

# COMMISSION OF THE EUROPEAN COMMUNITIES

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Brussels, 17 May 1991

Proposal for a  
COUNCIL REGULATION (EEC)  
concerning the affixing and use of the CE mark  
of conformity on industrial products

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(presented by the Commission)

EXPLANATORY MEMORANDUM

1. Since the adoption of the Resolution of 7 May 1985 concerning a new approach to technical harmonization and standardization, the Council has adopted nine directives based on the new approach:

- simple pressure vessels (87/404/EEC)
- toy safety (88/378/EEC)
- construction products (89/106/EEC)
- electromagnetic compatibility (89/336/EEC)
- safety of machinery (89/392/EEC)
- personal protective equipment (89/686/EEC)
- gas appliances (90/396/EEC)
- non-automatic weighing instruments (90/384/EEC)
- active implantable medical devices (90/385/EEC).

2. Examination of the directives adopted shows that there are differences as regards the affixing of the CE mark.

1. First, it can be seen that the meaning of the CE mark differs from one directive to another. The "toys" directive and the "simple pressure vessels" directive specify that the mark indicates conformity with the national standards transposing the harmonized European standards, while most of the other directives referred to specify conformity with the provisions of the directives concerned. The "construction products" directive itself states that the CE mark implies conformity with the national standards transposing the harmonized European standards, with European technical approvals or with certain national technical specifications specially designed by the Commission.

Such differences may lead to real problems where several directives refer to the same product, in particular if the standards system is not identical from one directive to another.

- II. Furthermore, responsibility for affixing the CE mark may vary from one directive to another: the manufacturer or his authorized agent established in the Community; the manufacturer, his authorized agent established in the Community or the person responsible for placing on the market; the manufacturer; and in certain cases the notified body.
  - III What is more, the CE mark is not reproduced identically in all of the directives. Some of them include in the mark the last two digits of the year in which it was affixed, others exclude them. The "toys" directive states neither the shape nor the size of the mark. Some of them provide for the affixing of an identification number for the notified body where the latter is involved in the attestation procedure, while others specify the affixing of the latter's trademark in this case (telecommunications terminal equipment).
3. This leads to a great deal of confusion and does not enable economic operators to know exactly what their marking obligations are under the various Community regulations.
  4. It is therefore important to clarify the relevant Community legislation, which is the chief objective of this proposal. The second objective is to supplement the Council Decision of 13 December 1990<sup>(1)</sup> concerning the modules for the various phases of the conformity assessment procedures intended to be used in the technical harmonization directives.

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(1) not yet published in the O.J.E.C.

## THE PROPOSAL

### Legal basis

5. The new proposal is part of the process of removing technical barriers to trade and therefore of the Community work on the harmonization of national regulations and administrative provisions. Its objective is also to harmonize the text of a number of Community directives based on Article 100a of the EEC Treaty. Article 100a therefore seems to be the most appropriate legal basis.

### The Regulation

6. The Commission takes the view that the legal nature of a Community instrument should depend on its legal basis, its contents and its objectives. With regard to the legal basis, Article 100a allows the Community institutions to choose the legal instrument to be adopted. During the negotiation of the Single European Act, the Member States held the view that the principal instrument should be the directive if, in one or more Member States, harmonization entails an amendment of legislative provisions. However, the nature of the contents and objectives of the instrument concerned should be the prime consideration.
7. As already stated above, the main objective of the new proposal is to harmonize the provisions of some nine harmonization directives which have been adopted since 7 May 1985. It is therefore a legislative consolidation measure. However, its objective is also to supplement the Council Decision concerning the modules to be used in the future directives. Given this and in view of the different natures of the Community instruments concerned, a Regulation seems to be the appropriate legal instrument.

### The CE mark

8. The CE mark is provided for in the new approach directives on the basis of the presumption of conformity of a product and it therefore refers only to conformity with technical Community legislation.

