 92/83 n.p.a. reference Case 199/85 | yes | yes | yes |
| 73/361 (1. 1. 1981) | Marking of wire- ropes and chains | yes | yes | yes | yes | yes | A 409/86 n.m.n. 169 letter | yes | yes | yes | yes |

| Directive | Subject | B | D | DK | F | GB | GR | I | IRL | L | NL |
|--------------------------|----------------------------------|-----------------------------------------------|-----|-----|-----|-----|----------------------------------|---------------------------------------------------------------------------------------------------------|-----|-----|-----|
| 75/318 (22. 11. 1976) | Proprietary medicinal products | yes | yes | yes | yes | yes | | A 29/80 n.m.n. Judgment 15. 3. 1983 Case 145/82 A 53/85 n.p.i. reasoned opinion | yes | yes | yes |
| 75/319 (22. 11. 1976) | Proprietary medicinal products | yes | yes | yes | yes | yes | | A 29/80 n.m.n. Judgment 15. 3. 1983 Case 145/82 A 53/85 n.p.i. reasoned opinion | yes | yes | yes |
| 75/324 (1. 1. 1981) | Aerosols | yes | yes | yes | yes | yes | A 410/86 n.m.n. 169 letter | yes | yes | yes | yes |
| 75/363 (20. 12. 1976) | Doctors | A 85/82 n.p.i. reference Case 306/84 | yes | yes | yes | yes | yes | yes | yes | yes | yes |
| 76/117 (1. 1. 1981) | Electrical equipment | yes | yes | yes | yes | yes | A 411/86 n.m.n. 169 letter | yes | yes | yes | yes |
| 76/434 (1. 1. 1981) | Marking of wire-ropes and chains | yes | yes | yes | yes | yes | A 412/86 n.m.n. 169 letter | yes | yes | yes | yes |

| Directive | Subject | B | D | DK | F | GB | GR | I | IRL | L | NL |
|-------------------------|-----------------------------|-----|-------------------------------------------------------------|-----|------------------------------------------------|-----------------------------------------------|------------------------------------------------|-------------------------------------------|-----|-----|-----|
| 76/756 (1. 10. 1977) | Motor vehicles | yes | yes | yes | yes | A 232/84 n.p.i. reference Case 60/86 | yes | yes | yes | yes | yes |
| 76/767 (1. 1. 1981) | Pressure vessels | yes | yes | yes | yes | yes | A 413/86 n.m.n. 169 letter | yes | yes | yes | yes |
| 76/891 (1. 1. 1981) | Electrical energy metres | yes | yes | yes | yes | yes | A 414/86 n.m.n. 169 letter | yes | yes | yes | yes |
| 77/62 (22. 6. 1978) | Public supply contracts | yes | yes | yes | yes | yes | A 382/84 n.p.a. reference Case 84/86 | A 466/85 n.p.a. reasoned opinion | yes | yes | yes |
| 77/249 (24. 3. 1979) | Lawyers | yes | A 56/83 n.p.i. reference Case 427/85 | yes | A 450/84 n.p.i. reasoned opinion | yes | A 189/85 n.m.n. reference Case 282/86 | yes | yes | yes | yes |
| 77/452 (29. 6. 1979) | Nurses | yes | A 105/80 n.p.i. Judgment 23. 5. 1985 Case 29/84 | yes | A 324/82 n.p.a. reference Case 307/84 | yes | yes | yes | yes | yes | yes |
| 77/453 (29. 6. 1979) | Nurses | yes | A 105/80 n.p.i. Judgment 23. 5. 1985 Case 29/84 | yes | A 324/82 n.p.a. reference Case 307/84 | yes | yes | yes | yes | yes | yes |

| Directive | Subject | B | D | DK | F | GB | GR | I | IRL | L | NL |
|---------------------------|-----------------------------|-----|------------------------------------------------|-----|-----|-----|----------------------------------|--------------------------------------------------------------|-----|-----|-----|
| 77/536 (30. 12. 1978) | Tractors | yes | yes | yes | yes | yes | A 433/86 n.m.n. 169 letter | yes | yes | yes | yes |
| 78/686 (28. 1. 1980) | Dentists | yes | A 232/80 n.p.i. reference Case 223/83 | yes | yes | yes | yes | yes | yes | yes | yes |
| 78/1027 (21. 12. 1980) | Veterinary surgeons | yes | yes | yes | yes | yes | yes | A 259/81 n.p.i. Judgment 18. 9. 1984 Case 221/83 | yes | yes | yes |
| 79/196 (1. 1. 1981) | Electrical energy meters | yes | yes | yes | yes | yes | A 415/86 n.m.n. 169 letter | yes | yes | yes | yes |
| 80/154 (23. 1. 1983) | Midwives | yes | A 40/84 n.p.i. reasoned opinion | yes | yes | yes | yes | yes | yes | yes | yes |
| 80/155 (23. 1. 1983) | Midwives | yes | A 158/84 n.p.i. reference opinion | yes | yes | yes | yes | yes | yes | yes | yes |
| 80/720 (27. 12. 1981) | Tractors | yes | yes | yes | yes | yes | yes | A 206/83 n.m.n. reference Case 396/85 | yes | yes | yes |

| Directive | Subject | B | D | DK | F | GB | GR | I | IRL | L | NL |
|---------------------------------------|-------------------------------|------------------------------------------------|------------------------------------------|-----|------------------------------------------------|-----|----------------------------------|-----|------------------------------------------------|------------------------------------------|-----|
| 80/767 (1. 1. 1981) | Public supply contracts | yes | yes | yes | yes | yes | A 257/86 n.m.n. 169 letter | yes | yes | yes | yes |
| 80/781 (1. 1. 1984) | Dangerous preparations | yes | A 87/85 n.m.n. reasoned opinion | yes | yes | yes | yes | yes | yes | A 88/85 n.m.n. reasoned opinion | yes |
| 80/876 (16. 1. 1982) | Straight fertilizers | | yes | yes | | | yes | | yes | | |
| 80/1268 (30. 6. 1982) | Motor vehicles | A 218/83 n.m.n. reference Case 408/85 | yes | yes | yes | yes | yes | yes | yes | yes | yes |
| 80/1269 (30. 6. 1982) | Motor vehicles | A 220/83 n.m.n. reference Case 408/85 | yes | yes | yes | yes | yes | yes | yes | yes | yes |
| 81/334 (1. 1. 1982) | Motor vehicles | yes | yes | yes | yes | yes | A 434/86 n.m.n. 169 letter | yes | yes | yes | yes |
| 81/487 (1. 7. 1983/ 1. 7. 1984) | Fruit juice | yes | yes | yes | A 196/84 n.m.n. reference Case 133/86 | yes | yes | yes | yes | yes | yes |
| 81/851 (9. 10. 1983) | Veterinary medicinal products | yes | yes | yes | yes | yes | yes | yes | A 294/84 n.m.n. reference Case 421/85 | yes | yes |

