

# Free movements of goods: exchange of information on national measures

1993/0489(COD) - 13/12/1995 - Final act

**OBJECTIVE:** improving the implementation of Article 100b of the EC Treaty (mutual recognition of national measures, in the absence of harmonization at Community level), with particular reference to greater transparency. **COMMUNITY MEASURE:** Decision No 3052/95/EC of the European Parliament and of the Council establishing a procedure for the exchange of information on national measures derogating from the principle of the free movement of goods within the Community. **SUBSTANCE:** The decision introduces a system for the exchange of information between the Member States and the Commission, involving in particular the notification of refusal to place on the market products lawfully produced or marketed in another Member State. The information procedure covers four categories of decision: - a general ban on a model or type of product; - a refusal to allow goods to be placed on the market; - the modification of the model or type of product concerned, with a view to its being placed on the market; - withdrawal from the market. The information procedure only concerns the final decision taken with regard to the product concerned and not the preliminary measures solely designed to permit the determination of the final decision (preventive measures and investigations). In addition, it does not apply to: - measures relating solely to the protection of public morality or public order; - measures relating to second-hand goods which, with time or use, have become unsuitable for being placed or being kept on the market. Notifications must be made within a period of 45 days. **ENTRY INTO FORCE :** 1 January 1997.