

Free movements of goods: exchange of information on national measures

1993/0489(COD) - 15/06/1994 - Modified legislative proposal

The amended proposal took over nine amendments adopted by the European Parliament, which aimed to:

- underline the objectives of transparency resulting from the procedure on the exchange of information: the Member States and/or the Commission should have the possibility of reacting to the national measures derogating from the principle of the free movement of goods within the Community;
- highlight the need to coordinate similar procedures for notification or information laid down by various Community rules;
- point out that companies, consumers and other parties involved should know who to contact within the Commission and the administrations of the Member States when a problem arose in relation to the free movement of goods;
- stipulate that the proposal for a decision should not lead to the creation of excessive bureaucratic structures;
- mention the need to promote transparency by providing all the parties involved with complete and updated information on the application of the procedure;
- point out that the information forwarded under the procedure should be detailed, clear and easy to understand;
- stipulate that the Member States should make all efforts to guarantee that a point of contact or network of points of contact was established to act as a point of reference for all inquiries to establish why other national regulations were not recognised;
- introduce an article calling on the Commission to improve coordination on all issues connected to the application of the decision, complaints relating to specific obstacles to the free movement of goods and general problems of mutual recognition;
- stipulate that the Commission report on the functioning of the decision should examine whether or not the notifications made were coordinated with the notifications made under other Community instruments;

However, the Commission did not accept the amendments which aimed to:

- ensure that if the Commission or a Member State indicated that a notified national measure was likely to create unjustified obstacles to the free movement of goods, the Commission could propose appropriate measures, after having consulted the relevant committee and the European Parliament;
- introduce a reference to Directive 83/189/EEC laying down a procedure for the provision of information in the field of technical standards and regulations; to Directive 92/59/EEC on general product safety; and to the various directives on the internal market containing safeguard clauses.