| Directive | Subject | B | D | DK | F | GB | GR | I | IRL | L | NL |
|-------------------------|------------------------------------------|------------------------------------------------|------------------------------------------|-----|------------------------------------------------|-----|----------------------------------|------------------------------------------------|------------------------------------------------|------------------------------------------------|----------------------------------|
| 81/852 (9. 10. 1983) | Veterinary medicinal products | yes | yes | yes | yes | yes | yes | yes | A 295/84 n.p.i. reference Case 421/85 | yes | A 122/85 n.m.n. 169 letter |
| 81/916 (1. 7. 1983) | Paints, varnishes, inks and adhesives | yes | yes | yes | yes | yes | | yes | yes | A 414/84 n.m.n. reference Case 245/86 | yes |
| 82/76 (31. 12. 1982) | Doctors | yes | yes | yes | yes | yes | yes | A 6/85 n.p.i. reference Case 49/86 | yes | yes | yes |
| 82/242 (8. 10. 1983) | Biodegradability of surfactants | A 374/84 n.m.n. reference Case 134/86 | yes | yes | A 376/84 n.m.n. reference Case 185/86 | yes | | A 378/84 n.m.n. reference Case 309/86 | yes | yes | yes |
| 82/243 (8. 10. 1983) | Biodegradability of surfactants | A 375/84 n.m.n. reference Case 134/86 | yes | yes | A 377/84 n.m.n. reference Case 185/86 | yes | | A 379/84 n.m.n. reference Case 309/86 | yes | yes | yes |
| 82/470 (2. 1. 1984) | Services incidental to transport | A 123/85 n.p.i. reference Case 283/86 | yes | yes | yes | yes | A 127/85 n.m.n. 169 letter | A 126/85 n.m.n. reference Case 310/86 | yes | yes | yes |
| 82/473 (1. 1. 1984) | Solvents | yes | A 91/85 n.m.n. reasoned opinion | yes | yes | yes | yes | yes | yes | A 92/85 n.m.n. reasoned opinion | yes |

| Directive | Subject | B | D | DK | F | GB | GR | I | IRL | L | NL |
|---------------------------------------------------------|-----------------------------|------------------------------------------------|----------------------------------|-----|-----------------------------------------------|-------------------------------------------|----------------------------------|------------------------------------------------|----------------------------------|-----|-----|
| 82/489 (23. 1. 1984) | Hairdressers | yes | yes | yes | A 96/85 n.m.n. reference Case 284/86 | yes | yes | A 259/85 n.p.i. reasoned opinion | yes | yes | yes |
| 82/621 (1. 1. 1983) | Electrical energy meters | yes | yes | yes | yes | yes | A 416/86 n.m.n. 169 letter | yes | yes | yes | yes |
| 82/712 (30. 6. 1984) | Antioxidants | yes | yes | yes | A 178/85 n.m.n. reasoned opinion | yes | yes | yes | yes | yes | yes |
| 82/806 (25. 11. 1983) | Dangerous substances | yes | yes | yes | yes | A 365/84 n.m.n. reasoned opinion | yes | yes | yes | yes | yes |
| 82/890 (21. 6. 1984) | Tractors | yes | yes | yes | yes | yes | A 435/86 n.m.n. 169 letter | yes | yes | yes | yes |
| 82/953 (30. 9. 1983) | Tractors | A 213/84 n.m.n. reference Case 409/85 | yes | yes | yes | yes | A 436/86 n.m.n. 169 letter | A 233/84 n.m.n. reference Case 397/85 | yes | yes | yes |
| 83/128 (1. 1. 1986) | Clinical thermometers | yes | A 192/86 n.m.n. 169 letter | yes | yes | A 193/86 n.m.n. 169 letter | yes | A 194/86 n.m.n. 169 letter | A 195/86 n.m.n. 169 letter | yes | yes |
| 83/189 | Technical standards | yes | yes | yes | yes | yes | yes | A 169/86 n.p.a. reasoned opinion | yes | yes | yes |
| 83/190 (30. 9. 1983/ 1. 10. 1983/ 1. 10. 1984) | Tractors | A 214/84 n.m.n. reference Case 409/85 | yes | yes | yes | yes | A 437/86 n.m.n. 169 letter | A 234/84 n.m.n. reference Case 397/85 | yes | yes | yes |

| Directive | Subject | B | D | DK | F | GB | GR | I | IRL | L | NL |
|-------------------------|--------------------------------------------|-------------------------------------------|----------------------------------|-----|----------------------------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|-------------------------------------------|-----|
| 84/47 (1. 1. 1985) | Electrical equipment | yes | yes | yes | yes | yes | A 417/86 n.m.n. 169 letter | yes | yes | A 458/85 n.m.n. reasoned opinion | yes |
| 84/291 (30. 4. 1985) | Pesticides | yes | yes | yes | A 161/86 n.m.n. 169 letter | yes | yes | A 162/86 n.m.n. 169 letter | yes | A 163/86 n.m.n. 169 letter | yes |
| 84/372 (1. 10. 1984) | Sound level of motor vehicles | A 21/85 n.m.n. reasoned opinion | yes | yes | yes | yes | A 438/86 n.m.n. 169 letter | yes | yes | yes | yes |
| 84/414 (1. 1. 1986) | Thermometers | yes | A 197/86 n.m.n. 169 letter | yes | yes | A 198/86 n.m.n. 169 letter | yes | A 199/86 n.m.n. 169 letter | A 200/86 n.m.n. 169 letter | yes | yes |
| 84/424 (1. 1. 1985) | Motor vehicles | A 460/85 n.m.n. reasoned opinion | yes | yes | yes | yes | A 439/86 n.m.n. 169 letter | yes | yes | yes | yes |
| 84/525 (26. 3. 1986) | Steel gas cylinders | | | | yes | | | yes | | | yes |
| 84/526 (26. 3. 1986) | Aluminium gas cylinders | | | | yes | | | yes | | | yes |
| 84/527 (26. 3. 1986) | Unalloyed steel gas cylinders | | | | yes | | | yes | | | yes |
| 84/528 (26. 9. 1986) | Lifting and mechanical handling appliances | | | yes | | yes | | | | | |
| 84/529 (26. 9. 1986) | Lifts | | | yes | | yes | | | | | |

