



Helpdesk

EU NEWS ON IMPLEMENTATION OF “ACQUIS COMMUNAUTAIRE”

11/8/2008

New internal market package adopted by EU to boost
the single market in goods

Following the ‘green light’ from the European Parliament and the formal adoption by the EU’s Council of Ministers in June, a broad package of measures to facilitate the functioning of the single market for goods will come into force in January 2010. In addition to reducing administrative burdens for traders, the changes will also increase product safety for consumers.

Despite the generally acclaimed success of the single market programme since 1993, obstacles still exist in certain areas to the free and safe trade in goods. A package of improvements to the working of the single market has been drawn up to tackle existing gaps and also to increase product safety for consumers.

[Existing barriers](#)

The diversity of national technical rules still constitutes a significant barrier to free trade of products within the EU, especially for products for which there are no European rules. These barriers result in extra administrative controls and tests for exporters.

There is also a lack of consistency in the approach to market surveillance in Member States and different levels of enforcement are applied, which results in an uneven playing field for manufacturers.

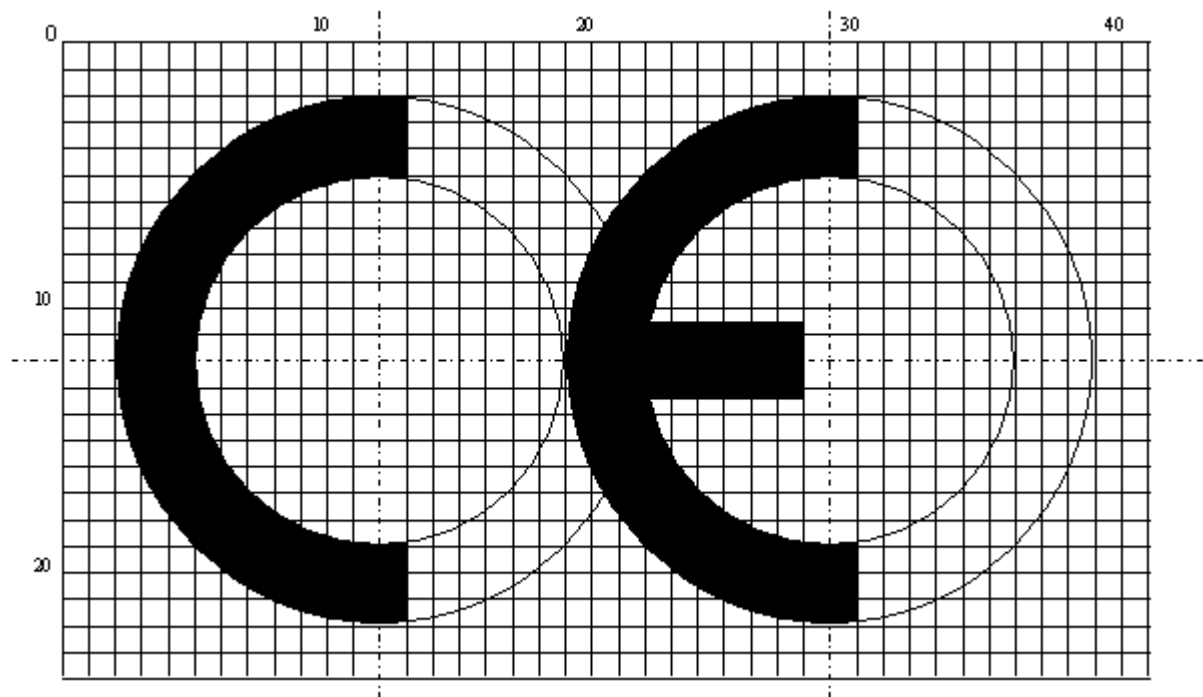
In some areas, EU rules are inconsistent or burdensome. Different definitions can, for example, apply to the same product while other fundamental notions are not defined at all. Different conformity assessment procedures can overlap, and conformity assessment bodies can sometimes face legal obstacles and different requirements.

