

COUNCIL OF THE EUROPEAN COMMUNITIES  
GENERAL SECRETARIAT

PRESS RELEASE

5713/86 (Presse 39)

1069th meeting of the Council

- Internal Market -

Brussels, 18 March 1986

President: Mr W.F. van EEKELEN,  
State Secretary,  
Ministry of Foreign Affairs  
of the Kingdom of the Netherlands

The Governments of the Member States and the Commission of the European Communities were represented as follows:

Belgium:

Mr Paul DE KEERSMAEKER

State Secretary for European  
Affairs and Agriculture

Denmark:

Mr Nils WILHJELM

Minister for Industry

Germany:

Mr Otto SCHLECHT

State Secretary,  
Federal Ministry of Economic  
Affairs

Greece:

Mr Elias LYMBEROPOULOS

Deputy Permanent Representative

Spain:

Mr Luis Fernando CASANOVA

Secretary-General,  
EEC State Secretariat

France:

Mr Claude MARTIN

Deputy Permanent Representative

Ireland:

Mr Edward COLLINS

Minister of State at the  
Department of Commerce

Italy:

Mr Mario FIORET

State Secretary,  
Ministry of Foreign Affairs

Luxembourg:

Mr Jean FEYDER

Deputy Permanent Representative

Netherlands:

Mr W.F. van EEKELEN

State Secretary,  
Ministry of Foreign Affairs

Portugal:

Mr Luis ROMA de ALBUQUERQUE

Deputy Permanent Representative

United Kingdom:

Mr Alan CLARK

Minister for Trade

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Commission:

Lord COCKFIELD

Vice-President

TECHNICAL BARRIERS

- 2 Directives on tractors
- 2 Directives on construction plant and equipment (ROPS/FOPS)
- Directive on pressure gauges
- Directive on measuring instruments

The Council reached agreement in principle on the Directive relating to the rear-mounted roll-over protection structures of narrow-track tractors.

It also reached broad agreement on the Directive relating to power take-offs for tractors and on the Directives on construction plant and equipment (ROPS/FOPS), pressure gauges and measuring instruments.

The Council requested the Permanent Representatives Committee to deal with the final problems outstanding so that all six Directives could be formally adopted as "A" items at the next meeting,

Noise emitted by excavators

On the basis of a compromise from the Presidency, the Council continued its discussion of the proposal for a Directive on the limitation of noise emitted by hydraulic excavators, rope-operated excavators, dozers, loaders and excavator-loaders. It requested the Permanent Representatives Committee to complete the proceedings on the basis of the Presidency's compromise so that the Council could finally adopt the Directive.

NEW APPROACH TO TECHNICAL STANDARDIZATION AND HARMONIZATION:  
PRESSURE VESSELS

The Council listened to an explanation by Lord COCKFIELD of the new proposal for a Directive on simple pressure vessels. This proposal is the first of a series of proposals implementing the new approach to standardization. The Council welcomed the new proposal and said it would like its subordinate bodies to examine it in detail as quickly as possible.

SIMPLIFICATION OF BORDER CONTROLS

The Council noted with approval the considerable progress made with the proposals on the first phase of the progressive abolition of controls and formalities applicable to nationals of the Member States when crossing intra-Community borders.

It instructed the Permanent Representatives Committee to continue examination of this matter in the light of the Council's exchange of views and report back as soon as possible.

COMMERCIAL AGENTS

The Council agreed to resume examination of the proposal for a Directive on commercial agents at one of its forthcoming meetings, since the United Kingdom delegation had indicated that it wanted to think about the problems facing it and possibly suggest solutions.

ABOLITION OF CERTAIN POSTAL CHARGES FOR CUSTOMS PRESENTATION

The Council continued examination of the proposal for a Regulation abolishing certain postal charges for customs presentation. It noted that the positions of certain delegations had become more flexible and agreed to resume examination of the proposal at a forthcoming meeting.

MISCELLANEOUS DECISIONS

Conclusions on the Commission communication containing a work programme for creating a common information market

In the first place, the Council pointed out that

- at the meeting of the European Council on 29 and 30 March 1985 it was agreed that the achievement of a common information market should be a specific and major goal of the Community;
- and the white paper on completion of the internal market had the same end in view.