| Directive | Subject | B | D | DK | F | GB | GR | I | IRL | L | NL |
|--------------------------|--------------------------------------------|------------------------------------------|----------------------------------|-----|-----|-----|----------------------------------|----------------------------------|----------------------------------|-----|------------------------------------------|
| 84/532 (26. 3. 1986) | Plant and equipment materials | yes | yes | yes | yes | yes | | | | | |
| 84/539 (26. 9. 1986) | Electro-medical equipment used in medicine | | yes | | | | | | | yes | |
| 85/1 (1. 7. 1985) | Units of measurement | yes | yes | yes | yes | yes | yes | A 2/86 n.m.n. 169 letter | yes | yes | yes |
| 85/10 (20. 12. 1985) | Prepackaged liquids | yes | yes | yes | yes | yes | yes | A 201/86 n.m.n. 169 letter | yes | yes | yes |
| 85/146 (1. 1. 1986) | Measures of length | yes | A 202/86 n.m.n. 169 letter | yes | yes | yes | yes | A 203/86 n.m.n. 169 letter | A 204/86 n.m.n. 169 letter | yes | yes |
| 85/205 (1. 10. 1985) | Motor vehicles | A 19/86 n.m.n. reasoned opinion | yes | yes | yes | yes | A 440/86 n.m.n. 169 letter | yes | yes | yes | A 21/86 n.m.n. reasoned opinion |
| 85/467 (30. 6. 1986) | Dangerous substances | yes | | yes | | yes | | | | yes | yes |
| 85/585 (31. 12. 1986) | Preservatives | | | | | | | | | | |
| 85/647 (30. 9. 1986) | Motor vehicles | yes | | yes | yes | | | | yes | | |
| 86/312 (27. 9. 1986) | Lifts | | | yes | | | | | | | yes |

| Directive | Subject | B | D | DK | F | GB | GR | I | IRL | L | NL |
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| Financial institutions and company law | | | | | | | | | | | |
| 68/151 (11. 9. 1969) | Company law | yes | yes | yes | yes | yes | A 432/85 n.m.n. reasoned opinion | yes | yes | yes | yes |
| 73/239 (31. 1. 1975) | Taking up of business of direct insurance | yes | yes | yes | A 68/76 n.m.n. reasoned opinion | yes | yes | yes | yes | yes | yes |
| 77/91 (1. 1. 1981) | Safeguards of companies | yes | yes | yes | yes | yes | A 433/85 n.m.n. reasoned opinion | yes | yes | yes | yes |
| 78/473 (2. 12. 1979) | Community co-insurance | yes | A 126/83 n.p.i. Judgment 4. 12. 1986 Case 205/84 | A 57/82 n.p.i. Judgment 4. 12. 1986 Case 252/83 | A 265/81 n.p.i. Judgment 4. 12. 1986 Case 220/83 | yes | yes | A 82/85 n.m.n. reasoned opinion | A 127/83 n.p.i. Judgment 4. 12. 1986 Case 206/84 | yes | A 83/85 n.m.n. 169 letter |
| 78/660 (31. 1. 1982) | Annual accounts of companies | yes | A 304/82 n.m.n. reference Case 18/85 | yes | yes | yes | A 434/85 n.m.n. reasoned opinion | A 306/82 n.m.n. Judgment 20. 7. 1986 Case 17/85 | yes | yes | yes |
| 78/855 (12. 10. 1980) | Mergers | A 129/86 n.m.n. 169 letter | yes | yes | A 130/86 n.m.n. 169 letter | A 131/86 n.m.n. 169 letter | A 132/86 n.m.n. 169 letter | A 133/86 n.m.n. 169 letter | A 134/86 n.m.n. 169 letter | A 135/86 n.m.n. 169 letter | yes |
| 79/267 (15. 9. 1980) | Taking up of business of life assurance | yes | yes | yes | yes | yes | yes | A 31/84 n.m.n. reference Case 382/85 | yes | yes | A 33/84 n.m.n. reference Case 430/85 |

| Directive | Subject | B | D | DK | F | GB | GR | I | IRL | L | NL |
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| 79/279 (30. 6. 1983) | Admission to official listing | A 9/84 n.m.n. reference Case 390/85 | A 12/84 n.m.n. reference Case 359/85 | yes | A 372/84 n.p.i. reasoned opinion | yes | yes | yes | yes | yes | yes |
| 80/390 (30. 6. 1983) | Listing particulars for admission to official listing | A 10/84 n.m.n. reference Case 390/85 | A 13/84 n.m.n. reference Case 359/85 | yes | yes | yes | yes | yes | yes | yes | yes |
| 82/121 (30. 6. 1983) | Regular information to be published by companies | A 11/84 n.m.n. reference Case 390/85 | A 14/84 n.m.n. reference Case 359/85 | yes | yes | yes | yes | yes | yes | yes | yes |
| 82/891 (1. 1. 1986) | Division of public liability companies | A 129/86 n.m.n. 169 letter | yes | yes | A 130/86 n.m.n. 169 letter | A 131/86 n.m.n. 169 letter | A 132/86 n.m.n. 169 letter | A 133/86 n.m.n. 169 letter | A 134/86 n.m.n. 169 letter | A 135/86 n.m.n. 169 letter | yes |
| 85/303 (1. 1. 1986) | Indirect taxes of capital | yes | yes | yes | yes | yes | A 185/86 n.m.n. 169 letter | yes | yes | A 186/86 n.m.n. 169 letter | yes |
| Employment, social affairs and education | | | | | | | | | | | |
| 75/129 (19. 2. 1977) | Collective redundancies | yes | yes | yes | yes | yes | yes | A 45/78 n.m.n. Judgment 8. 6. 1982 Case 91/81 | yes | yes | yes |
| | | | | | | | | A 102/83 n.m.n. Judgment 6. 11. 1985 Case 131/84 | | | |

| Directive | Subject | B | D | DK | F | GB | GR | I | IRL | L | NL |
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| 76/207 (12. 8. 1978) | Equal treatment for men and women | yes | A 3/82 n.p.i. Judgment 21. 5. 1985 Case 248/83 | yes | A 312/84 n.p.i. reference Case 318/86 | A 131/80 n.p.i. Judgment 8. 11. 1983 Case 165/82 | yes | yes | yes | A 75/83 n.p.i. reference Case 180/86 | yes |
| 77/187 (16. 2. 1979) | Transfers of business | A 23/82 n.p.i. Judgment 15. 4. 1986 Case 237/84 | yes | yes | yes | yes | yes | A 24/82 n.p.i. Judgment 10. 7. 1986 Case 235/84 | yes | yes | yes |
| 79/7 (22. 12. 1984) | Equal treatment as regards social security | A 220/85 n.p.i. reasoned opinion | yes | yes | yes | yes | yes | yes | A 246/86 n.m.n. 169 letter | A 247/86 n.m.n. 169 letter | yes |
| 80/836 (3. 12. 1982) | Health protection ionizing radiation (Euratom) | | yes | yes | yes | yes | yes | yes | yes | | yes |
| 80/987 (22. 10. 1983) | Protection of employees in the event of the insolvency of the employer | yes | yes | yes | yes | yes | yes | A 118/86 n.p.i. reasoned opinion | yes | yes | yes |
| 80/1107 (4. 12. 1983/ 4. 12. 1984) | Protection of workers — chemical, physical and biological agents | A 363/85 n.m.n. 169 letter | yes | yes | yes | yes | yes | yes | yes | A 365/85 n.m.n. 169 letter | yes |

