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## REPORT

drawn up on behalf of the Committee on Economic and Monetary Affairs and Industrial Policy

on the proposal from the Commission of the European Communities to the Council (Doc. 2-1283/84 - COM(84) 400 final) for a directive on the approximation of the laws of the Member States relating to roll-over protection structures incorporating two pillars and mounted in front of the driver's seat on narrow-track wheeled agricultural or forestry tractors

Rapporteur: Mr von WOGAU

WG(2)/1530E



By letter of 10 December 1984, the President of the Council of the European Communities requested the European Parliament to deliver an opinion, pursuant to Article 100 of the EEC Treaty, on the proposal from the Commission of the European Communities to the Council for a directive on the approximation of the laws of the Member States relating to roll-over protection structures incorporating two pillars and mounted in front of the driver's seat on narrow-track wheeled agricultural or forestry tractors.

The President of the European Parliament referred this proposal to the Committee on Economic and Monetary Affairs and Industrial Policy as the committee responsible and to the Committee on Transport, the Committee on the Environment, Public Health and Consumer Protection and the Committee on Agriculture, Fisheries and Food for their opinions.

At its meeting of 18 December 1984, the Committee on Economic and Monetary Affairs and Industrial Policy appointed Mr Karl von WOGAU rapporteur.

By letter of 7 February 1985, the Commission of the European Communities forwarded to Parliament its communication to the Council and to the European Parliament entitled 'Technical harmonization and standards: a new approach' (COM(85) 19 final).

Taking particular account of this new approach, the committee considered the Commission's proposal and the draft report at its meetings of 26/28 March 1985.

At its meeting of 20/22 May 1985, the committee decided by 18 votes to 4 to recommend to Parliament that it reject the Commission proposal.

The committee adopted the motion for a resolution by 22 votes to 0 with 3 abstentions.

The following took part in the vote: Mr Seal (chairman); Mr von Bismarck (rapporteur); Mr Beazley (vice-chairman); Mr Aigner (deputizing for Mr Franz), Mr Beumer, Mrs Bonaccini, Mr Braun-Moser (deputizing for Mr Wedekind), Mr Chaboche, Mr Falconer, Mr de Ferranti, Mr I. Friedrich, Mr Gautier, Mr van Hemeldonck, Mr Mattinia, Mr Metten, Mr Mihr, Mr Oppenheim, Mr Patterson, Ms Quin, Mr Rogalla, Mr Romulaldi, Mr Starita, Mr Visser (deputizing for Mr Wagner).

The opinions of the Committee on Transport, the Committee on the Environment, Public Health and Consumer Protection and the Committee on Agriculture, Fisheries and Food are attached.

The report was tabled on 22 May 1985.

The deadline for tabling amendments to this report will be indicated in the draft agenda for the part-session at which it will be debated.

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The Committee on Economic and Monetary Affairs and Industrial Policy hereby submits to the European Parliament the following motion for a resolution together with explanatory statement:

A

MOTION FOR A RESOLUTION

closing the procedure for consultation of the European Parliament on the proposal from the Commission of the European Communities to the Council for a directive on the approximation of the laws of the Member States relating to roll-over protection structures incorporating two pillars and mounted in front of the driver's seat on narrow-track wheeled agricultural or forestry tractors

The European Parliament,

- having regard to the proposal from the Commission to the Council dated 16 November 1984 (COM(84) 400 final),
  - having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 2-1283/84),
  - having particular regard to the communication of 31 January 1985 from the Commission to the Council and to the European Parliament entitled 'Technical harmonization and standards: a new approach' (COM(85) 19 final),
  - having regard to the report drawn up by Mr von Wogau on behalf of the Committee on Economic and Monetary Affairs and Industrial Policy and the opinions of the Committee on Transport, the Committee on the Environment, Public Health and Consumer Protection and the Committee on Agriculture, Fisheries and Food (Doc. A2-37/85),
  - having regard to the result of the vote on the Commission's proposal,
1. Approves the Commission's new approach in putting forward the outline for a directive on the elimination of technical barriers to trade which sets out a general definition of safety requirements in order to safeguard the health of persons, animals and plants;
  2. Welcomes the Commission's intention to effect technical harmonization for individual product sectors via CEN or CENELEC standards in accordance with Parliament's resolution of 9 April 1984 on the need to implement the internal European market<sup>1</sup>;
  3. Considers that the substance of this proposal for a directive, namely the safety of narrow-track forestry or agricultural tractors, lends itself to the testing of the new approach;
  4. Requests the Commission to submit to Parliament the outline for a directive using the 'general reference to standards' approach by December 1985 at the latest;

<sup>1</sup> OJ No. C 127, 14.5.1984, p. 14, especially paragraphs 36-39 of the resolution concerning the adoption of directives on standards.

