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I

(Information)

COMMISSION

THIRD ANNUAL REPORT

to the European Parliament on Commission monitoring of the
application of Community law

— 1985 —

COM(86) 204 final

(86/C 220/01)

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INTRODUCTION

1. The third annual report on the application of Community law by the Member States is like the two preceding ones ⁽¹⁾, a response to the desire expressed by Parliament in its resolution of 9 February 1983 ⁽²⁾. It is a survey of the monitoring of the application of Community law during the year 1985.

2. As in the past the report contains a summary of the infringements of the treaties and regulations (Annex A) and a review showing the stage reached in application of the directives during the same year (Annex B). The latter annex includes only directives giving rise to problems, i.e. about 220 directives out of a total number of more than 700 for which the time limit for incorporation into national law has expired. Commentaries on these two lists, broken down according to the sectors dealt with, appear in the 'Sector-by-sector analysis'. Some tables of overall statistics follow ⁽³⁾.

3. However, both the presentation and the contents of this report have been adjusted to take into account a certain number of observations made by the European Parliament on the occasion of its examination of the reports covering the years 1983 and 1984. Thus this third annual report has been supplemented by:

- the extension of the statistical tables, which now go back to 1978;
- the insertion of a new table distinguishing, by Member State, the number of proceedings in progress in the course of the last three years according to whether they concern infringements of directives or of treaties and regulations;
- the inclusion of a graph illustrating from 1978 onwards the respective share of infringements of treaties and regulations on the one hand and of directives on the other;
- the inclusion of a review of significant judgments of national supreme courts, accompanied by commentaries.

⁽¹⁾ First annual report, COM(84) 181 final, 20. 4. 1984.
Second annual report, COM(85) 149 final, 23. 4. 1985.

⁽²⁾ OJ No C 343, 31. 12. 1985, p. 8.

⁽³⁾ In accordance with the rules of confidentiality followed by the Commission in the preceding reports, Annexes A and B include proceedings before the Court of Justice and reasoned opinions, but do not mention letters of formal notice, except for those sent to Member States for failure to notify national measures implementing directives or for failure to comply with a judgment of the Court of Justice (Article 171 of the EEC Treaty). On the other hand, the statistical tables give an overall view of all the stages of the procedure under Article 169 of the EEC Treaty, including that of the letter of formal notice.

4. The reviews and tables contained in this third annual report call for the following comments:

(i) The number of letters of formal notice and reasoned opinions sent to Member States and the number of actions commenced before the Court of Justice has been continually growing since 1978, with the exception of 1983 when it levelled off. This was due to the fact that in 1983 the Commission terminated a large number of old proceedings with a view to replacing them — for reasons of legal certainty in the light of remarks made by the Court — by fresh letters of formal notice including a fuller explanation of the matters complained of. Most of the latter were notified during the year 1984. In relation to that year, however, the increase in the number of proceedings in progress at each stage under Article 16 of the EEC Treaty is substantial: more than 10 % in the case of letters of formal notice, around 60 % in the case of reasoned opinions and more than double for actions commenced before the Court of Justice (Table No 1);

(ii) The sectors of Community law most affected, broken down according to the stages of the procedure, are, as is apparent from Table No 2, the following:

- four sectors where there is a marked increase in the number of cases brought before the Court are the internal market and industrial affairs, agriculture, environment and consumer protection and financial institutions and taxation;
- as regards reasoned opinions, the customs union, the internal market and industrial affairs and agriculture are the three sectors which by themselves account for the increase;
- in the case of letters of formal notice, the increase of 10 % in relation to 1984 relates almost exclusively to agriculture and the budget;

(iii) Is the increase in the number of proceedings larger in the case of infringements of the treaties and regulations or in the case of infringements of directives?

- the 10 % additional letters of formal notice may be divided as to one-third relating to infringements of directives and two-thirds relating to infringements of the treaties and regulations (Table No 3);
- as regards reasoned opinions and cases brought before the Court, a different picture emerges. In these cases, there has been a certain levelling off in the number of infringements of the treaties

and regulations whilst those relating to the incorporation of directives represent practically alone the rates of increase indicated in relation to the preceding year (Graph No 4 and Table No 5);

- (iv) In 1985 the Court delivered 26 judgments, of which 3 were in favour of Member States. This modest increase in the number of judgments delivered in relation to the preceding year is essentially due to the increased number of cases brought before the Court in 1984 (Table No 6);
- (v) The number of judgments delivered up to 31 December 1985 and not yet implemented has unquestionably increased. The second report listed 29 such cases; their number has now increased to 39. The majority are concerned with the incorporation of directives and relate mainly to two Member States where there are delays due to legislative procedure or to the intervention of regional authorities. That is not to say, however, that there are no cases raising problems of substance. In a Community based on respect for law, this is in the Commission's view a worrying phenomenon;
- (vi) Finally, as the Commission has already had occasion to point out to the European Parliament, particularly in its first annual report, the principal sources of detection of infringements, except for those relating to the incorporation of directives, are complaints and the Commission's own enquiries. Such cases have grown constantly since 1982 (Table No 9).