| Directive | Subject | B | D | DK | F | GB | GR | I | IRL | L | NL |
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| 82/147 (31. 12. 1982) | Cosmetics | yes | yes | yes | yes | yes | yes | A 140/83 n.m.n. reference Case 367/85 | yes | yes | yes |
| 82/176 (25. 3. 1984) | Mercury discharges | yes | yes | A 39/85 n.m.n. 169 letter | yes | yes | A 421/85 n.m.n. 169 letter | yes | yes | yes | yes |
| 82/368 (31. 12. 1983) | Cosmetics | yes | yes | yes | yes | yes | yes | A 47/85 n.m.n. reasoned opinion | yes | yes | yes |
| 82/434 (31. 12. 1983) | Analysis of cosmetics products | yes | yes | yes | yes | yes | A 424/85 n.m.n. 169 letter | A 70/85 n.m.n. reference Case 173/86 | yes | yes | yes |
| 82/501 (8. 1. 1984) | Major-accident hazards | yes | yes | yes | yes | yes | yes | yes | yes | A 50/85 n.m.n. reference Case 311/86 | yes |
| 82/883 (9. 12. 1984) | Waste from the titanium dioxide industry | A 302/85 n.m.n. reasoned opinion | yes | yes | yes | yes | yes | yes | yes | yes | yes |
| 82/884 (9. 12. 1984) | Limit value for lead in the air | yes | yes | yes | yes | yes | A 426/85 n.m.n. 169 letter | yes | yes | yes | A 441/85 n.m.n. 169 letter |
| 83/191 (31. 12. 1984) | Cosmetics | yes | yes | yes | yes | yes | yes | A 436/85 n.m.n. 169 letter | yes | yes | yes |

| Directive | Subject | B | D | DK | F | GB | GR | I | IRL | L | NL |
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| 83/206 (26. 4. 1984) | Noise emissions of aircraft | yes | A 69/85 n.m.n. reasoned opinion | yes | yes | yes | yes | yes | yes | yes | yes |
| 83/341 (31. 12. 1984) | Cosmetics | yes | yes | A 326/85 n.p.i. reasoned opinion | yes | yes | | A 437/85 n.m.n. 169 letter | yes | yes | yes |
| 83/467 (1. 1. 1985) | Dangerous substances | yes | yes | yes | yes | yes | yes | A 30/86 n.m.n. 169 letter | yes | yes | |
| 83/496 (31. 12. 1984) | Cosmetics | yes | yes | yes | A 312/85 n.m.n. 169 letter | yes | | A 439/85 n.m.n. 169 letter | yes | yes | yes |
| 83/513 (28. 9. 1985) | Cadmium discharges | A 11/86 n.m.n. 169 letter | yes | yes | yes | yes | A 23/86 n.m.n. 169 letter | yes | yes | yes | yes |
| 83/514 (31. 12. 1984) | Cosmetics | yes | yes | yes | yes | yes | yes | A 438/85 n.m.n. 169 letter | yes | yes | yes |
| 83/574 (31. 12. 1984) | Cosmetics | yes | yes | A 327/85 n.m.n. 169 letter | A 316/85 n.m.n. 169 letter | yes | yes | A 440/85 n.m.n. 169 letter | yes | yes | yes |
| 83/623 (29. 11. 1985) | Textile names | A 252/86 n.m.n. 169 letter | A 149/86 n.m.n. 169 letter | yes | A 253/86 n.m.n. 169 letter | yes | yes | yes | yes | yes | A 254/86 n.m.n. 169 letter |

| Directive | Subject | B | D | DK | F | GB | GR | I | IRL | L | NL |
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| 84/156 (12. 3. 1986) | Mercury discharges | yes | yes | yes | yes | yes | A 395/86 n.m.n. 169 letter | A 349/86 n.m.n. 169 letter | yes | yes | yes |
| 84/415 (31. 12. 1985) | Cosmetics | yes | yes | yes | A 251/86 n.m.n. 169 letter | yes | yes | A 352/86 n.m.n. 169 letter | yes | yes | yes |
| 84/449 (1. 7. 1985) | Dangerous substances | yes | A 112/86 n.m.n. 169 letter | yes | yes | yes | yes | yes | A 113/86 n.m.n. 169 letter | A 18/86 n.m.n. 169 letter | yes |
| 84/450 (1. 10. 1986) | Misleading advertising | A 488/86 n.m.n. 169 letter | yes | yes | yes | yes | A 499/86 n.m.n. 169 letter | yes | yes | A 511/86 n.m.n. 169 letter | yes |
| 84/491 (1. 4. 1986) | Discharges of hexachlorocyclohexane | A 478/86 n.m.n. 169 letter | yes | yes | yes | yes | A 489/86 n.m.n. 169 letter | yes | yes | yes | yes |
| 84/533 (26. 3. 1986) | Power level of compressors | A 479/86 n.m.n. 169 letter | yes | yes | yes | yes | A 490/86 n.m.n. 169 letter | yes | yes | A 520/86 n.m.n. 169 letter | yes |
| 84/534 (26. 3. 1986) | Power level of Tower cranes | A 481/86 n.m.n. 169 letter | yes | yes | yes | yes | A 492/86 n.m.n. 169 letter | yes | yes | A 504/86 n.m.n. 169 letter | yes |
| 84/535 (26. 3. 1986) | Power level of welding generators | A 482/86 n.m.n. 169 letter | yes | yes | yes | yes | A 493/86 n.m.n. 169 letter | yes | yes | A 505/86 n.m.n. 169 letter | yes |