5. Considers it appropriate that all the provisions relating to the safety of narrow-track agricultural or forestry tractors should be laid down in a single standard so that at an early stage undertakings may assess the requirements imposed on them in the interests of safety and the related costs;
6. Requests the Commission, as well as CEN and CENELEC, to frame the standards as concisely as possible and to keep them under constant review in an effort to keep costs and administrative expenditure at Community, national and company levels as low as possible;
7. Instructs its President to forward Parliament's opinion, together with the committee's report, to the Council, the Commission, and the parliaments of the Member States.

B  
EXPLANATORY STATEMENT

1. In the very first month of its term of office, the new Commission, which took up its duties in January 1985, submitted a new approach to the question of technical harmonization and standards. This represents a departure from the previous Commission's practice of attempting to settle all the points of detail relating to safety in Community directives to be adopted under Article 100 of the EEC Treaty.
2. The committee welcomes this new approach which takes the form of an outline of a directive on safety requirements aimed at safeguarding the health of persons, animals and plants. The details of the technical harmonization are to be settled in standards to be adopted by the European Committee for Standardization (CEN) and the European Committee for Electrotechnical Standardization (CENELEC). These standards institutes will work to guidelines to be agreed between them and the Commission after consultation of the Member States<sup>1</sup>. In March 1985, the EFTA Council also decided in favour of similar cooperation with the European standards institutes<sup>2</sup>.
3. The Commission's new approach and the agreement between the EFTA countries and CEN and CENELEC, which pursues the same objective, guarantee the introduction of uniform standards, the scope of which will extend beyond the Community to Europe as a whole. This will increase the competitiveness of European industry and improve the safety of European citizens.
4. This new approach - i.e. the definition of safety objectives, reference to current technology and the adoption of supplementary technical standards - means that in future, the voluminous annexes associated with Community directives on technical matters will disappear. This represents an important contribution to the elimination of red tape.
5. Your rapporteur takes the view therefore, that the new approach is superior to the old method, the drawbacks of which are clearly demonstrated by the proposal for a directive under consideration. The committee should therefore recommend to Parliament that it reject the proposal for a directive. The Commission ought to have withdrawn this proposal on its own initiative in the light of its new approach.

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<sup>1</sup> see COM(85) 19 final, p. 9

<sup>2</sup> see VWD International of 19 March 1985, p. 7

OPINION OF THE COMMITTEE ON AGRICULTURE, FISHERIES AND FOOD

Letter from the Committee Chairman to Mr SEAL, Chairman of the Committee on Economic and Monetary Affairs and Industrial Policy

26 February 1985,

**Subject:** Proposal submitted to the Council by the Commission for a directive on the approximation of the laws of the Member States relating to roll-over protection structures incorporating two pillars and mounted in front of the driver's seat on narrow-track wheeled agricultural or forestry tractors (Doc. 2-1283/84 - COM(84) 400 final)

Dear Mr Chairman,

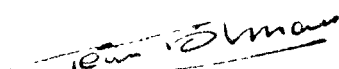
At the meeting of 23 and 24 January 1985, my committee<sup>1</sup> examined the Commission proposal concerning this directive.

The proposal refers exclusively to one specific type of tractor, the so-called vineyard tractor, fitted with two pillars mounted in front of the driver, while for other normal types appropriate directives have already been issued or are being examined by the Council.

The aim is to establish legal provisions ensuring that this type of tractor is fitted with a suitable protective device in the event of the vehicle overturning.

The Committee on Agriculture, Fisheries and Food has expressed its approval of this proposal, which will protect agricultural workers from serious accidents at work and urges the Council of Ministers to adopt the proposal as soon as possible along with the 1983 proposal on tractors of the same type but with pillars mounted behind the driver's seat, which is still before the Council.

Yours sincerely,

  
Teun TOLMAN

<sup>1</sup> The following members took part in the vote: Tolman (Chairman); Eyraud, Graefe zu Baringdorf, Mouchel, (Vice-chairmen); Borgo, Clinton, Dalsass, Debatisse, Elles (deputising for Provan), Gatti, Guermeur (deputizing for Musso), Happart, Maher, Marck, Mertens, Morris, Newens (deputizing for Crawley) B. Nielsen, Pranchere, Stavrou, Thareau, Woltjer.