5. The information to be gleaned from the tables and reviews appearing in this report is merely one aspect of the policy pursued by the Commission as regards the monitoring of the application of Community law. Whilst it is true, as this report makes clear, that it has made increased use of the procedures available under Article 169 of the EEC Treaty, it still attaches great importance to its efforts to influence public opinion. The Commission remains convinced that the results obtained — scarcely one-fifth of the proceedings commenced result in an action coming before the Court of Justice — militate in favour of the pursuit of its policy of permanently encouraging respect for Community law, without neglecting the regularization of infringements found by means of the infringement procedure. Thus contacts at political and administrative level have been frequent in 1985 and will be even more so in 1986, with a view to ensuring that Member States give the necessary attention to the proper functioning of the Community.

6. In this context particular attention will be devoted to monitoring compliance with the judgments of the Court of Justice. There is a danger, particularly in the next few years, that such cases will increase by reason of the increase in the volume of Community law and the sustained attention the Commission gives to its correct

application. In cases where it is necessary the Commission will take political steps at the appropriate level.

7. An examination of this report shows the attention the Commission has devoted in the past two years to the correct incorporation of Community directives into national law, an essential element in harmonization. Whilst the figures for proceedings in progress at the various stages of the Article 169 of the EEC Treaty procedure do reveal a certain propensity on the part of Member States not to regularize the infringement before the litigation stage is reached, it must be borne in mind that this is usually due to legislative problems inherent in this particular legal instrument. Conscious of this problem, the Commission is striving to multiply contacts at all levels in order to identify the objective problems Member States may encounter and afford them all the assistance needed to overcome them.

8. The objective of creating an area without frontiers by 1992, a priority objective of the Commission as Parliament knows, does not require merely the adoption of new harmonizing directives. It also requires the strict application of existing Community law. Monitoring of the observance of this existing law extends to several of the sectors dealt with in this report.

9. Finally, the ever-increasing interest shown by the general public in the building of Europe, illustrated by the number of complaints, even though a number of them relate to the same infringement, and the systematic analysis of parliamentary questions and petitions — in accordance with the undertakings given by Mr Delors to the European Parliament — partly account for the increase in the number of letters of formal notice sent in 1985. They concern spheres of Community law which by their nature are closely connected with a people's Europe: free movement of persons and goods, social affairs, environment and consumer protection and taxation. The Commission has instructed its staff to follow this type of infringement with particular attention.

10. This third annual report to the European Parliament on the monitoring of the application of Community law by the Member States has, like the preceding ones, two objectives:

- (i) to inform the European Parliament of the manner in which the Commission monitors the application of Community law in accordance with the rôle conferred on it by the treaties, and
- (ii) hence, to draw the attention of public opinion and of the national parliaments to the infringements that have occurred so that they may intervene in order to ensure observance of the law.

11. As far as informing Parliament is concerned, the annual reports supplement a whole range of varied instruments. A new one will shortly be available with the opening of Sector 7 of CELEX, which will contain references to the national measures incorporating directives. The institutions, and shortly the public also, will thus be able to obtain directly any information desired on the national instruments enacted to implement Community directives and will thus be able to judge the degree of diligence employed by the Member States in observing, at the appropriate time, the legal obligation to incorporate the directives.

12. As a medium of information, the present report admittedly has its limits. It cannot, for example, be a substitute for the scientific research undertaken by specialized institutes on the reasons for and the origins of infringements. Nor can it be extended, for example, to include a description of references for preliminary rulings under Article 177 of the EEC Treaty, without losing its specific character as a description of the monitoring activity undertaken by the Commission under Article 169 of the EEC Treaty.

13. As Mr Delors emphasized in his speech to the Legal Affairs Committee on 23 May 1985, the European Parliament can actively assist the Commission's work by the influence it is able to exert on national authorities, both by intervening with national parliaments and in mobilizing public opinion. Particular aspects that might be mentioned in this context are the incorporation of directives into national law and the compliance by Member States with the judgments of the Court of Justice.

14. The Community has no means of physical coercion. Since it is recognized that the observance of law in our societies derives less from sanctions than from the force of public opinion, it is essential that the latter should have all the means available to make itself felt. The European Parliament is the most appropriate body to undertake this task. The Commission can only welcome any approach made by members of the European Parliament to the national parliaments, and to all national political forces, designed to bring infringements to an end.

SECTOR-BY-SECTOR ANALYSIS

Statistical matters

15. As in previous years, infringements concerning statistical matters resulting in proceedings which were continued or terminated in 1985 arose from delays by Member States in furnishing data.

16. Two cases arose in Belgium. In the first, it was possible to terminate proceedings relating to delays in the supply of external trade statistics (Regulation (EEC) No 1736/75) before the hearing in the Court of Justice; the Commission withdrew the case after undertakings were given. In the second, the proceedings concerned delays in supplying tables of the results of the latest population census (Directive 73/403). Belgium stated that it had taken the measures necessary to rectify the situation in the near future.

17. In Italy, failure to send a complete statement of carriage of goods by road carried out by Italian nationals (Directive 78/546) gave rise to a Court judgment recording such failure on 11 July 1985.

Administrative matters

18. The failure of certain Belgian authorities to fulfil their obligations under the Protocol on privileges and immunities resulted in infringement proceedings in four cases relating to the situation of Community officials based in Belgium.

19. Proceedings were also continued against several Member States (Belgium, Luxembourg, Netherlands, Federal Republic of Germany) with a view to implementing the provisions of the Staff Regulations on the transfer of Community officials' pension rights.

20. Lastly, the Commission brought an action before the Court of Justice against Belgium and Germany in view of their failure to comply with the provisions of the Staff Regulations on social security benefits payable to Community officials and former officials and their successors in title.