9. The CE mark is intended above all for the market inspectors in the Member States and as such does not claim to be a mark of quality, safety or environmental protection as generally understood by consumers. It is therefore intended for the trade and its aim is not to provide an encyclopaedia of technical information about the product since, if the mark appears on a product, the inspector must consider the product to be in conformity. However, it is clear that there must be enough information on the product to enable the inspector, if he has any doubts about the presumption of conformity, to trace the product back to the manufacturer or his authorized agent established in the Community or to the notified body which was involved in the conformity attestation procedure.
  
10. The information which some national authorities or other interest groups wished to have included next to the CE mark should therefore appear in a more appropriate place. In the Commission's view, therefore, information concerning the European or national standards which the manufacturer followed and information concerning the directives with which manufacturers believe they have complied should appear not next to the CE mark, but rather on the declaration of conformity, the certificate of conformity or the documents accompanying the product. The manufacturer or his authorized agent established in the Community should be able at any time not only to provide the technical file on the product, but also the manufacturer's declaration or the certificate of conformity. The inspector should therefore at any time be able to find the information he requires.

#### THE CONTENTS OF THE PROPOSAL

##### Article 1 (Affixing rules)

11. Article 1 lays down the fairly broad scope of the Regulation and refers to the rules for affixing the CE mark of conformity. The expression "affixing rules" must be sufficiently broad to cover the principles, the graphic symbol, the detailed conditions for affixing the mark and the constraints on affixing it.

12. Furthermore, the Article clearly specifies that the CE mark of conformity indicates conformity with the Community legislation on the approximation of the laws, regulations and administrators provisions of the Member States concerning the design, manufacture, marketing, putting into service and/or use of the products concerned. It is therefore clear that the CE mark must be the mark of conformity with technical Community regulations only.

#### Article 2 (Meaning)

13. Following on logically from the above as regards the final use of the CE mark, Article 2 states that the CE mark indicates the commitment of a manufacturer (a natural or legal person) to follow the Community regulations in the sector of activity concerned by adhering to the different operations regarding the conformity of the products from the angle of the Community law applicable to him.
14. Article 2 states that the CE mark indicates conformity with the Community directives which purely and simply replace the national legislation. This is what is meant in the first paragraph of the Article. The same paragraph makes it clear that it is a question of conformity with "all legally binding Community provisions" concerning the product in question.

In this way, the Commission proposes that the CE mark should indicate conformity with all of the obligations incumbent upon manufacturers with regard to the product. It is therefore not a question of restricting conformity only to the essential requirements of safety, public health, consumer protection, etc. as certain directives may contain special obligations which are not necessarily contained in the "essential" requirements.

15. Furthermore, the Commission takes the view that under the global approach, the CE mark should indicate the fact that the manufacturer has followed all of the conformity assessment procedures laid down in the various directives with regard to his product or category of products. Therefore, a directive which lays down a safety level without specifying a conformity assessment procedure at that safety level would not be affected by the Regulation and should therefore not refer to the provisions regarding the CE mark.
  
16. In the same way, the directives may not provide for the affixing of the CE mark on completion of the CE type-approval module (module B) alone. The proposed regulation states that the CE mark is only affixed at the end of a conformity procedure. However, module B is only part of the procedure. On this subject, the proposal merely follows the Council decision on the modules. It will, of course, be for the manufacturer to take all precautions to ensure that he has in fact applied all of the procedures concerning his product.
  
17. Some of the new approach directives provide for exceptions to the affixing of the CE mark either to products which are not considered to present a great risk (simple pressure vessels) or to products which are considered to be of minor economic importance (construction products).  
  
However, the development of the modular approach has shown that the problem is not that of derogating from marking, but of derogating from administrative procedures which are considered to be too cumbersome in relation to the importance of the product either in terms of safety or in terms of the market.
  
18. The new proposal lays down the principle that there should not be any exceptions or derogations from marking without justification. This principle should not create any problems for economic operators.
  