COMMITTEE ON THE ENVIRONMENT, PUBLIC HEALTH AND CONSUMER PROTECTION

Opinion

Letter from the chairman to Mr SEAL, chairman of the Committee on Economic and Monetary Affairs and Industrial Policy

Brussels, 27 February 1985

Subject: Proposal for a Council directive on the approximation of the laws of the Member States relating to roll-over protection structures incorporating two pillars and mounted in front of the driver's seat on narrow-track agricultural or forestry tractors (COM(84) 400 final - Doc. 2-1283/84)

Dear Mr Seal,

The Committee on the Environment, Public Health and Consumer Protection considered the Commission's proposal at its meeting of 27 February 1985.

It noted with satisfaction that the Commission's proposal incorporates a recommendation contained in the committee's opinion on the earlier Commission proposal for a Council directive (COM(83) 167 final - Doc. 1-251/83) on the approximation of the laws of the Member States relating to the roll-over protection structures (rear-mounted rollbar, frame or cab type) of narrow-track wheeled agricultural or forestry tractors.

The Commission's proposal is also in line with the action programme of the European Communities on safety and health at work<sup>1</sup>. Accordingly, the committee endorses the proposal without reservation.

Please regard this letter as the opinion of the Committee on the Environment, Public Health and Consumer Protection.

Yours sincerely,

Beate WEBER  
Chairman

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<sup>1</sup>OJ No. C 165, 11.7.1978

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The following took part in the vote: Mrs WEBER, chairman; Mrs SCHLEICHER and Mr COLLINS, vice-chairmen; Mr AVGERINOS (deputizing for Mr BOMBARD), Mrs DUPUY, Mr IVERSEN, Mrs C. JACKSON, Mr Van der LEK, Mrs LENTZ-CORNETTE, Mr MERTENS, Mrs PEUS, Mr ROELANTS du VIVIER and Mr SCHMID (deputizing for Mr ALBER)

7.3.1985

COMMITTEE ON TRANSPORT

OPINION OF THE COMMITTEE ON TRANSPORT

Letter from the chairman to Mr Barry H. SEAL, chairman of the Committee on Economic and Monetary Affairs and Industrial Policy

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Date

Subject: Proposal for a directive on the approximation of the Laws of the Member States relating to roll-over protection structures on agricultural or forestry tractors  
(COM(84) 400 final - Doc. 2-1283/84)

Mr Chairman,

At its meeting of 20 and 21 February 1985, the Committee on Transport considered the abovementioned Commission proposal.

The committee wishes to point out that this proposal for a directive is the fourth which, pursuant to the Council directive of 4 March 1974 on EEC type-approval for agricultural or forestry tractors<sup>1</sup>, seeks both to remove technical barriers to trade due to disparities in national regulations and to promote road traffic safety.

As you know, the Committee on Transport attaches very great importance to measures designed to promote road traffic safety, as emerges clearly from its own-initiative report<sup>2</sup> on the introduction of a programme of Community measures to promote road safety.

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<sup>1</sup> OJ L 84 of 28.3.1974, p. 10

<sup>2</sup> Report by Mr BAUDIS - Doc. 1-1355/83 - OJ C 104 of 16.4.1984, p. 1

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4 March 1985

The committee therefore welcomes the Commission's proposal.

While agreeing, without proposing any amendments, with the text of the proposal for a directive, which incorporates the suggestions made by the European Parliament's Committee on Transport on the basic proposal for a directive on this matter<sup>1</sup>, the Committee on Transport nevertheless regrets that the Commission has not come up at the same time with proposals relating to certain elements and other characteristics of the roll-over protection structure of agricultural or forestry tractors.

It regrets that proposals for Community requirements concerning, in particular, the dimensions, doors, safety glass and of devices to prevent multiple roll-over if the tractor overturns will be laid down at a later date.

The Committee on Transport would therefore like your committee, in its report and motion for a resolution on this subject, to urge the Commission to submit as soon as possible the proposals mentioned in the previous paragraph.

Please consider this letter as the opinion adopted by the Committee on Transport<sup>2</sup>.

Yours sincerely,

(sgd) Georgios ANASTASSOPOULOS

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<sup>1</sup> Report by Mr JOZEAU-MARIGNE - Doc. 136/1969

<sup>2</sup> The following took part in the vote: Mr Anastassopoulos, chairman; Mr Klinkenborg, vice-chairman; Mr Adamou (deputizing for Mr Rossetti), Mrs Braun-Moser, Mr Buttafuoco, Mr Carossino, Mr Cornelissen (deputizing for Mr Baudis), Mr Cryer, Mr Ebel, Mrs Faith, Mr. K.-H. Hoffmann, Mr Lalor (deputizing for Mr Roux), Mr Newton Dunn, Mr Provan (deputizing for Mr Marshall), Mr Remacle, Mr Starita, Mr Stevenson, Mr Topmann, Mr Visser, Mr van der Waal and Mr Wijsenbeek.