Budgetary matters

21. Having noted that certain infringements of the Sixth VAT Directive (*) — Directive 77/388/EEC on the uniform basis of assessment — were likely to reduce the Community's own resources, the Commission endeavoured to secure payment of the own resources evaded.

22. As regards interest on account of late payment of own resources, a reasoned opinion was sent to France for delay in assessing sugar storage levies and to Greece for delay in paying a financial contribution following a strike in the banking sector. An action was also commenced before the Court on account of the United Kingdom's refusal to comply with a request, pursuant to Article 10 (2) of Regulation (EEC) No 2891/77, that it bring forward payment of own resources by one month.

Economic and monetary policy

23. As regards capital movements (Article 67 of the EEC Treaty), the two infringement proceedings continued by the Commission against Greece, for failure to liberalize blocked assets and to apply the directives on the liberalization of transactions carried out by non-residents, are currently pending before the Court of Justice.

24. As for invisible transactions (Article 106 of the EEC Treaty) — transfers connected with tourism and other forms of travel — Member States whose rules did not appear to comply with the EEC Treaty or with the Commission's interpretation of the Court of Justice's judgment in that connection (judgment of 31 January 1984) have taken substantial measures to liberalize such transactions in the last two years.

25. The French and Italian authorities, whose rules do not make very explicit provision for the possibility of increasing the basic tourist allowance on production of *prima facie* evidence, and possibly subsequent justification, have expressed their readiness to clarify those rules as requested by the Commission. The rules in force in Greece should also specify more clearly residents' rights as regards travel for business, study and medical purposes. However, in view of the balance of payments difficulties currently being encountered by Greece, restrictions on tourist expenditure may be maintained for three years under the Commission Decision of 22 November 1985 taken in accordance with Article 108 of the EEC Treaty.

(*) See section on 'Taxation', points 59 and 60.

Free movement of goods (*)

26. Articles 30 to 36 of the EEC Treaty are the subject of more than half of the complaints made to the Commission. Those Articles constitute an essential factor in the Commission's new strategy for achieving the free movement of goods by 1992 (White Paper). That strategy, which largely abandons the traditional approach of harmonization, is based on the principle of mutual recognition of national rules and standards.

27. In addition to individual complaints, further cases were discovered by the Commission departments while others were brought to the Commission's notice by parliamentary questions. In 1985 the Commission departments examined more than a thousand cases relating to Articles 30 to 36 of the EEC Treaty. It is becoming increasingly difficult to deal with such cases within a reasonable period of time; although the number of proceedings initiated under Article 169 of the EEC Treaty unquestionably fell last year, the reason for this was a lack of resources for investigating the factual and technical evidence. The Commission's capacity to act depends on the accuracy of its information. This situation, which is further aggravated by the reticence of potential complainants, can result in considerable imbalances as regards the States against which proceedings are initiated, economic sectors, types of proceedings and underlying political and social factors.

28. It would be of little use, therefore, to comment in this part of the report on the statistics on cases pending and to draw conclusions regarding developments in the application of Community law. Subject to that reservation, it may none the less be noted that, in 1985, a significant proportion of complaints related to the specific problem of parallel imports of cars.

29. New cars are frequently sold at widely varying prices in different Member States of the Community, which results in parallel imports to countries where prices are highest. Difficulties have arisen in several Member States in connection with the registration of vehicles imported as parallel imports. The Commission therefore initiated infringement proceedings against those Member States whose procedures for the approval and registration of vehicles imported from other Member States were incompatible with Article 30 of the EEC Treaty. As regards Italy, which required a certificate of origin for the registration of imported vehicles, thereby effectively impeding any parallel imports, the Commission brought an action before the Court on the grounds of that country's failure to comply with Article 30 of the EEC Treaty and applied for interim measures.

(*) For farm products, see section on 'Agriculture'.

In his order of 7 June 1985, the President of the Court ruled that the Italian authorities must take the necessary measures to ensure that no requirement was imposed on parallel importers which was stricter than those which existed prior to July 1984. The Italian authorities complied with that judgment.

30. In addition, in 1985, the Commission emphasized the partitioning of the internal market which resulted from national measures inciting people to 'buy national'. For example, the criteria published in the United Kingdom in the context of the ninth round of oil production licences for the continental shelf appeared to indicate some degree of discrimination against firms established in other regions of the Community. Following the steps taken by the Commission the United Kingdom Government stated that the provisions in question would be applied without discrimination and in accordance with Community law and that they would be eliminated from future rounds of licences.

31. Similarly, the Commission challenged national provisions, particularly in Italy and the United Kingdom, requiring that the origin of goods be indicated so that consumers could distinguish between domestic products and imported products, thus enabling them to indulge any prejudices they might have against foreign products. In an internal market, a requirement that the origin of goods be marked not only makes it more difficult to sell in one Member State the products of the other Member States in the sectors concerned but also has the effect of slowing down economic interpenetration within the Community by handicapping the sale of goods produced as a result of a division of labour between Member States.

32. A third example may be found in a French provision depriving press undertakings (specializing mainly in political news) of certain tax advantages in respect of publications they printed abroad. The Commission considered that this provision was liable to induce such undertakings to conclude contracts with French printing houses and to decide against concluding them with printing houses in other Member States. It therefore brought an action before the Court of Justice, which declared in its judgment of 7 May 1984 that the provision in question did not comply with Article 30 of the EEC Treaty.