19. The principle of not making exceptions or granting derogations also has the advantage of simplifying the situation where directives overlap. In such cases, it is not necessary to ask whether the product should bear the CE mark under one directive and not bear it under another. The product should bear the CE mark in every case.

20. The CE mark in this way becomes the boundary between the field covered by the new approach and the global approach and all other fields. The CE mark does not apply to the former "motor vehicle" and "measuring instruments" directives as long as these directives do not conform to the new approach and the global approach. However, CE marking does not dispense with the need for marking under the conventional directives. A product which is covered by a new approach/global approach directive and by a conventional directive should therefore bear both marks. The CE mark should also fit in with the prospect of creating a common system of marks of conformity with European standards as called for in the Green Paper on the development of European standardization (COM(90)456).

### Article 3 (Graphic design and affixing)

21. Seven of the nine new approach directives adopted by the Council specify the same design of CE mark as that provided for in this proposal. The toys and simple pressure vessels directives do not contain any design at all.
22. The basic design of the CE mark therefore seems to have been agreed. The question is whether it is necessary to provide for an additional design feature to avoid any confusion with registered trade marks.

After consultations, the Commission is convinced that the present design will cause few problems in the market. Since the CE mark came into existence, only one case of possible confusion with this design has been submitted to the Commission. In view of the broad debate which there has been on this subject over the last five years, the Commission takes the view that it is better to provide for a derogation for a period of time for regularly used registered trade marks than to lay down a slightly different design which would call into question all of the adopted directives which have already been the subject of extensive consultation procedures throughout the Community. Article 3 therefore proposes maintaining the same design which has already been adopted while Article 6 provides for a derogation for a period of time for registered trade marks which might cause confusion.



23. Most of the directives already adopted lay down maximum and minimum sizes to ensure the proper legibility of the mark. If the mark is too small, it is difficult to read. This proposal lays down a minimum height of 5 mm. In this way, it would be for the manufacturer to select the size of mark according to the product, unless a specific directive stipulates the desired size.
24. Most of the directives say relatively little about the place of affixing of the mark. This proposal puts forward one principle: the CE mark should always be affixed to the product or to its data plate. In principle, it should therefore be easy to find it. A label sewn on to a toy should be considered equivalent to the data plate.

However, it has to be said that, by their nature, it is very difficult for some products to be covered by this provision. Many products, such as toys, for example, are sold in a packaging which does not allow the product to be seen from the outside.

Other products, such as certain construction products, are sold in bulk and it is therefore difficult for them to bear the CE mark above or on a non-existent data plate.

In view of the above, this proposal suggests providing for an exception to the affixing of the CE mark on the product or on the plate by providing for the possibility of marking on the packaging, where it exists, and on the documents accompanying the product where the directives provide for such documents.

Affixing the mark to both (the packaging and the documents) fits in with the logic of the proposal as a whole. The CE mark has to be visible for inspection when the product is marketed, but as the packaging is usually thrown away the mark must appear on the accompanying documents which, by definition, last longer.

25. All of the directives adopted so far specify that the mark must be affixed visibly, legibly and indelibly. Although this is a general principle, it does raise certain problems. This is why the proposal is more specific about the place of affixing and the size in order to clarify the concept of visibility.

Article 4 (Notified body and year)

26. The problem of the marking of notified bodies was not dealt with in the context of the modules Decision.

Several options are available:

- One is to consider that the notified body should not appear on the product. This creates problems as far as inspection of the product on the market is concerned since it does not enable an inspector to know whether a notified body was involved in the procedure.
- A second option might be to require the manufacturer to indicate that he contacted a notified body. This solution will not really help the inspector who is monitoring the market since he must in any case contact the manufacturer to find out the name of the notified body.
- A third option is to specify that the notified body should affix its trade mark or symbol next to the CE mark. The major drawback of this option is that it once again gives a national character to the CE mark. Furthermore, the solution would have the added disadvantage of favouring the major notified bodies.

