

Information provided 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 standards and technical regulations and rules on information society services ⁽¹⁾

Statistics on technical regulations notified in 2011 under the Directive 98/34/EC notification procedure

(2012/C 160/05)

I. Table showing the different types of reactions addressed to Member States of the European Union regarding their respective notified drafts

Member States	Number of notifications	Observations ⁽²⁾			Detailed opinions ⁽³⁾		Proposals for Community legislation	
		MS	COM	EFTA ⁽⁴⁾ TR ⁽⁵⁾	MS	COM	9.3 ⁽⁶⁾	9.4 ⁽⁷⁾
Belgium	19	3	9	0	0	0	0	1
Bulgaria	11	4	3	0	1	2	0	0
Czech Republic	22	4	6	0	1	5	0	0
Denmark	38	5	3	0	5	3	0	0
Germany	62	17	13	0	5	3	1	0
Estonia	9	3	5	0	0	0	0	0
Ireland	10	0	4	0	0	0	0	0
Greece	13	5	8	0	2	5	0	0
Spain	39	16	7	0	4	3	0	0
France	63	32	14	0	5	10	0	0
Italy	29	10	8	0	2	3	0	0
Cyprus	1	2	0	0	0	1	0	0
Latvia	6	1	4	0	0	2	0	0
Lithuania	5	1	2	0	0	0	0	0
Luxembourg	4	4	0	0	0	0	0	0
Hungary	28	6	8	0	6	4	0	0
Malta	5	0	1	0	0	0	0	0
Netherlands	41	5	8	0	0	1	0	0
Austria	65	3	8	0	4	0	0	0
Poland	27	4	2	0	0	1	0	0
Portugal	5	0	1	0	2	0	0	0

⁽¹⁾ Directive 98/34/EC of 22 June 1998 (OJ L 204, 21.7.1998, p. 37) codifies 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, p. 18), which extended its scope to information society services.

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Romania	22	2	2	0	0	0	0	0
Slovenia	10	3	2	0	1	2	0	0
Slovakia	35	3	4	0	2	3	0	0
Finland	23	6	9	0	5	6	0	0
Sweden	30	5	6	0	1	2	0	0
United Kingdom	53	10	10	0	4	3	1	0
EU total	675	154	147	0	50	59	2	1

⁽²⁾ Article 8.2 of the Directive.

⁽³⁾ Article 9.2 of the Directive ('detailed opinion ... according to which the measure envisaged presents aspects which could potentially create barriers to the free circulation of goods or services or the freedom of establishment of service operators within the internal market').

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

⁽⁵⁾ The Directive 98/34/EC procedure was extended to Turkey under the Association Agreement concluded with that country (the Association Agreement between the European Economic Community and Turkey (OJ 217, 29.12.1964, p. 3687) and Decisions No 1/95 and No 2/97 of the EC-Turkey Association Council).

⁽⁶⁾ Article 9.3 of the Directive requiring Member States to postpone adoption of the notified draft (with the exception of draft regulations relating to services) for 12 months from its reception by the Commission if the latter announces its intention to propose or adopt a directive, regulation or decision on this subject.

⁽⁷⁾ Article 9.4 of the Directive requiring Member States to postpone adoption of the notified draft for 12 months from its reception 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.

II. Table showing the breakdown by sector of drafts notified by Member States of the European Union

Sector	BE	BG	CZ	CY	DK	DE	EE	IE	GR	ES	FR	IT	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK	Total
Building and construction	3	3	5	0	1	25	1	2	1	4	14	2	0	3	0	2	0	8	39	3	0	14	3	13	3	6	11	166
Agriculture, fisheries and food	6	1	2	1	10	3	3	1	6	4	16	9	3	1	0	8	0	11	2	1	2	0	3	7	7	0	6	113
Chemical products	1	1	1	0	1	1	0	1	0	0	6	1	1	0	0	0	1	0	3	0	0	1	0	0	4	5	0	28
Pharmaceutical products	0	0	0	0	1	2	0	0	0	1	2	0	0	0	0	2	1	0	1	2	0	0	0	0	0	1	2	15
Domestic and leisure equipment	0	1	1	0	6	0	1	0	2	8	1	1	0	0	0	0	0	0	3	3	0	0	0	0	0	2	3	32
Mechanical	2	2	6	0	0	1	0	1	1	1	4	2	0	1	0	0	1	2	5	5	0	0	0	0	2	5	0	41
Energy, minerals, wood	1	0	3	0	2	0	0	1	1	2	1	0	0	0	0	0	0	4	2	5	1	0	0	7	0	1	2	33
Environment, packaging	2	0	2	0	3	3	0	0	0	0	4	5	2	0	0	6	2	4	0	2	0	0	1	0	0	2	4	42
Health, medical equipment	0	1	1	0	0	4	0	1	0	1	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	9
Transport	2	1	0	0	6	3	1	0	1	3	3	1	0	0	0	1	0	10	5	1	0	4	3	0	2	7	12	66
Telecommunications	0	0	0	0	0	12	1	2	1	13	3	0	0	0	4	0	0	1	1	1	0	3	0	6	1	0	9	58
Miscellaneous products	0	1	1	0	2	0	2	1	0	1	7	2	0	0	0	6	0	0	4	1	2	0	0	2	4	1	3	40
Information society services	2	0	0	0	6	8	0	0	0	1	2	6	0	0	0	2	0	1	0	3	0	0	0	0	0	0	1	32
Total per Member State	19	11	22	1	38	62	9	10	13	39	63	29	6	5	4	28	5	41	65	27	5	22	10	35	23	30	53	675

III. Table showing observations relating to drafts notified by Iceland, Liechtenstein and Norway ⁽⁸⁾ and Switzerland ⁽⁹⁾

Country	Notifications	EC observations ⁽¹⁰⁾
Iceland	7	4
Liechtenstein	1	0
Switzerland	7	2
Norway	6	2
Total	21	8

⁽¹⁰⁾ The only type of reaction provided for under the Accord on the European Economic Area (see notes 4 and 7) is the possibility that the EU issue observations (Article 8.2 of Directive 98/34/EC as included in Annex II, Chapter XIX, point 1 of this Agreement). The same type of reaction may be issued with regard to notifications from Switzerland on the basis of the informal agreement between the EU and this country (see notes 4 and 8).

IV. Table showing the breakdown by sector of drafts notified by Iceland, Norway, Liechtenstein and Switzerland

Sector	Iceland	Liechtenstein	Norway	Switzerland	Total
Agriculture, fisheries and food	2				2
Games of chance			2		2
Petroleum products				1	1
Building and construction			1		1
Transport	1	1	1	1	4
Telecommunications				4	4
Miscellaneous products	3			1	4
Health, medical equipment	1				1
98/48/EC services			2		2
Total per country	7	1	6	7	21

V. Table showing drafts notified by Turkey and the observations relating to these drafts

Turkey	Notifications	EC observations
Total	2	1

VI. Table showing the breakdown by sector of drafts notified by Turkey

Sector	Turkey
Miscellaneous	1
Building and construction	1
Total	2

⁽⁸⁾ The Agreement on the European Economic Area (see note 4) lays down the obligation for EFTA countries party to this Agreement to notify draft technical regulations to the Commission.

⁽⁹⁾ On the basis of the informal agreement on the exchange of information in the field of technical regulations (see note 4), Switzerland also submits its draft technical regulations to the Commission.

VII. Statistics on infringement proceedings in progress in 2011 and launched on the basis of Article 226 of the EC Treaty against national technical regulations adopted in breach of the provisions of Directive 98/34/EC

Country	Number
France	1
Poland	1
EU total	2