33. As regard the pharmaceutical industry, the Commission has engaged in a dialogue with the Greek authorities with a view to securing amendment of certain legal provisions on the pharmaceutical industry and trade

in pharmaceutical products. That legislation provides for a price-fixing system that is likely to impede the importation and marketing of products which can be prescribed or reimbursed by State bodies, on the basis of criteria incompatible with Community law. Following the steps taken by the Commission, the Greek authorities have undertaken to bring those provisions into line with Community law.

34. As regards harmonization designed to eliminate technical barriers to trade, monitoring of the incorporation and implementation of directives continues to give rise to a number of infringement proceedings; that is not a source of serious concern, however, in view of the substantial volume of Community law covered by that sector and the positive steps now being taken in fields where infringements occurred in previous years.

35. In the industrial sector, it was possible to close thirteen cases in 1985. Proceedings initiated or continued mainly concern cases where measures were not incorporated by the appropriate date. Only Directive 73/23/EEC (the 'low-tension' directive) has given rise to problems regarding the non-conformity of national implementing measures, which the Commission is endeavouring to resolve with experts from the Member States. A clearer understanding of the mechanisms defined in the directive in question and their operation should remedy the situation in the future.

36. As already emphasized in the second annual report on monitoring the application of Community law, infringement proceedings are initiated or continued more often on account of administrative or procedural delays than deliberate attitudes or attitudes justified on economic grounds.

37. The state of progress in implementing the six main directives in the pharmaceutical sector, the time limit for the incorporation of which has expired, may also be regarded as satisfactory in view of the particular complexity of pharmaceutical legislation, which very frequently gives rise to long delays in adapting legal or administrative provisions. It was possible to terminate several infringements investigated in 1984. However, the Commission commenced an action before the Court of Justice against Ireland for failure to inform it of its national implementing measures on veterinary medicinal products and continued the proceedings against Italy, which has still not incorporated the directive on pharmaceutical specialities for the use of humans.

38. Proceedings initiated in respect of the directives on food products all stem from a failure to inform the Commission of national implementing measures. It was

possible to terminate twenty-seven cases in 1985. Formal notice was served in an equal number of cases and two actions were commenced, one against Belgium and the other against Ireland, for failure to incorporate Directive 80/777/EEC (mineral waters). The delays in question, which were due to administrative causes, have been dealt with in the meantime and the Commission has withdrawn its actions.

39. As regards the chemicals sector (detergents, fertilizers and dangerous preparations and substances), harmonization is aimed at both the free movement of goods and the protection of users by means of appropriate information through labelling, or even by limits or a ban on their use.

40. Trends in the incorporation of directives in this sector in the past year may also be described as satisfactory. Two directives are, however, causing problems in this connection. The first, concerning ammonium nitrate fertilizers, has not been incorporated by Member States (except Germany, Denmark and Ireland), which are awaiting the forthcoming adoption of a supplementary directive on methods of testing before amending their national legislation. The second, limiting the use of benzene, particularly in the manufacture of toys, gives rise to a similar problem as the Member States (with the exception of Germany, Denmark, Greece and Ireland) prefer to await the adoption of the directive on 'toy safety', which is currently before the Council, in order to regulate all aspects of the manufacture of such articles.

41. As for public contracts, mention should be made of the judgment delivered against Italy, and the case pending before the Court, for failure by an Italian municipality to comply with the provisions of Directive 71/305/EEC, which lays down common rules on the publication and award of public works contracts. The Commission attaches great importance to the proper application of the provisions of this Community directive for the attainment of the large internal market and, with a view to increasing accessibility to public contracts, strives to ensure that in this field the rules on the free movement of goods (Article 30 *et seq.* of the EEC Treaty) are complied with.

Free movement of persons and freedom to provide services

42. Infringements of the provisions on the free movement of persons and freedom to provide services (Articles 52 and 59 of the EEC Treaty) mostly relate to discrimination on the grounds of nationality regarding access to an occupation, particularly in Greece, France and Italy. The number of such infringements increased from 15 to 18 in one year.

43. However, the number of infringements of the directives adopted under Article 57 of the EEC Treaty with a view to ensuring the freedom of movement of persons practising a profession (doctors, nurses responsible for general care, dentists, midwives and lawyers) fell from sixty-six to fifty-three. The Commission referred more than half of those cases to the Court of Justice.

44. In this particular sector, the majority of infringements investigated stem from the incomplete or incorrect incorporation of the directives adopted by the Council; one exception is Directive 77/249/EEC (lawyers), which has been incorrectly implemented in three Member States, namely Germany, France and Italy.

Customs union

45. Infringement proceedings in the customs union field increased to some extent in 1985 as a result of a difference of opinion with some Member States regarding the interpretation of Article 223 of the EEC Treaty. The Commission does not accept the possibility of using Article 223 (1) (b) of the Treaty to admit free of duty supplies intended for the armed forces.

46. In addition to infringements relating to charges having equivalent effect and the application of certain customs procedures, two infringement proceedings should be pointed out in view of their impact on the effectiveness of Community law; they are the proceedings commenced against France and Italy relating to the repayment of national taxes levied in breach of Community law. According to the case law of the Court of Justice, repayment of such taxes cannot be made subject to rules governing proof which in practice make it difficult or impossible to obtain such repayment.