The Council noted with approval the Commission's intention to set up an Advisory Group of senior officials.

The Council welcomed the Commission communication containing a work programme for creating a common information market. Having noted the advantages of the approach recommended in the communication, it invited the Commission to draw up specific proposals in the Advisory Group and to submit them to the Council thereafter.

Finally, the Council invited the Commission to place before it a progress report on the basis of the work programme submitted. The Council agreed to give an opinion on the matter by the end of 1986.

Approximation of laws

The Council adopted in the official languages of the Communities the Directive amending Directive 80/232/EEC on the approximation of the laws of the Member States relating to the ranges of nominal quantities and nominal capacities permitted for certain prepackaged products.

Fisheries

The Council adopted in the official languages of the Communities the Decision on the conclusion of an Agreement in the form of an exchange of letters concerning an interim extension of the Protocol annexed to the Agreement between the European Economic Community and the Government of the Republic of Guinea on fishing off the coast of Guinea for a period of six months from 8 February 1986.

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NOTE BID(86)78 AUX BUREAUX NATIONAUX  
C.C. AUX MEMBRES DU SERVICE DU PORTE-PAROLE  
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RENDEZ-VOUS DE MIDI (17.3.1986)  
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Preparation of the Internal Market Council (E. Reuter)  
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The Internal Market Council will meet on Tuesday 18 March at 11.15 in Brussels. The following items are on the agenda:

- A batch of issues concerning technical barriers to trade (two directives concerning the specification of tractors, two directives concerning the roll over protection structures and the falling object protection structures (ROPS and FOPS, directives concerning pressure gauges, measuring instruments and noise levels by hydraulic excavators). The issues at stake are fairly technical and concern for instance the use of "Gr" or "E" for Greece in the technical specification literature and labelling or the level of decibels for permitted noise levels. COREPER and experts have devoted many sessions to these mind-boggling issues but it is hoped that this time some constructive conclusions will be reached depending on how long Denmark, Greece and Italy hold out on their various reserves.

- A draft directive on pressure vessels. The Commission will introduce this first example of the new approach on standards. It is too early to envisage a decision.

- Facilitation of frontier formalities in the Community. A minimalist directive providing for the abolition of systematic checks of travellers at the internal borders of the Community is ready. It will contain devices such as the green disc which are already familiar in the five Member States (France, Germany and Benelux) which signed the Schengen Agreement.

The Commission and Member States disagree on the legal basis for the directive. The Commission wants it based on Article 100 whilst Member States prefer 235, thus siting it outside the Treaty. (DIS Copenhagen: Denmark has a problem concerning the interference of this directive with Nordic Union arrangements concerning frontier controls).

- Commercial agents. Agreement seems unlikely.

- Abolition of postal charges for customs presentation of small parcels. After extensive discussion at COREPER agreement appears within reach provided Italy lifts its reserve.

Other business

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In reply to questions the Spokesman confirmed that Mr De Clercq had for the time being adjourned his official visit to Australia. The reason for this decision was that in the present circumstances the conditions for a fruitful dialogue between the Community and Australia don't seem to exist. The Spokesman confirmed that the Prime Minister of Australia and the Prime Minister of New Zealand were expected to visit Brussels towards the end of April and the end of May respectively and that meetings with President Delors and his colleagues were scheduled for these occasions.

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Materiel diffuse:

IP 127 - La Commission signe la declaration commune d'intention mettant en oeuvre le projet VAMAS (Versailles Project on advanced Materials and Standards)  
IP 128 - Resume du discours de Mr Sutherland a l'Institut irlandais des Affaires europeennes a Louvain  
Memo 31- Consultations a haut niveau CE-Argentine

Regards,  
H. PAEMEN COMEUR////

n.o. 

Bruxelles, le 18 mars 1986.

