

## Information procedure — technical regulations

(96/C 279/02)

(Text with EEA relevance)

- Directive 83/189/EEC of 28 March 1983 laying down a procedure for the provision of information in the field of technical standards and regulations (OJ No L 109, 26. 4. 1983, p. 8).
- Directive 88/182/EEC of 22 March 1988 amending Directive 83/189/EEC (OJ No L 81, 26. 3. 1988, p. 75).
- Directive 94/10/EC of the European Parliament and the Council of 23 March 1994 materially amending for the second time Directive 83/189/EEC (OJ No L 100, 19. 4. 1994, p. 30).

Notifications of draft national technical regulations received by the Commission.

Reference (*)	Title	End of three-month standstill period (†)
96/308/D	Second order amending the order on plant requiring approval	14. 11. 1996
96/309/A	Order of the Federal Minister for Health and Consumer Protection, governing the identification of foodstuffs, food and drinks products, and additives manufactured using genetic engineering	13. 11. 1996
96/310/A	Wine Act — Order on designation	14. 11. 1996
96/311/D	DAfStb guideline on high-strength concrete; supplement to DIN 1045/07.88 on strength categories B 65 to B 115, August 1995 release	13. 11. 1996
96/312/DK	Order on pay phones	13. 11. 1996
96/313/NL	Amendment (37) to the dairy order 1958, milk for human consumption	13. 11. 1996
96/314/NL	Amendment I to the the Commodity Board of Ornamental Plants order containing quality regulations for flower bulbs 1996 (various products), as distinct from Amendment II to the Commodity Board of Ornamental Plants order containing quality regulations for flower bulbs 1996 (gladioli, lilles, narcissi)	13. 11. 1996
96/315/D	Order amending the order on maximum concentrations of contaminants	13. 11. 1996
96/316/A	Amendment to the Lower Austrian Waste Management Act 1992	13. 11. 1996
96/317/UK	MPT 1382: Performance specification: angle-modulated 27 MHz radio equipment for use in the citizen's band radio service	20. 11. 1996
96/318/UK	The road vehicles (construction and use) (Amendment) Regulations 1996	20. 11. 1996

(\*) Year — registration number — Member State of origin.

(†) Deadline for comments from Commission and Member States.

(‡) The usual information procedure does not apply to 'Pharmacopoeia'.

(§) No standstill period as the Commission has accepted the grounds for urgent adoption.

(¶) No standstill for fiscal or financial measures, Article 1 (9) (3) of Directive 94/10/EC.

The Commission would point out that, under the terms of its communication of 1 October 1986 (OJ No C 245, 1. 10. 1986, p. 4), it considers that if a Member State adopts a technical regulation which comes under the provisions of Directive 83/189/EEC without communicating the draft to the Commission or respecting the standstill obligation, that regulation cannot be enforced against third parties under the terms of the legal system of the Member State in question. The Commission therefore considers that litigants have a right to expect national courts to refuse to implement national technical regulations that have not been notified as required by Community law.

Information on these notifications can be obtained from the national administrations, a list of which was published in *Official Journal of the European Communities* No C 67 of 17 March 1989.