

COUNCIL OF THE EUROPEAN COMMUNITIES
GENERAL SECRETARIAT

PRESS RELEASE

8570/90 (Presse 134)

1425th Council meeting
- INTERNAL MARKET -
Brussels, 17 September 1990

President: Mr Pierluigi ROMITA
Minister for Community Policies
of the Italian Republic

vos/CH/ac
7. IX. 1990

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 Bo BRAMSEN

State Secretary for Industry

Germany:

Mr Otto SCHLECHT

State Secretary, Federal Ministry
of Economic Affairs

Greece:

Mr G. THEOFANOUS

Secretary-General, Ministry
of Trade

Spain:

Mr Pedro SOLBES

State Secretary for Relations with
the European Communities

France:

Mr Jean CADET

Deputy Permanent Representative

Ireland:

Mr Desmond J. O'MALLEY

Minister for Industry and Commerce

vos/CH/ac
17. IX. 1990

Italy:

Mr Pierluigi ROMITA

Minister for Community Policies

Mr Paolo BABBINI

State Secretary for Industry,
Trade and Craft Trades

Luxembourg:

Mr Georges WOHLFART

State Secretary for Foreign Affairs
and Foreign Trade

Netherlands:

Mr Piet DANKERT

State Secretary, Ministry for
Foreign Affairs

Portugal:

Mr Vitor MARTINS

State Secretary for European
Integration

United Kingdom:

Mr John REDWOOD

Parliamentary Under-Secretary of
State, Department of Trade and
Industry

o

o

o

Commission:

Mr Martin BANGEMANN

Vice-President

Sir Leon BRITTAN

Vice-President

Mr Filippo Maria PANDOLFI

Vice-President

vos/CH/ac
17.IX.1990

Opening the first meeting of the Internal Market Council under the Italian Presidency, the President, alluding to recent political developments took the opportunity, on the Council's behalf, to reaffirm the absolute priority that the Council had always given to the completion of the Single Market by 1 January 1993 and to recall both the progress already made, especially under the Irish Presidency, and the work remaining to be done. He was gratified by the spirit of co-operation which characterized the work of all the institutions in the pursuit of the common objective.

o

o o

PUBLIC PROCUREMENT

1. Procurement procedures of entities operating in the water, energy, transport and telecommunications sectors

The Council adopted the "public procurement - excluded sectors" Directive. The purpose of this Directive is to open markets in the water, energy, transport and telecommunications sectors, which have hitherto not been covered by Community Regulations, to genuine, Community-wide competition. It will be recalled that two general Directives concerning public supply and public works contracts have recently been adopted.

The main points of this Directive are as follows:

- The Directive will apply not only to public entities but also to private entities which enjoy special or exclusive rights granted by a competent authority of a Member State to exercise their activities in the aforementioned fields.
- In the water sector, only drinking water is covered. In the energy sector, certain purchases of energy by entities which produce energy are not subject to the Directive, pending progress in the area of Community energy policy. Lastly, in the transport sector, air and sea transport are also excluded from the scope of the Directive in view of the competition already existing in these fields.
- Only contracts exceeding certain thresholds will be covered. These thresholds are:
 - = ECU 5 000 000 for works contracts;
 - = ECU 400 000 for supply contracts in general;
 - = ECU 600 000 for supply contracts awarded by entities exercising an activity in the telecommunications sector.
- The procedures laid down for awarding contracts are very flexible, and transparent and are directed towards keeping red tape to a minimum.
- Special provisions for awarding supply contracts are laid down for cases where the contracts involve products originating in third countries with which the Community has not concluded, multilateral or bilateral

vos/CH/ac
17.IX.1990

agreements ensuring comparable and effective access for Community undertakings to the markets of those third countries.

These provisions concern in particular the possibility of rejecting a tender when the proportion of the products originating in third countries exceeds 50% of the total value of the products constituting the tender. Also, other things being equal, preference will be given to Community tenders where the price difference does not exceed 3%.

The Council and the Commission reaffirmed the European Community's commitment to a general and mutual opening at international level of markets in the water, energy, telecommunications and transport sectors.

They also stressed the importance of the negotiations which are shortly to be held for that purpose within the framework of the GATT or in other fora, as well as the Community's will to make an active contribution to their success.