Note BIO (86) 78 (suite 1 et fin) aux Bureaux Nationaux  
cc. aux Membres du Service du Porte-Parole

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CONSEIL MARCHE INTERIEUR (E.Reuter)

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"Vent de printemps sur le marche interieur". Le Conseil s'est termine vers 16h sur une note generale positive. En effet, des dossiers qui avaient fait le va et vient entre les Ministres et le Coreper depuis 6 mois telles les directives tracteurs, engins de chantiers (rops/fops), manometres, instruments de mesurage et emissions sonores des pelles hydrauliques ont maintenant de bonnes chances de passer en point A lors des prochains Conseils. C'est l'intervention de Lord Cockfield et les efforts deployes par la Presidence qui ont permis d'assainir l'atmosphere du Conseil, seule la delegation grecque est restee sur ses reserves. Celles-ci sont cependant mineures (substitution du sigle EL au sigle GR dans les descriptions techniques, etc.) et l'on peut esperer que les consultations avec Athenes ainsi que l'engagement de la Commission de rechercher des solutions permettront le deblocage de ces dossiers.

Lord Cockfield a presente au Conseil le projet de directive concernant les appareils a pression qui constitue le premier exemple concret de la nouvelle approche en matiere de normalisation et d'harmonisation technique. Les Ministres ont evoque pendant leur dejeuner les questions relatives a l'Europe des citoyens a savoir l'abolition progressive des controles et formalites lors des passages des frontieres interieures de la Communaute. La principale question en suspens concerne les problemes du Danemark resultant de la coexistence de l'union nordique et du systeme communautaire. Les Danois doivent en quelque sorte controler pour le compte des autres Scandinaves l'entree dans leur territoire. La delegation danoise s'est engagee a aborder un examen au niveau des experts de ce probleme dans un esprit constructif et on espere voir aboutir ce dossier avant le debut de la saison d'ete. Comme signale dans notre note bio d'hier, Commission et Etats membres ont des vues divergentes sur la base juridique de la future directive.

La discussion sur le projet de directive concernant les agents commerciaux a montre que la delegation britannique n'excluait plus la possibilite d'accepter une solution communautaire. Il faudra cependant remettre le dossier a l'etude au Coreper.

En ce qui concerne la suppression des taxes postales de presentation a la douane pour les petits colis, un accord virtual du Conseil existe. Seule la delegation grecque maintient une reserve.

A signaler parmi la liste des points A adoptes, le projet de directive concernant le rapprochement des legislations en matiere de preemballage et les propositions de la Commission relatives a la creation d'un marche commun de l'information, application des nouvelles technologies (cfr note P-94 de novembre 1985).

Amities  
H. Paemen Comeur

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MESSAGE # 22  
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NOTE BIO(86)78 AUX BUREAUX NATIONAUX  
C.C. AUX MEMBRES DU SERVICE DU PORTE-PAROLE  
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RENDEZ-VOUS DE MIDI (17.3.1986)  
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PREPARATION OF THE INTERNAL MARKET COUNCIL (E. REUTER)  
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THE INTERNAL MARKET COUNCIL WILL MEET ON TUESDAY 18 MARCH AT  
11.15 IN BRUSSELS. THE FOLLOWING ITEMS ARE ON THE AGENDA:

- A BATCH OF ISSUES CONCERNING TECHNICAL BARRIERS TO TRADE (TWO  
DIRECTIVES CONCERNING THE SPECIFICATION OF TRACTORS, TWO  
DIRECTIVES CONCERNING THE ROLL OVER PROTECTION STRUCTURES AND  
THE FALLING OBJECT PROTECTION STRUCTURES (ROPS AND FOPS,  
DIRECTIVES CONCERNING PRESSURE GAUGES, MEASURING  
INSTRUMENTS AND NOISE LEVELS BY HYDRAULIC EXCAVATORS). THE  
ISSUES AT STAKE ARE FAIRLY TECHNICAL AND CONCERN FOR INSTANCE  
THE USE OF 'GR' OR 'E' FOR GREECE IN THE TECHNICAL SPECIFICATION  
LITERATURE AND LABELLING OR THE LEVEL OF DEFECTS FOR PERMITTED

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D.M.D.	
INTO.	
TRADE	
ACCT.	+0
LEGAL	
FIN & ECON.	ALL
SCI & TECH.	
SUP. AG.	
ADM.	
C.F.	

