

EUROPEAN PARLIAMENT

Working Documents

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MOTION FOR A RESOLUTION

tabled by Mr GIAVAZZI, Mr LEONARDI, Mr PETRONIO
and Mr von WOGAU

pursuant to Rule 47 of the Rules of Procedure

on progress in implementing the EEC directive on
electrical equipment designed for use within
certain voltage limits



The European Parliament ,

- A - whereas one of the primary objectives of the Community is to guarantee, through appropriate measures, the free movement of goods between Member States by eliminating obstacles, including non-tariff barriers, which may restrict the export and import of goods,
- B - whereas the electrical goods industry is an important branch in the Community with an annual production valued at 80,000 million ECU, while intra-Community trade in electrical products is worth some 35,000 million ECU each year,
- C - whereas electrical equipment designed for use within certain voltage limits accounts for an estimated 70% of the total sales of the electrical goods industry and whereas freedom to trade in this sector and indeed all sales of electrical material are governed by the Council Directive of 19 February 1973¹,
- D - whereas, given the wide range of such products and the large volume of trade involved, this directive concerns not only the industry and trade itself but also directly affects all the consumers of the Community,
- E - whereas, in connection with the application of this directive, the Court of Justice of the European Communities has given an important judgment in Case No. 815/79 Cremonini v. Vrankovich², clearly defining the obligations and rights of all the parties,
- F - whereas Articles 2 and 8 of Directive No. 73/23/EEC state that Member States may only require that equipment should meet the safety standards referred to in Article 2 and Annex I of the directive and whereas for the directive to be effective the relevant authorities must issue marks and certificates of conformity only to items of equipment constructed in accordance with technical standards which meet the safety criteria laid down in Article 2 and Annex I,

¹ OJ No. L 77 of 26.3.1973

² Reports of the Court of Justice of the European Communities 1980, p. 3583

G - whereas, although not compulsory, the marks and certificates or declarations of conformity referred to in Article 10 and the reports referred to in Article 8 (2) of the directive are nevertheless an important guarantee that products may circulate and be sold freely and whereas a single mark or certificate of conformity is sufficient for a product to be sold throughout the Community,

H - whereas, apart from these commercial considerations, the placing of a mark on electrical equipment is important for sales in certain markets and whereas in these markets the requirement that goods bear the national mark makes it difficult to sell products bearing other European marks,

1. Calls on the Commission to present as soon as possible a comprehensive report on progress in implementing Directive 73/23/EEC with particular regard to any difficulties or obstacles which may have impeded its application;
2. Considers that it is necessary to adopt other measures in this field to ensure the free movement of equipment throughout the Community;
3. Considers that it is essential for this purpose to make further progress towards the harmonization of the rules of the Member States governing marks and conformity certificates;
4. Believes that one of the first measures should be a directive on the creation and operation of a Community mark in this sector;
5. Considers that within the framework of the general guidelines mentioned above there is an urgent need for measures to make Community action on the mutual recognition of conformity marks more effective;
6. Calls upon the Commission to put forward suitable proposals in connection with the above points as a matter of urgency so that Parliament may give its opinion and the Council may adopt the relevant measures, which would be binding on the Member States, as soon as possible;
7. Instructs its President to forward this resolution to the Council and the Commission.