47. Where directives are concerned, although there were no marked developments compared with 1984, it should be noted that the number of infringements concerning failure to notify the Commission of national implementing measures and incomplete incorporation into domestic law should diminish as those directives are transformed into regulations, as provided for by the Commission programme, implementation of which has already commenced in the inward processing field.

Competition

48. In 1985, the Commission took action in three cases in France and one in Greece relating to the adjustment of state monopolies of a commercial character.

49. The Commission was able to close the case relating to the French spirits monopoly following the abolition of the 'cash adjustment' ('soulte') which discriminated against imported spirits. It was also possible to terminate the proceedings relating to the monopoly in manufactured tobacco in the same Member State after measures were adopted which allow nationals of other Member States to operate in the wholesale sector.

50. The Commission delivered a reasoned opinion, on the other hand, concerning the monopoly in potassium fertilizers in France on account of the fact that an import declaration was required in respect of such products which had the effect of maintaining an exclusive importation right for them. It also sent a reasoned opinion to the Greek Government for maintaining the petroleum monopoly which, according to the Treaty of Accession, should have been gradually adjusted during the transitional period ending 31 December 1985.

51. Article 89 of the Treaty lays down that the Member States must assist the Commission in applying the competition rules provided for in Articles 85 and 86 of the Treaty prior to the adoption of specific procedural rules. That Article is still applicable in the field of air transport, where such rules have not yet been adopted. The Commission sent reasoned opinions on this basis to seven Member States (Belgium, Denmark, Germany, France, Greece, Ireland and Italy) which had either failed to reply at all or had failed to provide a satisfactory reply to the requests for information sent to them.

Banks, insurance companies and other financial institutions

52. In the insurance sector, the Court of Justice has to deliver a judgment in a case against France, which refuses to grant a tax credit to agencies and branches of insurance, reinsurance and capital redemption companies having their head office in a Member State⁽¹⁾. Judgments are also awaited in cases relating to coinsurance brought against Germany, Denmark, France and Ireland. The Commission has also sent a letter of formal notice to Belgium, Luxembourg and the Netherlands and a reasoned opinion to Italy for failure to incorporate the directive concerned.

53. More recently, the Commission has brought two cases before the Court of Justice — one against Italy

⁽¹⁾ The judgment recently delivered, outside the period covered by this report, shows that tax harmonization is not a prerequisite for the freedom of establishment. The Commission is examining the possible effects of this judgment in all the Member States.

and the other against the Netherlands — for failure to communicate the national implementing measures adopted in order to incorporate into domestic law Directive 79/267/EEC on the taking-up and pursuit of the business of direct life assurance. A letter of formal notice has been sent to the Netherlands for failing to comply with the judgment of the Court of Justice (Article 171 of the EEC Treaty).

54. The Commission also brought actions before the Court against Belgium and Germany, and sent a reasoned opinion to Italy, for failure to incorporate into national law three directives concerning securities: Directives 79/279/EEC coordinating the conditions for the admission of securities to official stock exchange listing, 80/390/EEC on the particulars to be published in that connection, and 82/121/EEC on information to be published regularly by listed companies.

55. Finally, a reasoned opinion was sent to Greece on its failure to abolish certain restrictions on freedom of establishment and freedom to provide services contained in its banking legislation.

Taxation

56. With regard to the elimination of tax discrimination (Article 95 of the EEC Treaty), the Commission issued two reasoned opinions: one was sent to France in respect of the importation of secondhand vehicles and the other to Italy in respect of the taxation of medical samples.

57. A total of seven new cases were referred to the Court of Justice; the Member States involved were Belgium, France, Ireland and Italy. The Court found against Italy in two judgments involving the arrangements for imported dessert wines and the differential taxation of sparkling wines, while two cases were removed from the Court register, the Member States concerned having in the meantime taken steps to comply with Community law. Those Member States were the United Kingdom (import perfumes) and France (phytosanitary fee charged in respect of mussels and shellfish).

58. Proceedings commenced against Italy in connection with the differential taxation of spirits in that country were terminated after the legislation complained of had been amended following the issue of a reasoned opinion.

59. In the field of secondary law, and with particular reference to the application of the sixth VAT Directive (77/388/EEC), the Commission issued a reasoned opinion concerning new arrangements for secondhand goods in the United Kingdom and referred to the Court of Justice six new cases of alleged incorrect application of the Directive by the Federal Republic of Germany, Ireland, the United Kingdom and the Netherlands.

60. The Court of Justice rejected two actions previously brought against the Netherlands and Ireland regarding a reduction in the taxable amount in cases where goods are taken back. However, the Court found against the Federal Republic of Germany in respect of its system of exempting from VAT services rendered by carriers to the Federal Post Office.

61. The Commission also terminated proceedings in three cases where the countries concerned had complied with reasoned opinions. The countries concerned were Ireland (reduction in the taxable amount), France (new charge imposed on alcoholic beverages for the benefit of social security funds) and Luxembourg (application of the flat-rate agricultural scheme to supplies of goods).

62. With regard to the incorporation of other Community directives into national law, the Commission decided to issue reasoned opinions in two cases involving Italy in connection with the implementation of Directives 83/181/EEC and 83/183/EEC.

63. However, a number of proceedings were terminated, the Member States concerned having adopted national implementing measures. The countries concerned were Italy (Directives 77/805/EEC and 79/32/EEC on tobacco and Directive 79/1071/EEC concerning mutual assistance), the United Kingdom, Ireland and Belgium (application of Directive 83/181/EEC — exemption from VAT on the final importation of certain goods).