NOISE LEVELS. COREPER AND EXPERTS HAVE DEVOTED MANY SESSIONS TO THESE MIND-BOGGLING ISSUES BUT IT IS HOPED THAT THIS TIME SOME CONSTRUCTIVE CONCLUSIONS WILL BE REACHED DEPENDING ON HOW LONG DENMARK, GREECE AND ITALY HOLD OUT ON THEIR VARIOUS RESERVES.

- A DRAFT DIRECTIVE ON PRESSURE VESSELS. THE COMMISSION WILL INTRODUCE THIS FIRST EXAMPLE OF THE NEW APPROACH ON STANDARDS. IT IS TOO EARLY TO ENVISAGE A DECISION.

- FACILITATION OF FRONTIER FORMALITIES IN THE COMMUNITY. A MINIMALIST DIRECTIVE PROVIDING FOR THE ABOLITION OF SYSTEMATIC CHECKS OF TRAVELLERS AT THE INTERNAL BORDERS OF THE COMMUNITY IS READY. IT WILL CONTAIN DEVICES SUCH AS THE GREEN DISC WHICH ARE

ALREADY FAMILIAR IN THE FIVE MEMBER STATES (FRANCE, GERMANY AND BENELUX) WHICH SIGNED THE SCHENGEN AGREEMENT.

THE COMMISSION AND MEMBER STATES DISAGREE ON THE LEGAL BASIS FOR THE DIRECTIVE. THE COMMISSION WANTS IT BASED ON ARTICLE 100 WHILST MEMBER STATES PREFER 235, THUS SITING IT OUTSIDE THE TREATY. (DIS COPENHAGEN: DENMARK HAS A PROBLEM CONCERNING THE INTERFERENCE OF THIS DIRECTIVE WITH NORDIC UNION ARRANGEMENTS CONCERNING FRONTIER CONTROLS).

- COMMERCIAL AGENTS. AGREEMENT SEEMS UNLIKELY.

- ABOLITION OF POSTAL CHARGES FOR CUSTOMS PRESENTATION OF SMALL PARCELS. AFTER EXTENSIVE DISCUSSION AT COREPER AGREEMENT APPEARS WITHIN REACH PROVIDED ITALY LIFTS ITS RESERVE.

#### OTHER BUSINESS

IN REPLY TO QUESTIONS THE SPOKESMAN CONFIRMED THAT MR DE CLERCO HAD FOR THE TIME BEING ADJOURNED HIS OFFICIAL VISIT TO AUSTRALIA. THE REASON FOR THIS DECISION WAS THAT IN THE PRESENT CIRCUMSTANCES THE CONDITIONS FOR A FRUITFUL DIALOGUE BETWEEN THE COMMUNITY AND AUSTRALIA DON'T SEEM TO EXIST. THE SPOKESMAN CONFIRMED THAT THE PRIME MINISTER OF AUSTRALIA AND THE PRIME MINISTER OF NEW ZEALAND WERE EXPECTED TO VISIT BRUSSELS TOWARDS THE END OF APRIL AND THE END OF MAY RESPECTIVELY AND THAT MEETINGS WITH PRESIDENT DELORS AND HIS COLLEAGUES WERE SCHEDULED FOR THESE OCCASIONS.

#### MATERIEL DIFFUSE:

IP 127 - LA COMMISSION SIGNE LA DECLARATION COMMUNE D'INTENTION METTANT EN OEUVRE LE PROJET VAMAS (VERSAILLES PROJECT ON ADVANCED MATERIALS AND STANDARDS)  
IP 128 - RESUME DU DISCOURS DE MR SUTHERLAND A L'INSTITUT IRLANDAIS DES AFFAIRES EUROPEENNES A LOUVAIN  
MEMO 31- CONSULTATIONS A HAUT NIVEAU CE-ARGENTINE

REGARDS,  
H. PAEMEN COMEUR///+