[Accreditation of testing bodies](#)

One of the aims of the new measures is to strengthen existing market surveillance systems for industrial products and, for the first time, align them with import controls.

A formal system of accreditation is also proposed to ensure that conformity assessment bodies (or testing and certification laboratories) provide the high quality services that manufacturers need.

The introduction of these measures will reinforce the role and credibility of the CE marking system.



[Better information for business](#)

To help exporters, **Product Contact Points** will be established in all Member States. They will provide information on national technical rules, so that enterprises, in particular SMEs, can obtain reliable and precise information about the law in force in the Member State where they intend to sell their products.

The package also strengthens the single market for a wide range of other products, which are not subject to EU harmonisation, such as various types of foodstuffs, furniture, bicycles, ladders and precious metals, etc.

Together they represent more than 15 % of intra EU trade in goods. These products are very often subject to many different national rules laying down the requirements that these products should meet.

When a Member State intends to refuse market access, it will have to give precise and detailed objective reasons for doing so and it will have to give the importing company the opportunity to react before a final decision can be taken.

Following formal adoption by the EU's Council of Ministers in June, the new package of measures will come into force on 1 January 2010.

More detailed info is given below and be found at:

http://ec.europa.eu/enterprise/regulation/internal_market_package/index_en.htm

Introduction

On **14 February 2007**, the European Commission proposed a **new package of measures** which are intended to boost the intra-community trade in industrial goods. These measures (described below) will ensure that the internal market does indeed become a reality for all manufacturers and producers, and will make it easier for companies, especially SMEs, to trade their products in the Union. High quality safe products will continue to be the goal, whilst ensuring market access for goods.

Industrial products such as electrical products, machinery, pressure equipment etc, are already subject to Community legislation, but the new proposal will strengthen the framework within which the goods are manufactured and traded, building upon existing mechanisms, to ensure that **safe products** circulate. For example, market surveillance structures will be reinforced to catch unsafe products, remove them from the whole Community market and take action against fraudulent manufacture. The testing, certification and inspection bodies who are involved in product checking will be subject to more stringent controls in the form of accreditation, to ensure that there is a level playing field both for manufacturers and for the bodies themselves.

A toolbox of additional measures is also proposed which will, in future, be integrated into the legal framework as sectoral specific directives are revised and updated. This will give the means to **clarify commonly used terms** (which today are often used differently) such as manufacturer, distributor and authorised representative so that all stakeholders can be clear on relative responsibilities. In addition, new rules to enhance confidence and trust in the CE marking are also proposed; all of which serve to increase transparency and strengthen the system.


However, not all **goods** fall under Community legislation and today approximately one quarter of all intra-Community trade is **not covered by harmonised rules**. Many companies find it very difficult to sell their products in another Member State than their own, and are discouraged from venturing outside their domestic market because the burden is on them to prove that their products fulfil the technical requirements in the destination Member State. The package announced includes measures to shift this burden of proof to the Member State, so that it is for them to prove that the product is unsafe; this will facilitate trade in these goods, and make it easier for manufacturers to access new markets, thereby promoting intra-community trade.

EU legislation has made life increasingly easier for consumers in recent years, to buy products from Member States other than their own. One example is the purchase of a **motor vehicle**, which is relatively straightforward, yet problems arise when trying to register the vehicle at home. This is as a result of bureaucratic, complicated registration procedures and burdensome type-approval certificates needed. As a result many people shy away from buying a car in another Member State, as they do not want to deal with unnecessary paperwork, frustration and extra costs. The Commission has, therefore, adopted an interpretative Communication on car registration which explains the current rules and how they should function in practice.

Content of the new legislative package





1. A communication accompanying and explaining the new initiatives

This Communication explains the full package of measures intended to facilitate further the free movement of goods given that unfortunately uncertainties and/or red tape involved in marketing certain products across the EU still pervade.