64. With regard to the implementation of Court judgments — whether relating to the discrimination referred to in Article 95 of the EEC Treaty or to secondary legislation — proceedings were instituted against the Federal Republic of Germany in respect of the tax aspects of the 'butterships' affair, since that country had failed to apply the judgments given by the Court in Cases 158/80, 278/82 and 325/82. The Commission again referred to the Court the case of the registration tax imposed in Belgium on supplies and imports of new cars, since the judgment of 10 April 1984 has still not been applied in Belgium.

65. The Commission also instituted infringement proceedings against all the Member States in respect of the VAT charged on imported used goods — a system

which is contrary to the *Schul* judgment of 5 May 1982 (Case 15/81) in that it leads to double taxation where the goods concerned have already been subject to VAT in another Member State without the tax being refunded. This judgment was also the subject of a Commission communication in the Official Journal of the European Communities ⁽¹⁾ designed to draw the public's attention to their rights following this new judgment ⁽²⁾.

Employment, social policy and education

66. In the social field, the Commission issued reasoned opinions in 1985 in six cases involving Belgium, the Federal Republic of Germany, France and Italy. In two of these cases (Belgium and Italy), the Commission had to refer the matter to the Court of Justice. However, a dispute with Ireland was settled to the Commission's satisfaction, with the result that the Commission was able to terminate the infringement proceedings.

67. The Commission found that two Member States (Belgium and the United Kingdom) had not complied within a reasonable time with judgments the Court had given against them. It also commenced infringement proceedings in five cases in which Member States had failed to adopt national implementing measures within the time allowed.

68. The Commission also drew up a report on the application of the principle of equal treatment for men and women with respect to access to employment, training and promotion and working conditions in Greece. It is currently preparing other reports concerning equal treatment for men and women and the protection and freedom of movement of workers.

69. The Commission intends to step up its action to ensure that Community law in the social field is observed. In this connection, it particularly regrets the trend in many Member States towards a systematically restrictive interpretation of Community law and the Court's decisions relating to free movement of workers.

⁽¹⁾ OJ No C 13, 21. 1. 1986.

⁽²⁾ This first judgment has been supplemented by a second *Schul* judgment given on 25 May 1985 in Case 47/84.

Environment and consumer protection

70. In the environmental field, the number of new infringement proceedings instituted under Article 169 of the EEC Treaty and the number of reasoned opinions and actions brought before the Court have increased compared with previous years. This increase is due in particular to the following factors:

- the increased awareness of the public, which is increasingly concerned with these matters and, by lodging complaints with the Commission, is drawing the Commission's attention to the possible incorrect incorporation of Community Directives into national law;
- monitoring of the incorporation into national law of Directives 79/831/EEC (dangerous substances), 80/779/EEC (SO₂ in the air) and 79/409/EEC (protection of birds) and, more generally, of the application of Community law relating to the environment — this in response to Parliament's debate preceding its resolution of 11 April 1984 (1).

71. The number of infringement proceedings commenced against Greece, which continues to lag behind in adopting national implementing measures and in applying Community directives, also contributed to this increase.

72. The reports which the Member States are required to transmit regularly to the Commission pursuant to numerous directives in the environmental field provide information on the actual implementation of directives, on the drawing up of cleansing programmes or on the results of measures taken by the Member States. For that reason, the Commission will ensure in future that these reports are transmitted by the deadlines set by Community provisions.

73. In the field of consumer protection, the Commission's attention was drawn principally to the problems relating to the application of Directives 76/768/EEC (cosmetic products), 79/581/EEC (unit prices) and 79/112/EEC (labelling of foodstuffs), as is shown by the information contained in the review of the application of the directives.

Agricultural policy

74. With regard to free movement of agricultural products, there were again many and various obstacles to trade in 1985, as is shown by the following examples:

- (i) technical requirements relating to the presentation, quality or packaging of products and having the effect of limiting or discouraging imports. The Commission took action against this type of

measure in the case of the restrictions imposed on the marketing or importation of butter, beef and veal in Greece and in the case of the German legislation reserving the use of a given bottle shape for certain national producers (Bocksbeutel);

- (ii) provisions promoting the use of national products, such as those contained in the German wine law;
- (iii) excessive or systematic checks, particularly health checks which are:
 - more rigorous for imported products and not justified under Article 36 of the EEC Treaty. The Commission has taken action against such practices involving poultrymeat in Belgium;
 - unduly restrictive, such as the requirement imposed by the Italian authorities that there should be an inspection corridor in vehicles transporting meat;
 - not easily accomplished and fluid, such as the quantitative limit imposed by the Italian authorities on adult bovine animals imported through the Ventimiglia frontier post;
- (iv) the fixing of maximum import prices and profit margins which have the effect of discouraging and restricting imports; such methods are used in Greece in trade in beef, veal and pigmeat.
- (v) import licences required for potatoes in Ireland and animal products in the United Kingdom;
- (vi) arrangements for granting or refusing to grant foreign currency licences, which are designed to control imports and are applied, for example, in Greece in the case of beef, veal and pigmeat, live plants and fruit and vegetables;
- (vii) measures prohibiting or preventing imports, such as those applied to pasteurized milk and poultrymeat in the United Kingdom, poultrymeat in Ireland, certain kinds of preserved meat in the Federal Republic of Germany and bananas and olive oil in Greece.