27. Given these different options, the Commission takes the view that, first of all, it is essential for a market inspector to be able to identify the notified body and, secondly, that this identification should be relatively general so as not to restore a national character to the CE mark. It therefore proposes that the CE mark should be followed by an identification number which it allocates when the bodies are notified following the adoption of the directives concerned. It is possible to conceive a numbering system based on four digits. The numbers would not contain any indication of nationality and would be attributed as the notifications were received.

28. It is important to stress that these numbers identifying the notified body should only appear on the product where a directive actually provides for the involvement of a notified body. Where a directive provides for the possibility of a declaration by the manufacturer without the involvement of a notified body, it is still permissible for the manufacturer to contact a notified body nevertheless.

However, in this case the notified body should not include its identification number or have it included.

Article 4, paragraph 1, also provides for the affixing of the last two digits of the year in which the mark was affixed. The disadvantage of this is that it dates the product.

However, an indication of the year in which the mark was affixed provides a number of advantages for the proper operation of the Community's directives. It may be important for the inspector, if he is faced with directives which have been adopted on different dates, to know on what date the product was placed on the market.

29. Article 4, paragraph 3, states that the Commission will allocate the identification numbers of the notified bodies and will publish them in the Official Journal of the European Communities.

At all events, the proposed Regulation suggests that, where a body is notified under a directive, it should keep the same number if it is then notified under another directive. This will ensure a certain coherence in the case of products covered by several directives, where it is possible to imagine situation in which several notified bodies may be involved "in the production control phase" for the various sectoral aspects.

In order to ensure a certain clarity in the marking, the Commission proposes that the identification number of a single notified body should appear after the CE mark. In this type of case, the notified body which affixes its identification number or has it affixed must be capable of making a judgment with regard to all of the provisions concerning the product in question. This does not mean that it must be technically able to carry out all of the various sectoral tasks.

However, it must be able to bring together the results of the other notified bodies and to coordinate the work of the various bodies involved.

The Commission is currently examining how to ensure effective coordination and cooperation between the notified bodies, not only in the context of one directive, but also in that of several directives. This is fundamental for the proper operation of Community legislation.

Obviously, the notified body responsible for this coordination does not in any way become liable for the other notified bodies concerned.

Article 5 (Additional information authorized)

30. The Community directives adopted so far or in the process of being adopted recognize that, for some products, it is necessary to specify special provisions for specific uses of the products.

It is therefore specified that the CE mark and the identification number of the notified body can be followed by a pictogram or other information. Article 5, paragraph 1, of this proposal confirms these possibilities. Furthermore, it clearly states that this type of indication should immediately follow the identification number of the notified body, where this exists.

31. This proposal recognizes that a product may bear different marks, e.g. marks of conformity with national or European standards or marks of conformity with conventional "optional" directives. The Commission recognizes the usefulness of such marks but does not want them to be confused with the CE mark.

In Article 5, paragraph 2, it therefore accepts that these marks may be affixed to the product, the packaging, or the documents accompanying the product provided they do not reduce the legibility and visibility of the CE mark.

Article 6 (Additional information prohibited)

32. Article 6 of this proposal lays down the principle that it is prohibited to affix any other mark, sign or indication which may be confused with the CE mark. A provision of this kind is usual in the Community technical barriers directives. This proposal goes further by stating that such confusion may relate to two features, first, the meaning of the mark and, second, the design.

33. As stated above, there may always be problems of confusion, at least graphic confusion, between registered trade marks and the CE mark. In view of this, it is important to lay down transitional arrangements for possible cases of confusion. In Article 6, paragraph 2, the Commission has therefore proposed that any mark actually registered before 31 December 1985 and actually used up to the adoption of this Regulation may continue to be used until 31 December 1999. After that date, the registered mark will have to stop being used or a decision will have to be taken to avoid any confusion.