Lastly, it may be pointed out that in July 1990 the Commission forwarded a proposal for a Directive concerning the control procedures and remedies applicable to markets in the water, energy, transport and telecommunications sectors. The Council undertook to examine that proposal as soon as possible.

vos/CH/ac
17. IX. 1990

MAJOR TRANS-EUROPEAN NETWORKS ⁽¹⁾ - PRESIDENCY'S CONCLUSIONS

In accordance with the Council Resolution of 22 January 1990 the Commission submitted a progress report on trans-European networks.

Following the discussion on the report, the Presidency formulated the following conclusions:

The Commission's general analysis, made in close co-operation with the Member States in the various fields under consideration, gives a coherent picture of what would be required as a result of the establishment of the internal market.

That analysis must now be supplemented by a study of the feasibility of financial and technical implementation of the networks deemed necessary for the efficient operation of the internal market, and also by an indication of the timescale required for setting them up.

The Commission will obtain the opinions of those concerned (users, producers, etc.) regarding the analysis in order to satisfy itself that the analysis is pertinent and geared to the needs of users, taking into account the need for economic and social cohesion in the Community.

The Commission, in close co-operation with the representatives of the Member States, will carry out that additional study with a view to submitting a final report to the Council by the end of the year, taking into consideration the exchange of views held today.

(1) viz. transport (air, sea, river, road, railway), telecommunications, energy transport and training networks.

NUTRITION LABELLING

"Optional" labelling

The Council reached agreement regarding the Directive on nutrition labelling (optional) for foodstuffs intended for sale to the ultimate consumer.

This Directive ensues from the "communication on the completion of the internal market: Community legislation on foodstuffs" and is directed towards improving consumer information and preventing disparities in nutrition labelling in the various Member States from constituting obstacles to trade.

The Directive introduces specific rules - to be applied by manufacturers when using nutrition labelling - which would have the following effects in particular:

- they would provide a uniform and stable framework for national information and education programmes, while remaining in line with the "Europe against cancer programme" adopted by the Council;
- they would contribute, through general consonance with the codex alimentarius, to reducing the costs to manufacturers exporting to third countries..

Compulsory labelling

The Council held a policy debate on the problems raised by the introduction of compulsory nutrition labelling for foodstuffs intended for sale to the ultimate consumer.

After reaching agreement on the principle of introducing compulsory labelling, the Council decided, with a view to determining the most suitable form for a Community standard in the matter, to examine closely the experience gained in implementing the Directive on optional labelling.

DATA PROTECTION

The Commission submitted a communication on the protection of individuals with regard to the processing of personal data within the Community and on the security of information systems.

The aim of the communication is to harmonize national standards to protect individuals with regard to the processing of data. As the processing of personal data is becoming more widespread in various economic and social areas, not only at national level, but also at Community level, it is essential that it should not be accompanied by national differences in approach to the protection of citizens' privacy.

The Council asked the Permanent Representatives Committee to examine the Commission communication.

INSURANCE

The Commission submitted a proposal for a third Directive on the co-ordination of laws, regulations and administrative provisions relating to direct insurance other than life assurance and amending Directives 73/239/EEC and 88/357/EEC.

vos/CH/ac

17.IX.1990

The aim of the proposal is to complete the internal market in the sector of direct insurance other than life assurance (non-life insurance). The Council instructed the Permanent Representatives Committee to commence work on the Directive at the earliest opportunity.

OTHER DECISIONS RELATING TO THE COMPLETION OF THE SINGLE MARKET

The Council adopted a Regulation and three Directives provided for the programme covered by the White Paper on completing the 1992 internal market. The following are the instruments concerned:

- Regulation relating to Community transit;

Although establishment of the internal market will have the effect of eliminating all controls and formalities relating to Community goods circulating within the Community and will thereby, as a general rule, render the internal Community transit procedure redundant, provisions covering external transit must be maintained. The Regulation meets that specific objective.

- Directive amending Directive 84/529/EEC on the approximation of the laws of the Member States relating to electrically operated lifts;
- Directive amending Directive 79/196/EEC on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres;
- Directive amending Directive 87/404/EEC on the approximation of the laws of the Member States relating to simple pressure vessels.