| Directive | Subject | B | D | DK | F | GB | GR | I | IRL | L | NL |
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| 84/536 (26. 3. 1986) | Power level of power generators | A 484/86 n.m.n. 169 letter | | | yes | yes | A 495/86 n.m.n. 169 letter | | | A 507/86 n.m.n. 169 letter | |
| 84/537 (26. 3. 1986) | Power level of powered hand-held concrete-breakers and picks | A 486/86 n.m.n. 169 letter | | | yes | yes | A 497/86 n.m.n. 169 letter | | | A 509/86 n.m.n. 169 letter | |
| 84/631 (1. 10. 1985) | Transfrontier shipment of hazardous waste | A 240/86 n.m.n. 169 letter | A 157/86 n.m.n. 169 letter | A 154/86 n.m.n. 169 letter | A 241/86 n.m.n. 169 letter | A 155/86 n.m.n. 169 letter | A 396/86 n.m.n. 169 letter | A 351/86 n.m.n. 169 letter | yes | A 156/86 n.m.n. 169 letter | A 242/86 n.m.n. 169 letter |
| 85/210 (1. 1. 1986) | Lead content of petrol | yes | yes | A 158/86 n.m.n. 169 letter | yes | yes | A 397/86 n.m.n. 169 letter | A 350/86 n.m.n. 169 letter | yes | A 159/86 n.m.n. 169 letter | A 243/86 n.m.n. 169 letter |
| 85/391 (31.12.1986) | Cosmetics | | yes | | | | | | yes | | |
| 85/405 (26. 3. 1986) | Noise emission of plant and equipment materials | | | | yes | yes | | | | | |
| 85/406 (26. 3. 1986) | Power level of compressors | A 480/86 n.m.n. 169 letter | | | yes | yes | A 491/86 n.m.n. 169 letter | | | A 503/86 n.m.n. 169 letter | |
| 85/407 (26. 3. 1986) | Power level of welding generators | A 483/86 n.m.n. 169 letter | | | yes | yes | A 494/86 n.m.n. 169 letter | | | A 506/86 n.m.n. 169 letter | |
| 85/408 (26. 3. 1986) | Power level of power generators | A 485/86 n.m.n. 169 letter | | | yes | yes | A 496/86 n.m.n. 169 letter | | | A 508/86 n.m.n. 169 letter | |

| Directive | Subject | B | D | DK | F | GB | GR | I | IRL | L | NL |
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| 85/409 (26. 3. 1986) | Power level of powered hand-held concrete-breakers and picks | A 487/86 n.m.n. 169 letter | | | yes | yes | A 498/86 n.m.n. 169 letter | | | A 510/86 n.m.n. 169 letter | |
| 85/411 (31. 7. 1986) | Conservation of wild birds | | | | | yes | | | | A 501/86 n.m.n. 169 letter | |
| 85/469 (1. 10. 1985) | Transfrontier shipment of hazardous waste | A 255/86 n.m.n. 169 letter | | | A 256/86 n.m.n. 169 letter | | A 396/86 n.m.n. 169 letter | | | A 500/86 n.m.n. 169 letter | A 244/86 n.m.n. 169 letter |
| 85/490 (31. 12. 1986) | Cosmetics | | yes | | | | yes | | yes | | |
| 86/179 (31. 12. 1986) | Cosmetics | | yes | | | | | | | | |
| 86/197 (31. 12. 1986) | Labelling of foodstuffs | | yes | | | | | | | | |
| 86/199 (31. 12. 1986) | Cosmetics | | | | | | | | | | |
| Agriculture | | | | | | | | | | | |
| 64/433 (1. 1. 1981) | Fresh meat | yes | yes | yes | yes | yes | A 117/85 n.m.n. reasoned opinion | yes | yes | yes | yes |
| 66/400 (31. 12. 1985) | Beet seed | yes | yes | yes | yes | yes | | yes | yes | yes | yes |

| Directive | Subject | B | D | DK | F | GB | GR | I | IRL | L | NL |
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| 66/401 (31. 12. 1985) | Fodder plant seed | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 66/402 (31. 12. 1985) | Cereal seed | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 66/403 (31. 12. 1985) | Seed potatoes | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 66/404 (31. 12. 1985) | Forest reproductive material | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 68/89 (31. 12. 1985) | Classification of untreated wood | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 68/193 (31. 12. 1985) | Material for the vegetative propagation of the vine | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 69/60 (31. 12. 1985) | Cereal seed | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 69/61 (31. 12. 1985) | Beet seed | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 69/62 (31. 12. 1985) | Seed potatoes | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 69/63 (31. 12. 1985) | Fodder plant seed | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 69/208 (31. 12. 1985) | Oil plant seed | yes | yes | yes | yes | yes | | yes | yes | yes | yes |

| Directive | Subject | B | D | DK | F | GB | GR | I | IRL | L | NL |
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| 70/457 (1. 7. 1972) (31. 12. 1985) | Agricultural plant catalogue | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 70/458 (31. 12. 1985) | Vegetable seed | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 70/524 (25. 11. 1972) | Additives in feedingsuffs | yes | A 1/80 n.p.a. Judgment 3. 10. 1985 Case 28/84 | yes | yes | yes | yes | yes | yes | yes | yes |
| 71/140 (31. 12. 1985) | Material for the vegetative propagation of the vine | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 71/161 (31. 12. 1985) | Forest reproduction material | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 71/162 (31. 12. 1985) | Seed | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 72/168 (31. 12. 1985) | Vegetable varieties | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 72/169 (31. 12. 1985) | Vine varieties | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 72/180 (31. 12. 1985) | Agricultural plant varieties | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 72/274 (31. 12. 1985) | Seed | yes | yes | yes | yes | yes | | yes | yes | yes | yes |

| Directive | Subject | B | D | DK | F | GB | GR | I | IRL | L | NL |
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| 73/418 (31. 12. 1985) | Seed | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 73/438 (31. 12. 1985) | Seed | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 74/13 (31. 12. 1985) | Forest reproductive material | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 74/63 (1. 1. 1976) | Undesirable substances — feedingsuffs | yes | A 1/80 n.p.a. Judgment 3. 10. 1985 Case 28/84 | yes | yes | yes | yes | yes | yes | yes | yes |
| 74/268 (31. 12. 1985) | 'Avena fatua' | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 74/649 (31. 12. 1985) | Material for the vegetative propagation of the vine | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 75/444 (31. 12. 1985) | Seed | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 75/502 (31. 12. 1985) | Seed of smooth-stalk meadowgrass | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 76/331 (31. 12. 1985) | Beet seed | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 77/93 (1. 5. 1980) | Harmful organisms | A 474/85 n.p.i. reasoned opinion | yes | yes | A 475/85 n.p.i. reasoned opinion | yes | | A 478/85 n.p.i. reasoned opinion | yes | A 477/85 n.p.i. reasoned opinion | yes |