Article 7 (Affixing of the CE mark)

34. The discussions on the Council decision regarding the modules led to a large degree of consistency since it was agreed that in principle it would always be the manufacturer who affixes the CE mark. Contrary to what happens with a number of conventional and optional directives, it is therefore no longer the notified body which affixes the mark. Article 7, paragraph 1, therefore confirms this by stating that it is the manufacturer who affixes the CE mark or has it affixed by his authorized representative in the Community.
35. However, in certain exceptional cases, e.g. used industrial products imported into the Community the manufacturer of which has ceased to exist, provision should be made for the person responsible for placing the product on the Community market to be able to affix the CE mark to it, subject to compliance with all the provisions and procedures referred to in Article 2 of this proposal.
36. The discussions within the Council on the proposal for a decision concerning the modules have underlined the fact that the notified body is not always physically able to affix its identification number itself. For some types of products, the identification number has, for example, to be cast in a mould. Article 7, paragraph 2, recognizes this situation and enables the notified body either to affix its identification number itself or to have it affixed by the manufacturer. However, responsibility for its being affixed will always rest with the notified body.

Article 8 (Penalties)

37. The various new approach directives and this proposal for a Regulation attach an important role to the CE mark. The Commission therefore proposes rules on penalties which are quite heavy. If a public authority, e.g. the market surveillance services, or a notified body finds that a product bearing a CE mark does not conform to the Community regulations, the public authority in the Member States concerned should prohibit or stop the product from being placed on the market (or the notified body should propose that the competent national authority do this).

In order to ensure that the same product is withdrawn from the markets of the other Member States, the Member State is required to inform the Commission and the other Member States. In this way, a penalty applicable throughout the Community may be laid down.

38. The Commission proposal confines itself to requiring the Member States to adopt all necessary national provisions to ensure the legal protection of the CE mark and to prohibit any possibility of confusion or prevent any possible abuse. As Community law currently stands, it is difficult to imagine going further in this context.

It is not impossible that, in time, the differences between the national laws on infringements and penalties will result in a certain malfunctioning of the internal market as a result of a distortion of the conditions of competition.

At the moment, however, the Commission does not have any way of making specific proposals to avoid such situations.

Article 9 (Amendment of directives)

39. The proposed Regulation would automatically amend the various directives concerned with the CE mark. A list of the directives adopted before this Regulation was drafted is therefore annexed to the proposal.

Proposal for a  
COUNCIL REGULATION (EEC)  
concerning the affixing and use of the CE mark  
of conformity on industrial products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,  
and in particular Article 100a thereof,

Having regard to the proposal from the Commission,<sup>1</sup>

In cooperation with the European Parliament,<sup>2</sup>

Having regard to the opinion of the Economic and Social Committee,<sup>3</sup>

Whereas the Council has already adopted several directives aimed at abolishing technical barriers to trade pursuant to Article 100a of the Treaty on the basis of the principles laid down in the Resolution of 7 May 1985 concerning a new approach to technical harmonization and standardization;<sup>4</sup> whereas these directives provide for the affixing of the CE mark, but in a non-uniform manner; whereas it is therefore necessary to harmonize these provisions in particular for products which may come within the scope of several of these directives;

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1 OJ No C

2 OJ No C

3 OJ No C

4 OJ No C 136, 4.6.1985, p.1.

Whereas the Commission, in its Communication of 15 June 1989 concerning a global approach to certification and testing<sup>5</sup> proposed the creation of common rules for a CE mark of conformity with a single graphic symbol; whereas the Council in its Resolution of 21 December 1989 concerning a global approach to conformity assessment<sup>6</sup> adopted as a guiding principle the adoption of such a coherent approach with regard to the use of the CE mark;

Whereas the two basic features of the new approach to be applied are therefore the essential requirements and the conformity assessment procedures;