- COM(2007) 35 final  [bg](#) [cs](#) [da](#) [de](#) [el](#) [en](#) [es](#) [et](#) [fi](#) [fr](#) [hu](#) [it](#) [lt](#) [lv](#) [mt](#) [nl](#) [pl](#) [pt](#) [ro](#) [sk](#) [sl](#) [sv](#)

2. Strengthening and modernising the conditions for the safe marketing of a wide range of industrial products in the EU




The Commission proposes two complementary measures, a Regulation and a Decision. The Regulation introduces strengthened rules on market surveillance to protect citizens from unsafe products, including imports into the Community coming from outside the Union. The objective is also to enhance confidence in conformity assessments of products by strengthening the role of accreditation for conformity assessment bodies. The Decision sets out a common legal framework for industrial products, which will work as a toolbox for future sectoral legislation, to create coherent, simple common definitions and procedures for the marketing of industrial products. It also clarifies the role and meaning of the CE marking and gives the marking the protection it deserves. These measures form a complementary package, which together will improve confidence and trust in products marketed within the EU.

- COM(2007) 37 final - Regulation setting out the requirements for accreditation and market surveillance relating to the marketing of products  [bg](#) [cs](#) [da](#) [de](#) [el](#) [en](#) [es](#) [et](#) [fi](#) [fr](#) [ga](#) [hu](#) [it](#) [lt](#) [lv](#) [mt](#) [nl](#) [pl](#) [pt](#) [ro](#) [sk](#) [sl](#) [sv](#)
- COM(2007) 53 final - Decision on a common framework for the marketing of products  [bg](#) [cs](#) [da](#) [de](#) [el](#) [en](#) [es](#) [et](#) [fi](#) [fr](#) [hu](#) [it](#) [lt](#) [lv](#) [mt](#) [nl](#) [pl](#) [pt](#) [ro](#) [sk](#) [sl](#) [sv](#)
- SEC(2007) 173 - Impact assessment  [en](#)
- SEC(2007) 174 - Executive summary of the impact assessment  [de](#) [en](#) [fr](#)

[Read more \(web site on New Approach\)](#)

3. Establishing more stringent and effective procedures to make the marketing of goods in other Member States easier

Many products are not subject to harmonised legislation at Community level; they are still subject to national technical regulations which may have considerable practical implications for the production, distribution and day-to-day use of products. Such national rules often restrict intra-EU trade in goods, such as many foodstuffs (bread and pasta), furniture, bicycles, ladders and even some precious metals. This leads to extra administrative costs and heavy testing requirements, as manufacturers must prove that their products comply with the rules applicable in the Member State of destination. The Commission therefore proposes a Regulation will make it easier for manufacturers to access the full Community market.

- COM(2007) 36 final - Regulation on mutual recognition  [bg](#) [cs](#) [da](#) [de](#) [el](#) [en](#) [es](#) [et](#) [fi](#) [fr](#) [ga](#) [hu](#) [it](#) [lt](#) [lv](#) [mt](#) [nl](#) [pl](#) [pt](#) [ro](#) [sk](#) [sl](#) [sv](#)
- SEC(2007) 112 - Impact assessment  [en](#)
- SEC(2007) 113 - Executive summary of the impact assessment  [bg](#) [cs](#) [da](#) [de](#) [el](#) [en](#) [es](#) [et](#) [fi](#) [fr](#) [hu](#) [it](#) [lt](#) [lv](#) [mt](#) [nl](#) [pl](#) [pt](#) [ro](#) [sk](#) [sl](#) [sv](#)

[Read more \(web site on mutual recognition\)](#)

4. Giving guidance to Member States and citizens on the EU-rules for registering cars originating in another Member State

EU legislation has made life increasingly easier for consumers to access other Member State markets when choosing where to buy a motor vehicle, yet problems arise when trying to legally register that vehicle at home. This remains the source of many complaints, in particular due to burdensome type-approval requirements and registration procedures. As a result many people do not buy a car from another Member State, due to the hassle and extra cost it can involve. The Commission has, therefore, adopted an interpretative communication on car registration, to explain how the existing rules should be applied.

- SEC(2007) 169 final - Interpretative communication on car registration



[Read more \(web site on car registration\)](#)

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