| Directive | Subject | B | D | DK | F | GB | GR | I | IRL | L | NL |
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| 77/101 (1. 1. 1981) | Straight feedingsuffs | yes | yes | yes | yes | yes | yes | A 241/83 n.m.n. reference Case 365/85 | yes | yes | yes |
| 77/629 (31.12.1985) | Material for the vegetative propagation of the vine | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 78/58 (31.12.1985) | Seed | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 78/386 (31.12.1985) | Fodder plant seed | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 78/387 (31.12.1985) | Cereal seed | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 78/388 (31.12.1985) | Oil plant seed | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 78/511 (31.12.1985) | 'Avena fatura' | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 78/692 (31.12.1985) | Seed | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 79/109 (1. 4. 1979) | Brucellosis | yes | yes | yes | yes | yes | yes | A 316/84 n.m.n. reasoned opinion | yes | yes | yes |
| 79/372 (1. 1. 1981) | Straight feedingsuffs | yes | yes | yes | yes | yes | yes | A 242/83 n.m.n. reference Case 365/85 | yes | yes | yes |

| Directive | Subject | B | D | DK | F | GB | GR | I | IRL | L | NL |
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| 79/373 (1. 1. 1981) | Compound feedingsuffs | yes | A 1/80 n.p.a. Judgment 3. 10. 1985 Case 28/84 | yes | yes | yes | yes | A 244/83 n.m.n. reference Case 361/85 | yes | yes | yes |
| 79/641 (31. 12. 1985) | Seed | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 79/692 (31. 12. 1985) | Seed | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 79/797 (1. 1. 1981) | Straight feedingsuffs | yes | yes | yes | yes | yes | yes | A 245/83 n.m.n. reference Case 365/85 | yes | yes | yes |
| 80/214 (31. 12. 1980) | Health problems — meat products | yes | yes | yes | yes | yes | yes | A 236/83 n.m.n. reference Case 386/85 | yes | yes | yes |
| 80/219 (31. 12. 1980) | Tuberculosis and brucellosis | yes | yes | yes | yes | yes | yes | A 256/83 n.m.n. reference Case 364/85 | yes | yes | yes |
| 80/304 (31. 12. 1985) | Oil plant seed | yes | yes | yes | yes | yes | | yes | yes | yes | yes |
| 80/502 (1. 7. 1981) | Undesirable products | yes | yes | yes | yes | yes | yes | A 248/83 n.m.n. reference Case 363/85 | yes | yes | yes |
| 80/509 (1. 1. 1981) | Compound feedingsuffs | yes | yes | yes | yes | yes | yes | A 249/83 n.m.n. reference Case 361/85 | yes | yes | yes |

| Directive | Subject | B | D | DK | F | GB | GR | I | IRL | L | NL |
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| 80/510 (1. 1. 1981) | Straight feedingsuffs | yes | yes | yes | yes | yes | yes | A 250/83 n.m.n. reference Case 365/85 | yes | yes | yes |
| 80/511 (1. 1. 1981) | Compound feedingsuffs in packages | yes | yes | yes | yes | yes | yes | A 251/83 n.m.n. reference Case 361/85 | yes | yes | yes |
| 80/695 (1. 1. 1981) | Compound feedingsuffs | yes | yes | yes | yes | yes | yes | A 253/83 n.m.n. reference Case 361/85 | yes | yes | yes |
| 80/754 (31. 12. 1985) | Fodder plant seed | yes | yes | yes | yes | yes | yes | yes | yes | yes | yes |
| 80/1098 (1. 7. 1981) | Swine vesicular disease and swine fever | yes | yes | yes | yes | yes | yes | A 258/83 n.m.n. reference Case 364/85 | yes | yes | yes |
| 80/1099 (1. 7. 1981) | Swine vesicular disease and swine fever | yes | yes | yes | yes | yes | yes | A 259/83 n.m.n. reference Case 386/85 | yes | yes | yes |
| 80/1100 (1. 7. 1981) | Swine vesicular disease and swine fever | yes | yes | yes | yes | yes | yes | A 260/83 n.m.n. reference Case 386/85 | yes | yes | yes |
| 80/1102 (1. 1. 1981) | Enzootic bovine leukosis | yes | yes | yes | yes | yes | yes | A 262/83 n.m.n. reference Case 364/85 | yes | yes | yes |

| Directive | Subject | B | D | DK | F | GB | GR | I | IRL | L | NL |
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| 81/602 (3. 11. 1981) | Substances having a hormonal or thyrostatic action | yes | yes | yes | A 75/85 n.p.a. reasoned opinion | yes | yes | yes | yes | yes | yes |
| 82/287 (1. 1. 1982/ 1. 1. 1983) | Seed | yes | yes | yes | yes | yes | yes | yes | yes | yes | yes |
| 82/331 (1. 7. 1982) | Propagation of vine | yes | yes | yes | yes | yes | yes | yes | yes | yes | yes |
| 82/471 (14. 7. 1982) | Products used in animal nutrition | yes | yes | yes | yes | yes | yes | yes | A 159/85 n.m.n. 169 letter | yes | yes |
| 82/475 (1. 1. 1985) | Compound feedingstuffs for pet animals | yes | yes | yes | yes | yes | yes | A 346/85 n.m.n. 169 letter | yes | yes | yes |
| 82/528 (1. 7. 1984) | Pesticide residues | A 46/86 n.m.n. 169 letter | yes | yes | yes | yes | yes | yes | yes | yes | yes |
| 82/859 (1. 7. 1983) | Oil plant seed | yes | yes | yes | yes | yes | yes | yes | yes | yes | yes |
| 82/937 (1. 7. 1983/ 1. 1. 1985) | Straight feedingstuffs | yes | yes | yes | yes | yes | yes | A 155/85 n.m.n. reference Case 275/86 | yes | yes | yes |
| 82/957 (1. 1. 1985) | Compound feedingstuffs | yes | yes | yes | yes | yes | yes | A 347/85 n.m.n. reasoned opinion | yes | yes | yes |