Whereas in Decision 90/683/EEC of 13 December concerning the modules for the various phases of the conformity assessment procedures which are intended to be used in the technical harmonization directives<sup>7</sup> the Council specified that it is the manufacturer who affixes the CE mark or has it affixed by his authorized representative in the Community, or else the person responsible for placing on the Community market; whereas in exceptional cases provision should be made for the person responsible for placing the product on the Community market to be able to affix the CE mark, subject to compliance with the provisions applicable to the manufacturer or his authorized representative establishing in the Community, if the latter do not affix the CE mark; whereas furthermore the notified body must always affix its identification number next to the CE mark when it is involved in the production control phase;

Whereas the aim of the CE mark is to indicate the conformity of a product with the levels of protection of collective interests laid down by the directives and to indicate that the economic operator is subject to all assessment procedures laid down in Community law in respect of his product;

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5 OJ No C 231, 8.9.1989 p.3; OJ No C 267, 19.10.1989, p.3.

6 OJ No C 10, 16.1.1990, p.1.

7 OJ No L 380, 31.12.1990, p.13.



whereas, therefore, the affixing of other marks or indications concerning the date of placing on the market, conformity with quality standards or pictograms concerning a particular use of the product are compatible with the CE mark provided that no confusion may arise as to the meaning and graphic design of the different marks;

Whereas the Member States should give appropriate protection to the CE mark,

HAS ADOPTED THIS REGULATION:

Article 1 (Scope)

This Regulation lays down rules for affixing the CE mark of conformity provided for in the Community legislation in respect of the design, manufacture, marketing, putting into service and/or use of the industrial products.

Article 2 (Meaning)

1. The CE mark affixed to the industrial products indicates that the natural or legal person who affixed the mark or had it affixed has ascertained that the product conforms to all binding Community provisions applicable to it.

2. The legally binding Community provisions referred to in paragraph 1 are those which cover the products concerned and which provide for appropriate conformity assessment procedures, to the exclusion of any differing national provisions.
3. Any industrial product covered by the provisions referred to in paragraphs 1 and 2 must bear the CE mark except in cases provided for in the specific directives.

Article 3 (Graphic design and affixing)

1. The CE mark of conformity shall consist of the initials "CE" as shown below:



These initials shall consist of semi-circular letters. The length of the bar inside the "E" shall be at least 80% of the outer radius of the semicircle.

2. Unless the directives specifically provide otherwise, the CE mark shall be at least 5 mm in height. The thickness of the initials shall be at least one-fifth of the height of the CE mark.

3. The CE mark shall be affixed to the product or to the data plate. However, where the kind of product does not allow or justify this, the CE mark shall be affixed to the packaging, where it exists, and to the accompanying documents where the directives provide for such documents.
4. The CE mark shall be affixed visibly, legibly and indelibly.

Article 4 (Notified body and year)

1. The CE mark of conformity shall be followed by the identification number of the notified body within the meaning of Council Decision 90/683/EEC where the body is involved in the production control phase, within the meaning of that Decision, and by the two last digits of the year in which the mark was affixed, as specified in Article 3(3) and (4).
2. Where a product is covered by several directives and several bodies may be involved in the production control phase, one of these bodies shall bring together and coordinate all of the work. Only the identification number of this body shall appear after the CE mark.

The identification numbers of the other notified bodies shall appear either on the declaration or on the certificate of conformity.

3. The identification number shall be allocated by the Commission when it is notified of the bodies. The lists of notified bodies shall be published by the Commission in the Official Journal of the European Communities and shall be constantly updated.

4. A notified body shall be given the same number when it is notified under several different directives. The identification number shall be affixed solely where a directive provides that a notified body must be involved in the production control phase.

Article 5 (Additional information authorized)

1. Where specific directives so provide, the CE mark (followed where relevant, by the identification number of the notified body) shall be accompanied either by a pictogram relating to a particular use of the product or by information concerning the category of use of the product.

Any other mark, such as a mark of conformity with a standard or a mark of conformity with other Community provisions not superseding national law, may be affixed to the product, the packaging or the documents accompanying the product provided it does not reduce the visibility and legibility of the CE mark.

