

STATISTICS RELATING TO TECHNICAL REGULATIONS NOTIFIED IN 2001 UNDER THE DIRECTIVE 98/34/EC PROCEDURE

Information supplied by the Commission in accordance with Article 11 of Directive 98/34/EC of the European Parliament and of the Council laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on information society services ⁽¹⁾

(2002/C 119/09)

(Text with EEA relevance)

I. TYPES OF REACTIONS SENT TO EC MEMBER STATES REGARDING THE DRAFTS NOTIFIED BY EACH OF THEM

Member State	Notifications	Observations ⁽²⁾			Detailed opinions ⁽³⁾		Proposals for Community Acts	
		Member State	Commission	EFTA ⁽⁴⁾	Member State	Commission	9(3) ⁽⁵⁾	9(4) ⁽⁶⁾
Belgium	30	7	13	0	5	6	0	1
Denmark	36	17	9	0	12	7	0	0
Germany	50	21	15	0	12	7	0	0
Spain	27	11	6	0	3	1	0	0
Finland	22	6	8	0	1	3	0	0
France	55	14	18	0	6	4	4	1
Greece	8	0	2	0	1	0	0	0
Ireland	2	0	1	0	1	0	0	0
Italy	30	13	7	0	6	7	0	3
Luxembourg	0	0	0	0	0	0	0	0
The Netherlands	98	21	17	1	21	7	1	0
Austria	75	15	26	0	17	12	0	3
Portugal	7	3	2	0	3	1	0	2
Sweden	40	9	10	0	1	4	0	2
United Kingdom	50	15	13	0	1	3	0	2
EU TOTAL	530	152	147	1	90	62	5	14

⁽²⁾ Article 8(2) of the Directive.

⁽³⁾ Article 9(2) of the Directive ('detailed opinion . . . to the effect that the envisaged measure may create obstacles to the free movement of goods or services or to freedom of establishment of service operators within the internal market').

⁽⁴⁾ On the basis of the Agreement on the European Economic Area, the EFTA countries contracting parties to this Agreement apply Directive 98/34/EC adapted as necessary in accordance with Annex II, Chapter XIX, Point 1, and may thus issue observations relating to drafts notified by Member States of the Community. Switzerland may also issue such observations on the basis of an informal agreement for the exchange of information in the field of technical regulations.

⁽⁵⁾ Article 9(3) of the Directive requiring Member States to postpone the adoption of a notified draft (except for draft regulations concerning services) for 12 months from receipt by the Commission if the latter announces its intention to propose or adopt a Directive, Regulation, or Decision on the matter.

⁽⁶⁾ Article 9(4) of the Directive requiring Member States to postpone the adoption of a notified draft for twelve months from the receipt by the Commission if the latter announces its finding that the draft concerns a matter which is covered by a proposal for a Directive, Regulation or Decision presented to the Council.

⁽¹⁾ Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 (OJ L 204, 21.7.1998) consolidates Directive 83/189/EEC, as amended principally by Directives 88/182/EEC and 94/10/EC. Directive 98/34/EC was amended by Directive 98/48/EC of 20 July 1998 (OJ L 217, 5.8.1998) which broadened its scope to include information society services. This came into effect on 5 August 1999.

II. BREAKDOWN BY SECTOR OF DRAFTS NOTIFIED BY EU MEMBER STATES

Sector	B	DK	D	E	FIN	F	GR	IRL	I	L	NL	A	P	S	UK	EC Total
Building and construction	3	3	12	5	5	11	1	1	5	0	4	41	1	1	6	99
Foodstuffs and agricultural products	5	8	9	6	0	6	1	0	5	0	37	9	1	13	8	108
Chemicals	0	0	2	2	0	0	0	0	0	0	7	4	1	2	1	19
Pharmaceuticals	1	1	6	0	1	9	0	0	0	0	3	0	0	1	2	24
Domestic and leisure equipment	3	3	0	1	0	1	0	0	0	0	1	0	0	4	0	13
Machinery	1	1	2	5	1	3	0	0	4	0	4	0	0	2	2	25
Energy, ores, wood	3	2	1	0	1	6	2	0	5	0	5	3	1	1	2	32
Environment, packaging	3	3	8	1	0	1	1	1	0	0	10	4	0	1	4	37
Health, medical equipment	0	0	0	1	0	0	0	0	1	0	2	0	0	0	2	6
Transport	6	8	2	1	4	3	3	0	5	0	15	3	1	9	9	69
Telecommunications	0	4	1	0	2	11	0	0	2	0	3	9	0	2	13	47
Miscellaneous products	3	2	2	3	2	2	0	0	1	0	6	1	1	3	0	26
Information society services	2	1	5	2	6	2	0	0	2	0	1	1	1	1	1	25
TOTAL PER MEMBER STATE	30	36	50	27	22	55	8	2	30	0	98	75	7	40	50	530

III. OBSERVATIONS RELATING TO DRAFTS NOTIFIED BY ICELAND, NORWAY ⁽⁷⁾ AND SWITZERLAND ⁽⁸⁾

Country	Notifications	EC observations ^(*)
Iceland	6	4
Norway	16	15
Switzerland	12	4
TOTAL	34	23

^(*) The only type of Community reaction provided for by the Agreement on the European Economic Area (see notes 4 and 7) is the facility to issue observations (Article 8(2) of Directive 98/34/EC as in Annex II, Chapter XIX, point 1 of this Agreement). The same type of reaction may be issued in respect of Swiss notifications on the basis of the informal agreement between the Community and Switzerland (see notes 4 and 8).

⁽⁷⁾ The Agreement on the European Economic Area (see note 4) requires EFTA countries which are contracting parties to this Agreement to notify draft technical regulations to the Commission.

⁽⁸⁾ On the basis of the informal agreement for the exchange of information in the field of technical regulations (see note 4), Switzerland forwards its draft technical regulations to the Commission.

IV. BREAKDOWN BY SECTOR OF DRAFTS NOTIFIED BY ICELAND, NORWAY AND SWITZERLAND

Sector	Iceland	Norway	Switzerland	Total per sector
Building and construction	0	0	0	0
Foodstuffs and agricultural products	5	3	5	13
Chemicals	0	2	1	3
Pharmaceuticals	0	0	3	3
Domestic and leisure equipment	0	0	0	0
Machinery	0	5	0	5
Energy	0	1	1	2
Health, medical equipment	0	0	0	0
Environment, packaging	0	0	0	0
Transport	0	0	1	1
Telecommunications	0	3	1	4
Miscellaneous products	0	0	0	0
Information society services	1	2	0	3
TOTAL PER COUNTRY	6	16	12	34

V. STATISTICS ON INFRINGEMENT PROCEDURES ONGOING IN 2001 AND INITIATED UNDER ARTICLE 226 OF THE EC TREATY AGAINST NATIONAL TECHNICAL REGULATIONS ADOPTED IN BREACH OF THE PROVISIONS OF DIRECTIVE 98/34/EC

Total per Member State

Country	Number
Belgium	2
Denmark	0
Germany	1
Spain	4
Finland	1
France	2
Greece	2
Ireland	2
Italy	1
Luxembourg	1
The Netherlands	0
Austria	0
Portugal	3
Sweden	0
United Kingdom	1
EU TOTAL	20