| Directive | Subject | B | D | DK | F | GB | GR | I | IRL | L | NL |
|-----------------------------------------|--------------------------------|-------------------------------------------|-----|-----|-------------------------------------------|-----|----------------------------------------------------------------------------------------|------------------------------------------------|------------------------------------------------|-------------------------------------------|-------------------------------------------|
| 83/90 (1. 1. 1985) | Health problems fresh meat | yes | yes | yes | A 236/85 n.m.n. reasoned opinion | yes | A 118/83 n.p.c. reasoned opinion A 235/85 n.m.n. reasoned opinion | yes | A 237/85 n.m.n. 169 letter | yes | yes |
| 83/91 (1. 1. 1985) | Fresh meat | yes | yes | yes | A 373/85 n.m.n. reasoned opinion | yes | yes | A 349/85 n.m.n. reasoned opinion | yes | yes | yes |
| 83/201 (1. 1. 1984) | Percentage of meat | yes | yes | yes | A 111/85 n.m.n. reasoned opinion | yes | yes | A 158/85 n.m.n. reference Case 274/86 | yes | yes | yes |
| 83/228 (13. 7. 1984) | Feedingstuffs | yes | yes | yes | yes | yes | A 179/86 n.m.n. 169 letter | yes | A 160/85 n.m.n. reference Case 278/86 | yes | A 165/85 n.m.n. reasoned opinion |
| 84/319 (1. 1. 1985) | Trichinae | A 339/85 n.m.n. reasoned opinion | yes | yes | A 374/85 n.m.n. reasoned opinion | yes | A 358/85 n.m.n. reasoned opinion | A 350/85 n.m.n. reasoned opinion | yes | yes | yes |
| 84/378 (1. 7. 1985) | Harmful organisms of plants | | | yes | | | yes | | yes | | |
| 84/443 (30. 6. 1985) | Additives in feedingstuffs | yes | yes | yes | yes | yes | yes | yes | A 32/86 n.m.n. 169 letter | yes | yes |
| 84/587 (4. 12. 1986/ 4. 12. 1988) | Additives in feedingstuffs | | | | | | | | | | |
| 84/643 (31. 12. 1984) | Foot-and-mouth disease | yes | yes | yes | A 375/85 n.m.n. reasoned opinion | yes | yes | A 351/85 n.m.n. reasoned opinion | yes | A 380/85 n.m.n. reasoned opinion | yes |

| Directive | Subject | B | D | DK | F | GB | GR | I | IRL | L | NL |
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| 84/644 (30. 8. 1985) | Brucellosis | A 276/86 n.m.n. 169 letter | yes | yes | A 288/86 n.m.n. 169 letter | yes | yes | A 318/86 n.m.n. 169 letter | yes | A 303/86 n.m.n. 169 letter | yes |
| 84/645 (31. 3. 1985) | Swine fever | yes | yes | yes | yes | yes | yes | A 352/85 n.m.n. 169 letter | yes | yes | yes |
| 85/38 (1. 1. 1986) | Fodder plant seed | A 275/86 n.m.n. 169 letter | yes | yes | yes | yes | yes | A 317/86 n.m.n. 169 letter | yes | yes | yes |
| 85/320 (1. 1. 1986) | Swine fever | A 277/86 n.m.n. 169 letter | yes | yes | A 289/86 n.m.n. 169 letter | yes | yes | A 319/86 n.m.n. 169 letter | yes | A 304/86 n.m.n. 169 letter | yes |
| 85/321 (1. 1. 1986) | Swine fever | A 278/86 n.m.n. 169 letter | yes | yes | A 290/86 n.m.n. 169 letter | yes | yes | A 320/86 n.m.n. 169 letter | yes | A 305/86 n.m.n. 169 letter | yes |
| 85/322 (1. 1. 1986) | Swine fever | A 279/86 n.m.n. 169 letter | yes | yes | A 291/86 n.m.n. 169 letter | yes | yes | A 321/86 n.m.n. 169 letter | yes | A 306/86 n.m.n. letter 169 | yes |
| 85/325 (1. 1. 1986) | Fresh meat | A 281/86 n.m.n. 169 letter | yes | yes | yes | yes | yes | A 323/86 n.m.n. 169 letter | A 314/86 n.m.n. 169 letter | yes | yes |
| 85/326 (1. 1. 1986) | Fresh poultrymeat | A 282/86 n.m.n. 169 letter | yes | yes | yes | A 326/86 n.m.n. 169 letter | yes | A 324/86 n.m.n. 169 letter | A 315/86 n.m.n. 169 letter | yes | yes |
| 85/327 (1. 1. 1986) | Meat products | A 283/86 n.m.n. 169 letter | yes | yes | yes | yes | yes | A 325/86 n.m.n. 169 letter | A 316/86 n.m.n. 169 letter | yes | yes |

| Directive | Subject | B | D | DK | F | GB | GR | I | IRL | L | NL |
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| 85/328 (1. 1. 1986) | Meat products | A 280/86 n.m.n. 169 letter | A 286/86 n.m.n. 169 letter | yes | yes | A 327/86 n.m.n. 169 letter | yes | A 322/86 n.m.n. 169 letter | yes | yes | yes |
| 85/429 (3. 12. 1986) | Additives in feedingstuffs | | yes | | | yes | | | | yes | |
| 85/509 (30. 6. 1986) | Feedingstuffs | | yes | yes | | yes | | | yes | yes | |
| 85/520 (3. 12. 1986) | Additives in feedingstuffs | | | | | | | | | yes | |
| 86/29 (3. 12. 1986) | Additives in feedingstuffs | | | | | | | | | yes | |
| 86/155 (1. 3. 1986/ 1. 7. 1987) | Seed and plants | | | | yes | | | | | | yes |
| 86/403 (3. 12. 1986) | Additives in feedingstuffs | | | | | | | | | | |
| Transport | | | | | | | | | | | |
| 74/561 (31.12.1976) | Admission to the occupation of road haulage operator | yes | yes | yes | yes | yes | A 317/85 n.m.n. reasoned opinion | A 85/79 n.m.n. Judgment 10. 11. 1981 Case 28/81 | yes | yes | yes |
| | | | | | | | | A 175/83 n.m.n. Judgment 5. 11. 1986 Case 160/85 | | | |

| Directive | Subject | B | D | DK | F | GB | GR | I | IRL | L | NL |
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| 74/562 (1. 1. 1977) | Admission to the occupation of road passenger transport operator | yes | yes | yes | yes | yes | A 318/85 n.m.n. reasoned opinion | A 113/79 n.m.n. Judgment 10. 11. 1981 Case 29/81 A 176/83 n.m.n. Judgment 5. 11. 1986 Case 160/85 | yes | yes | yes |
| 75/130 (1. 10. 1975) | Combined road/rail carriage of goods | yes | yes | yes | yes | yes | A 426/86 n.m.n. 169 letter | A 99/82 n.p.a. Judgment 28. 3. 1985 Case 2/84 | yes | yes | yes |
| 76/135 (20. 1. 1977) | Navigability licence | A 226/85 n.m.n. reference Case 306/86 | yes | yes | yes | yes | yes | yes | yes | yes | yes |
| 77/796 (1. 1. 1979) | Recognition of qualifications | yes | yes | yes | yes | yes | A 319/85 n.m.n. reasoned opinion | A 141/80 n.m.n. Judgment 11. 10. 1983 Case 273/82 A 17/85 n.m.n. reasoned opinion | yes | yes | yes |
| 79/5 (1. 1. 1981) | Combined road/rail carriage of goods | yes | yes | yes | yes | yes | A 427/86 n.m.n. 169 letter | yes | yes | yes | yes |
| 80/1263 (30. 6. 1982) | Driving licence | A 150/84 n.m.n. reference Case 9/86 | yes | yes | yes | yes | yes | A 160/83 n.m.n. reference Case 419/85 | yes | yes | yes |