Article 6 (Additional information prohibited)

It is prohibited to affix any other mark, sign or indication which may be confused with the CE mark in meaning or design, in particular where their use may imply a link between the product concerned and any Community legislation referred to in Article 2 when such a link does not exist.

However, the holder of a registered trade mark which may be confused with the CE mark may continue to use that registered mark until 31 December 1999 provided that the mark in question:

- (a) was registered no later than 31 December 1985;
- (b) has actually been used up to the adoption of this Regulation.

Article 7 (Affixing of the CE mark)

1. The CE mark shall be affixed by the manufacturer or his authorized representative established in the Community, or else by the person responsible for placing the product on the Community market in accordance with Article 2.
2. The identification number of the notified body shall be affixed under that body's responsibility either by the body itself or by the manufacturer or his authorized agent established in the Community.

Article 8 (Penalties)

1. If any Member State or notified body finds that the CE mark has been improperly affixed, the product concerned shall be prohibited or shall no longer be marketed.
2. Member States shall adopt all necessary national provisions to prohibit any possibility of confusion and to prevent any misuse of the CE mark, these provisions being applicable from 1 January 1993.
3. Member States shall lay down appropriate legal penalties for any infringement.

Article 9 (Amendment of directives)

The provisions concerning the affixing and use of the CE mark laid down in the directives indicated in the Annex hereto are hereby amended by the provisions of this Regulation, where they do not conform thereto.

Article 10 (Final provisions)

This Regulation shall enter into force on 1 January 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council

The President

Annex

Directive which have been adopted in accordance with the criteria of the new approach and which meet the criteria of Article 2(1) of this Regulation.

(a) Directives adopted

COUNCIL DIRECTIVE of 25 June 1987 on the harmonization of the laws of the Member States relating to simple pressure vessels (87/404/EEC)<sup>1</sup>

COUNCIL DIRECTIVE of 3 May 1988 on the approximation of the laws of the Member States concerning the safety of toys (88/378/EEC)<sup>2</sup>

COUNCIL DIRECTIVE of 21 December 1988 on the approximation of the laws, regulations and administrative provisions of the Member States relating to construction products (89/106/EEC)<sup>3</sup>

COUNCIL DIRECTIVE of 3 May 1989 on the approximation of the laws of the Member States relating to electromagnetic compatibility (89/336/EEC)<sup>4</sup>

COUNCIL DIRECTIVE of 14 June 1989 on the approximation of the laws of the Member States relating to machinery (89/392/EEC)<sup>5</sup>

COUNCIL DIRECTIVE of 21 December 1989 on the approximation of the laws of the Member States relating to personal protective equipment (89/686/EEC)<sup>6</sup>

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1 OJ No L 220, 08.08.1987 p. 48.

2 OJ No L 187, 16.07.1988 p. 1.

3 OJ No L 040, 11.02.1989, p. 12.

4 OJ No L 139, 23.05.1989 p. 19.

5 OJ No L 183, 29.06.1989 p. 29.

6 OJ No L 399, 30.12.1989, p. 18.

COUNCIL DIRECTIVE of 20 June 1990 on the harmonization of the laws of the Member States relating to non-automatic weighing instruments (90/384/EEC)<sup>7</sup>

COUNCIL DIRECTIVE of 20 June 1990 on the approximation of the laws of the Member States relating to active implantable medical devices (90/385/EEC)<sup>8</sup>

COUNCIL DIRECTIVE of 29 June 1990 on the approximation of the laws of the Member States relating to appliances burning gaseous fuels (90/396/EEC)<sup>9</sup>

(b) Common position

COUNCIL DIRECTIVE on the approximation of the laws of the Member States concerning telecommunications terminal equipment, including the mutual recognition of the conformity thereof.

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7 OJ No L 189, 20.7.1990, p. 1.

8 OJ No L 189, 20.7.1990, p. 17.

9 OJ No L 196, 26.7.1990, p. 15.



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