

ANNEX

1. The title of the Annex to the Directive shall be worded as follows:

'List of health warnings referred to in points (a) and (b) of Article 4 (2).'

2. In part B of the Annex, the following new warning, No 15, shall be added after warning No 14:

'15. Smoking causes addiction.'

Proposal for a Council Decision for the European system for observing the inland goods transport markets

COM(90) 652 final

(Submitted by the Commission on 20 January 1991)

(91/C 29/07)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 75 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas a market observation policy is an essential component of the common transport policy whose aim is to ensure market transparency and a decision-making aid for the competent authorities and the transport industry;

Whereas the work undertaken by the Commission since 1979 has demonstrated the feasibility and usefulness of such a system; whereas such a system must now be put on a permanent footing;

Whereas the completion of the internal market implies the need to monitor the national and international aspects of markets in view of their interdependence;

Whereas a market observation system is necessary to support the crisis mechanism for cabotage in the road haulage sector established by Council Regulation (EEC)

No 4059/89⁽¹⁾ and the crisis mechanism proposed for road transport between Member States provided for in Council Regulation (EEC) No 000⁽²⁾;

Whereas a market observation system is required to monitor the impact of the scrapping scheme in the inland waterway sector provided for in Council Regulation (EEC) No 1101/89⁽³⁾;

Whereas Council Regulation (EEC) No 4058/89⁽⁴⁾ provides for the introduction of a permanent market observation system for goods transport;

Whereas, it must be possible to conduct sample surveys of the market, or of particular sectors of the market for such an observation system to work;

Whereas the Commission must be in a position to call upon the active participation of national public authorities;

Whereas the relevant findings must be published,

HAS ADOPTED THIS DECISION:

Article 1

A European system for observing the inland goods transport markets is hereby established in the Community.

⁽¹⁾ OJ No L 390, 30. 12. 1989, p. 3.

⁽²⁾ Not yet adopted.

⁽³⁾ OJ No L 116, 28. 4. 1989, p. 25.

⁽⁴⁾ OJ No L 390, 30. 12. 1989, p. 1.

This system shall include:

- market analysis,
- forecasting trends in certain aspects of markets,
- gathering the statistical information on the markets necessary for this analysis and forecasting.

The system shall cover national and international transport operations, both intra-Community and between Member States and other European countries.

The administration of this system shall be carried out by the Commission.

Article 2

1. Market analysis shall involve a study of transport markets, and in particular:

- the demand for transport,
- the economic position of transport undertakings,
- the social situation in the transport sector,
- the balance between supply and demand in the transport sector.

For this purpose, the following shall, in particular, be carried out:

- calculation of average rates and costs for each mode of transport on the basis of data gathered by survey or sampling or any other existing information system,
- a regular analysis of the demand for transport,
- a regular analysis of the social situation in the transport sector,
- a regular analysis of the number and structure of transport undertakings,
- an analysis of existing capacity and the level of investment in each mode of transport.

2. Social and economic trends in the transport sector shall be monitored and the volume of business in each

mode and market shall be analysed in order to draw up short and medium-term market forecasts.

3. The gathering of statistical information shall relate to all the data which are necessary for the achievement of the objectives outlined in paragraphs 1 and 2. The Commission must make maximum use of the information available and, if the need arises, may carry out sample surveys in order to complete the existing information. The gathering of numerical information or opinions shall cover the different transport sectors, transport undertakings, users and providers of services ancillary to transport.

Article 3

The competent authorities of the Member States shall provide the Commission with any assistance it may require to fulfil the duties assigned to it by this Decision, and, to comply with the requirements of Article 2, shall take all the necessary steps to supply the Commission with all the available data.

Article 4

The information gathered in the framework of the present Decision may be used solely for the purposes for which it was requested. Neither the Commission nor its officials or other servants shall divulge any detailed information they have gathered in the course of implementing this Decision, which is, by nature, covered by professional secrecy.

Article 5

1. The findings obtained pursuant to this Decision shall be published by the Commission.

2. The Commission shall submit a report to the Council on the functioning of the market observation system by 31 December 1993 and every three years thereafter.

Article 6

This Decision is addressed to the Member States.