| Directive | Subject | B | D | DK | F | GB | GR | I | IRL | L | NL |
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| 86/360 (1. 7. 1986/ 1. 1. 1990/ 1. 1. 1992) | Weights and dimensions of certain vehicles | | | | | | | | | | |
| Energy | | | | | | | | | | | |
| 76/491 (1. 1. 1977/ 1. 1. 1981) | Mineral-oil price | A 46/83 n.p.a. reference Case 277/86 | yes | yes | yes | yes | | yes | yes | yes | yes |
| 82/885 (16. 6. 1984) | Heat generators | A 259/86 n.m.n. 169 letter | yes | A 260/86 n.m.n. 169 letter | yes | yes | yes | A 470/85 n.m.n. reasoned opinion | yes | A 471/85 n.m.n. reasoned opinion | yes |
| Economic and monetary policy | | | | | | | | | | | |
| 60/501 (1. 1. 1981) | Implementation of Article 67 | yes | yes | yes | yes | yes | A 179/83 n.p.a. reference Case 132/85 | yes | yes | yes | yes |
| 63/21 (18. 3. 1963/ 1. 1. 1981) | Implementation of Article 67 | yes | yes | yes | yes | yes | A 179/83 n.p.a. reference Case 132/85 | yes | yes | yes | yes |
| Competition | | | | | | | | | | | |
| 80/723 (31.12.1981) | Financial transparency | yes | yes | yes | yes | yes | yes | A 177/84 n.p.a. reference Case 118/85 | yes | yes | yes |
| Budgets | | | | | | | | | | | |
| 77/388 (1. 1. 1978) | Sixth VAT Directive | | A 128/85 n.p.a. reference Case 290/86 | | | A 137/85 n.p.a. reasoned opinion | | | | | A 136/85 n.p.a. reasoned opinion |

| Directive | Subject | B | D | DK | F | GB | GR | I | IRL | L | NL |
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| 82/57 (1. 7. 1982) | Release for free circulation | | | | | | | A 89/86 n.p.a. reasoned opinion | | | |
| Customs union and indirect taxation | | | | | | | | | | | |
| 75/349 (1. 1. 1976) | Inward processing | yes | yes | yes | A 231/85 n.p.a. reasoned opinion | A 232/85 n.p.a. reasoned opinion | yes | yes | yes | yes | yes |
| 78/453 (1. 1. 1979) | Payment of duties | yes | yes | A 186/84 n.p.i. reference Case 195/85 | yes | yes | yes | yes | yes | yes | yes |
| 79/623 (1. 1. 1982) | Customs debt | yes | yes | yes | yes | A 126/84 n.p.a. reasoned opinion | yes | yes | yes | yes | yes |
| 79/695 (1. 7. 1982) | Release for free circulation | A 262/84 n.p.i. reasoned opinion | yes | A 178/84 n.p.i. reference Case 195/85 | yes | yes | yes | yes | yes | yes | yes |
| 81/177 (1. 1. 1983) | Procedures for the export of goods | A 263/84 n.p.i. reasoned opinion | yes | yes | yes | yes | yes | A 168/83 n.m.n. Judgment 30. 6. 1986 Case 158/85 | yes | yes | yes |
| 82/57 (1. 7. 1982) | Release for free circulation | yes | yes | yes | yes | yes | yes | A 183/84 n.p.a. reference Case 275/85 | yes | yes | yes |

| Directive | Subject | B | D | DK | F | GB | GR | I | IRL | L | NL |
|--------------------------|---------------------------------------------|--------------------------------------------------------------|-------------------------------------------------------------|------------------------------------------|------------------------------------------------|--------------------------------------------------|----------------------------------|--------------------------------------------------------------|------------------------------------------------|----------------------------------|------------------------------------------------|
| 82/347 (1. 1. 1983) | Procedures for the export of goods | yes | yes | yes | yes | yes | yes | A 162/83 n.m.n. Judgment 30. 6. 1986 Case 158/85 | yes | yes | yes |
| 85/479 (1. 1. 1986) | Mutual assistance | A 448/86 n.m.n. 169 letter | yes | A 449/86 n.m.n. 169 letter | A 450/86 n.m.n. 169 letter | A 451/86 n.m.n. 169 letter | A 452/86 n.m.n. 169 letter | A 453/86 n.m.n. 169 letter | A 454/86 n.m.n. 169 letter | A 455/86 n.m.n. 169 letter | yes |
| Indirect taxation | | | | | | | | | | | |
| 69/169 (1. 1. 1970) | Tax-free allowances in international travel | yes | A 40/82 n.p.a. Judgment 14. 2. 1984 Case 325/82 | yes | yes | yes | yes | yes | yes | yes | yes |
| 72/464 (1. 7. 1973) | Taxes on manufactured tobacco | A 179/84 n.p.a. reference Case 298/86 | yes | yes | A 271/85 n.p.a. reasoned opinion | yes | yes | yes | yes | yes | yes |
| 77/388 (1. 1. 1978) | Sixth VAT Directive | A 17/81 n.p.a. Judgment 10. 4. 1984 Case 324/82 | A 29/83 n.p.a. reference Case 298/85 | yes | A 81/81 n.p.a. reasoned opinion | A 102/82 A 202/81 reference Case 353/85 | (1. 1. 1987) | A 262/81 A 153/83 reference Case 3/86 | A 202/81 n.p.a. reference Case 415/85 | yes | A 153/83 n.p.a. reference Case 235/85 |
| | | A 386/84 n.p.a. reference Case 391/85 (Art. 171) | | A 89/83 n.p.a. reasoned opinion | A 203/81 n.p.a. reference Case 416-85 | | | A 188/84 n.p.a. reference Case 257/86 | | | A 66/85 n.p.a. reasoned opinion |
| | | A 65/85 n.p.a. reasoned opinion | | A 76/85 n.p.a. reasoned opinion | A 265/84 n.p.a. reasoned opinion | | | A 209/85 n.p.a. reasoned opinion | | | A 218/85 n.p.a. reasoned opinion |
| | | | | | | | | | | | A 68/86 n.p.a. reasoned opinion |

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