75. The extremely large body of legislation containing specific organizational measures designed to attain, for the sector in question, the objectives set out in Article 39 of the EEC Treaty (in particular intervention measures on the Community's internal market and adjustment measures in relation to the world market) is intended to achieve a level of prices at the production and wholesale stages which takes account of the interests of overall Community production in the sector in question (a fair standard of living for the agricultural community) and of those of consumers (supplies to reach consumers at

(1) OJ No C 127, 14. 5. 1984, p. 67.

reasonable prices). Those prices are intended to assure the availability of supplies without encouraging surplus Community production.

76. Infringements concern either delay in the application of Community rules (which, if they are to produce the impact intended by the Community legislature, must take effect at short notice) or the incorrect application of the Community provisions themselves.

77. The Commission felt obliged to take action on Italy's delay in applying the Council Regulation establishing in certain regions arrangements for encouraging the formation of groups of producers and the Council Regulation introducing arrangements for abandonment premiums to be paid in respect of areas under vines.

78. Incorrect application of Community rules affects the functioning of the market organizations, in the milk sector in the United Kingdom by reason of certain activities of the Milk Marketing Boards in relation to prices, in the cereals and olive oil sectors in Greece, in the fruit and vegetables, olive oil and milk product sectors in Italy and in the wine sector in France and Germany.

79. Failure to observe certain rules of the common organization of markets may make imports more difficult and thus impede the free movement of goods. Such is the case with the incorrect application of the common quality standards in the fruit and vegetables sector in Belgium and France. Such behaviour also produces restrictive effects in trade within the Member States concerned and must for this reason be regarded, strictly speaking, as infringing of the law governing the common agricultural organizations.

80. With regard to harmonization, the following sectors are covered: plant health, seeds and propagating materials, feedingstuffs and veterinary law.

81. The majority of the infringements giving rise to proceedings consisted in failure to communicate national implementing measures:

— 79 proceedings were commenced in 1985 under Article 169 of the EEC Treaty (33 in the feedingstuffs sector and 39 in the veterinary sector);

— 32 reasoned opinions were issued during the course of the year and led to 26 cases being referred to the Court (17 in the feedingstuffs sector, six in the veterinary sector and three in the seeds and propagating material sector).

82. Notwithstanding the wide range of infringements against which action was taken, it is useful to identify a number of characteristic features of the infringements committed by Member States.

83. For example, it has been found that in Italy many infringements are due to deficiencies in the administrative infrastructure at frontiers, to administrative delays and in particular to lengthy parliamentary procedures, which are responsible for delays in incorporating Directives into national law and in implementing judgments of the Court of Justice or Community measures.

84. In Greece, the magnitude of the number of infringements can be explained only by a tendency to pursue a national policy towards imports, exports and intervention.

85. As to the United Kingdom and Ireland, many infringements bear witness to the fact that the geographical situation of these two Member States, which has preserved their agriculture from certain animal and vegetable diseases, prompts them to maintain a tradition of health or plant health protection — a tradition which leads to restrictions on trade, even in cases where such restrictions are not justified by the legitimate aim of preventing the spread of the diseases in question.

86. As to the other Member States, an analysis of the infringements against which action was taken does not show any significant characteristics except, possibly, for the larger number of infringements in the wine sector in the Federal Republic of Germany.

87. Finally, the Commission had to commence or continue proceedings in a growing number of cases involving failure to implement, or to implement correctly, judgments of the Court of Justice. This was the case with Italy, the United Kingdom and Ireland.

Fisheries

88. In the course of administering the common fisheries policy, the operation of which should henceforth proceed at a more regular pace, the Commission took action in 1985 in certain cases where catch quotas had been exceeded — cases which had already been detected in the two previous years.

89. This action was accompanied by monitoring of the control procedures which the Member States were required to establish to ensure observance of the measures enacted by the Community in the fisheries sector.

90. Finally, in order to ensure that Community policy is as consistent as possible, the Commission endeavoured to arrange for advance information to be provided on certain national measures adopted in this sector and to check their conformity with Community law.

Transport policy

91. With regard to directly applicable Community law (21 Regulations), the action before the Court against France for incorrect application of the Regulation on social legislation on road transport ((EEC) No 543/69) was suspended pending the entry into force of the new revised Regulations in this field, on which the Council agreed a common approach on 14 November 1985. For the same reasons, proceedings in progress against the Netherlands for incorrect application of Regulation (EEC) No 1463/70 on the tachograph were not continued in 1985.

92. Italy complied with the Court judgment of 13 December 1984, given in the action brought against it for failing to observe the provisions of Regulation (EEC) No 3164/76 (Community quota — double transport authorization).

93. With regard to the incorporation of directives into national law (32 directives), a total of 17 proceedings are in progress.

94. As regards the taking up of the occupation of road haulage operator and the mutual recognition of diplomas, Italy has still not communicated implementing measures despite the fact that action has again been brought against it for failure to give effect to the judgments given on this subject by the Court of Justice. Similarly, Greece, which should have applied these Directives as from 1 January 1984, has not yet communicated any implementing measures.

95. The proceedings commenced against Belgium, Ireland and Italy for failing to communicate measures to implement Directive 80/1263/EEC concerning driving licences were continued.

96. In the case of inland waterway transport, proceedings were commenced against Belgium and France for failure to communicate national measures to implement Directive 82/714/EEC laying down technical requirements for inland waterway vessels. Similarly, action was brought against Belgium for failing to communicate measures to implement Directive 76/135/EEC on reciprocal recognition of navigability licences.

