Information procedure - Technical rules
(2004/C 115/14)
(Text with EEA relevance)


Notifications of draft national technical rules received by the Commission

<table>
<thead>
<tr>
<th>Reference (1)</th>
<th>Title</th>
<th>End of three-month standstill period (2)</th>
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<tr>
<td>2004/0094/F</td>
<td>Order amending the amended order of 29 May 1997 on materials and objects used in fixed production, treatment and distribution installations for water intended for human consumption</td>
<td>30.06.2004</td>
</tr>
<tr>
<td>2004/0095/F</td>
<td>Notice to those responsible for marketing materials and objects that come into contact with water intended for human consumption, except for natural mineral waters, used in water production, treatment and distribution installations</td>
<td>30.06.2004</td>
</tr>
<tr>
<td>2004/0096/D</td>
<td>Guideline for wind turbines, effect and structural safety proof tests for the tower and foundation, draft December 2003</td>
<td>01.07.2004</td>
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<tr>
<td>2004/0097/D</td>
<td>Article 1(2)(3) sentence 2 and sentence 3 number 1, Article 1(4)(1)(3), Article 1(5) sentence 1, number 1, Article 1(17)(1) and Article 4(1)(6) of the draft Act on the reform of food and feedingstufs legislation</td>
<td>01.07.2004</td>
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<tr>
<td>2004/0098/E</td>
<td>Draft order establishing the method for taking samples from the carcases of Iberian pigs and the analytical method for determining the composition of fatty acids from the total lipids in the subcutaneous adipose tissue of the carcases of Iberian pigs</td>
<td>05.07.2004</td>
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<tr>
<td>2004/0099/E</td>
<td>Draft Royal Decree on fertilisers</td>
<td>02.07.2004</td>
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<tr>
<td>2004/0100/A</td>
<td>Technical contract terms RVS 11.321, top layer, asphalt layers, testing and billing</td>
<td>05.07.2004</td>
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<tr>
<td>2004/0101/A</td>
<td>Construction; RVS 11.063, fundamentals, testing methods, acceptance testing of asphalt roads</td>
<td>05.07.2004</td>
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<td>2004/0102/A</td>
<td>Technical contract terms RVS 8S.01.41: Building materials, asphalt, requirements pertaining to asphalt mixture</td>
<td>05.07.2004</td>
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<tr>
<td>2004/0103/UK</td>
<td>Motor vehicles (construction and use)(amendment) Regulations (Northern Ireland) 2004</td>
<td>05.07.2004</td>
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<td>2004/0104/D</td>
<td>Amendments and supplements to the Specimen List of Technical Building Regulations of February 2004</td>
<td>05.07.2004</td>
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<tr>
<td>2004/0105/A</td>
<td>Technical contract terms RVS 8S.04.11, top layer, asphalt layers, requirements pertaining to asphalt layers</td>
<td>05.07.2004</td>
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<tr>
<td>2004/0107/S</td>
<td>Swedish Environmental Protection Agency's administrative provisions (NFS 2004:xxx) on measuring equipment for determining the environmental tax on emissions of nitric oxides in energy production</td>
<td>(4)</td>
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<tr>
<td>2004/0108/GR</td>
<td>401 v.1.0 radio equipment interface requirement — Maritime mobile transmitters and receivers for use in MF and HF frequency bands</td>
<td>05.07.2004</td>
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<td>2004/0109/GR</td>
<td>403 v.1.0 radio equipment interface requirement — On-board watchkeeping receivers for digital selective calling (DSC) in MF, MF/HF and VHF maritime bands</td>
<td>05.07.2004</td>
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<td>2004/0110/GR</td>
<td>404 v.1.0 radio equipment interface requirement — VHF maritime radiotelephone equipment (including on internal waterways) for general communications and equipment for category ‘D’ digital selective calling (DSC)</td>
<td>05.07.2004</td>
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<tr>
<td>2004/0111/GR</td>
<td>405 v.1.0 radio equipment interface requirement — VHF transmitters and receivers used as GMDSS shore stations and other maritime mobile service applications</td>
<td>05.07.2004</td>
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<td>2004/0112/GR</td>
<td>408 v.1.0 radio equipment interface requirement — Very high frequency (VHF) maritime distress radio equipment operating in aeronautical frequency bands</td>
<td>05.07.2004</td>
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<td>2004/0113/GR</td>
<td>4091 v.1.0 radio equipment interface requirement — Maritime radio positioning beacons designed for use on 121.5 MHz and 243 MHz for homing applications only</td>
<td>05.07.2004</td>
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<td>2004/0114/GR</td>
<td>4092 v.1.0 radio equipment interface requirement — Maritime radio positioning beacons designed for use with the COSPAS-SARSAT system on 406.028 MHz</td>
<td>05.07.2004</td>
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<td>2004/0115/GR</td>
<td>4093 v.1.0 radio equipment interface requirement — Maritime radio positioning beacons operating in the 1.6 GHz frequency band via geostatic satellites</td>
<td>05.07.2004</td>
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<td>2004/0116/GR</td>
<td>4101 v.1.0 radio equipment interface requirement — Maritime mobile earth stations (MMES) operating in the 1.5/1.6 GHz frequency bands providing low bit rate data communications (LBRDC) for the global maritime distress and safety system (GMDSS)</td>
<td>05.07.2004</td>
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<td>2004/0117/GR</td>
<td>411 v.1.0 radio equipment interface requirement — Maritime radar transponders (SART)</td>
<td>05.07.2004</td>
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<tr>
<td>2004/0118/F</td>
<td>Draft order on instruments for measuring the distance between vehicles or combined vehicles</td>
<td>06.07.2004</td>
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<td>2004/0119/I</td>
<td>(Draft) Decree amending Annexes 1B, 1C and 3 to Law No 748 of 19 October 1984 on: ‘New standards for the regulation of fertilisers’</td>
<td>07.07.2004</td>
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<tr>
<td>2004/0120/FIN</td>
<td>Government bill to Parliament for a law on amending the Law on domain names</td>
<td>08.07.2004</td>
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<tr>
<td>2004/0121/A</td>
<td>Order of the Salzburg Provincial Government on the safety requirements for gas fittings (Order on gas safety)</td>
<td>09.07.2004</td>
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<td>2004/0122/I</td>
<td>Circular on: ‘Clarifications with regard to the compliance of mobile elevator platforms with the essential safety requirements pursuant to Directive 98/37/EC relating to machinery’.</td>
<td>12.07.2004</td>
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<tr>
<td>2004/0123/DK</td>
<td>Draft Technical Regulation No 4 of 15 July 2004 on the conduction of surveys and internal inspections</td>
<td>14.07.2004</td>
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<tr>
<td>2004/0124/F</td>
<td>Order approving provisions supplementing and amending the safety regulation against the risks of fire and panic in establishments open to the public (use of insulation products in establishments open to the public)</td>
<td>08.07.2004</td>
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<tr>
<td>2004/0125/A</td>
<td>Order of the Salzburg Provincial Government laying down detailed provisions on the interment and transfer of corpses, the medical treatment certificate, the coroner’s certificate and the coroner’s report (Salzburg Order on interment and transfer of corpses)</td>
<td>15.07.2004</td>
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<tr>
<td>2004/0127/DK</td>
<td>Order on weapons and ammunition etc. (hereinafter referred to as the Weapons Order)</td>
<td>16.07.2004</td>
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<tr>
<td>2004/0130/DK</td>
<td>Order on special requirements for buses</td>
<td>21.07.2004</td>
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<tr>
<td>2004/0131/UK</td>
<td>Merchant Shipping (small commercial vessel and pilot boat) Regulations 2004</td>
<td>21.07.2004</td>
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(1) Year - registration number - Member State of origin.
(2) Period during which the draft may not be adopted.
(3) No standstill period since the Commission accepts the grounds of urgent adoption invoked by the notifying Member State.
(4) No standstill period since the measure concerns technical specifications or other requirements or rules on services linked to fiscal or financial measures, pursuant to the third indent of the second paragraph of Article 1(11) of Directive 98/34/EC.
(5) Information procedure closed.

The Commission draws attention to the judgment delivered on 30 April 1996 in the ‘CIA Security’, case C-194/94 ([1996] ECR I-2201), in which the Court of Justice ruled that Articles 8 and 9 of Directive 98/34/EC (formerly 83/189/EEC) are to be interpreted as meaning that individuals may rely on them before national courts which must decline to apply a national technical regulation which has not been notified in accordance with the Directive.
This judgment confirms the Commission’s communication of 1 October 1986 (O J C 245, 1.10.1986, p. 4).

Accordingly, breach of the obligation to notify renders the technical regulations concerned inapplicable, and consequently unenforceable against individuals.

For more information on the notification procedure, please write to:

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e-mail: Dir83-189-Central@cec.eu.int
Also consult the website: http://europa.eu.int/comm/enterprise/tris/

If you require any further information on these notifications, please contact the national departments listed below:

List of national departments responsible for the management of Directive 98/34/EC

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