97. As regards combined means of transport, a particularly important field for the development of Community transport, the Court gave a judgment in favour of the Commission and against Italy for failing to communicate implementing measures.

98. As to Directive 83/416/EEC on air transport, which provides for rights to be conferred on individuals, the national implementing measures transmitted to the Commission are being examined. However, infringement proceedings were commenced against France and the Netherlands for failing to incorporate the Directive's provisions into national law.

Energy policy

99. Apart from the incorporation of Directive 82/885/EEC (heat generators) into national law, the Commission considers that Community law enacted under the EEC Treaty is being satisfactorily applied in the energy field. In this connection, it is continuing to follow the trend in the prices of crude oil and petroleum products in the Community.

100. It will continue to seek appropriate solutions to the problem of the unsatisfactory implementation of Chapter VI of the Euratom Treaty with regard to the Community supply system.

External relations

101. Almost all the cases examined relate to the cooperation agreements concluded by the Member States with third countries.

102. In 1985, the Commission, anxious to return to a stricter and more systematic application of Council Decision 74/393/EEC, which lays down arrangements for prior notification and consultation, transmitted to the Member States a memorandum setting out the approach it intended to follow in future in this field.

103. Infringement proceedings commenced will be dealt with in the light of the commitments made and of whether they are honoured.

Development cooperation policy

104. In this sphere, the Commission's monitoring of the application of Community law is essentially designed to ensure observance by the Member States of the various protocols concluded in the context of the Lomé Convention and the Mediterranean agreements and of the Community acts arising from certain international agreements relating to products.

105. The Commission is following with particular attention the problems which certain importers of bananas from the ACP States seem to encounter, mainly in Greece. The Commission has commenced proceedings before the Court of Justice against that Member State.

No 1

Infringement proceedings opened or pursued since 1978 (*) classified by:

— stage of proceedings (formal notice/reasoned opinion/reference to Court of Justice);

— Member State

	Letter of formal notice								Reasoned opinion								Reference to the Court of Justice							
	1978	1979	1980	1981	1982	1983	1984	1985	1978	1979	1980	1981	1982	1983	1984	1985	1978	1979	1980	1981	1982	1983	1984	1985
B	13	25	34	29	27	34	55	68	5	13	10	26	18	8	17	37	2	4	8	9	8	4	4	23
D	14	15	15	22	26	16	36	29	4	7	3	14	15	8	13	17	1	1	1	2	4	4	7	9
DK	7	10	14	21	16	13	21	27	1	3	2	6	10	3	3	4	1	—	1	2	1	3	1	2
GR	—	—	—	—	8	26	60	69	—	—	—	—	2	4	27	30	—	—	—	—	—	2	4	10
F	17	23	34	39	68	55	92	93	14	10	10	22	33	21	29	36	3	2	4	5	8	12	14	14
IRL	8	17	25	28	30	16	33	33	5	5	5	4	17	6	12	10	—	1	1	3	3	1	3	9
I	15	30	39	64	66	69	67	70	18	15	19	41	34	21	26	61	5	7	11	20	14	12	12	31
L	6	24	26	17	30	24	28	37	4	6	5	19	8	2	6	16	—	1	2	2	3	—	3	6
NL	9	19	21	16	32	16	28	48	8	9	7	7	16	3	5	11	—	—	—	5	2	3	2	4
UK	8	24	19	20	32	20	34	29	9	7	7	8	4	7	10	11	3	2	—	2	2	1	4	5
Total	97	187	227	256	335	289	454	503	68	75	68	147	157	83	148	233	15	18	28	50	45	42	54	113

(*) Slight differences from figures published in the General Report are due to change in methods of counting.

Infringement proceedings opened or pursued since 1978 classified by:
 — stage of proceedings (formal notice/reasoned opinion/reference to the Court of Justice);
 — sector

		Statistical questions	Customs union	Commercial policy	Economic and financial policy	Internal market and industrial affairs	Competition	Employment and social affairs	Agriculture	Transport	Development	Administrative questions	Environment and consumer protection	Fisheries	Financial institutions and taxation	Energy	Budgets	Legal Service	Total
1978	Letter of formal notice		15			60	1	4	13	1		2					1		97
	Reasoned opinion					49	1	2	6	2		1	2	1	4				68
	Reference to the Court of Justice					9			2						4				15
1979	Letter of formal notice		13			104		12	6	9			35	1	7				187
	Reasoned opinion					51		4	3			1	8	3	5				75
	Reference to the Court of Justice					7		2	3					2	4				18
1980	Letter of formal notice		17			140	1	12	29	5			4	5	14				227
	Reasoned opinion		1				1	8	3	5			9		2				68
	Reference to the Court of Justice					25			2			1							28
1981	Letter of formal notice		7	3		92	3	16	67	5			27		31		5		256
	Reasoned opinion		5	1		79		18	31				3		5		5		147
	Reference to the Court of Justice		2			22		4	1	4		1	12		4				50
1982	Letter of formal notice	3	13			97	1	10	164	9			16	5	16	1			335
	Reasoned opinion	1				92	1	10	20	1			7		25				157
	Reference to the Court of Justice		4			21	3	3	8	1					5				45
1983	Letter of formal notice		10	1	2	111	9	9	76	5	1	2	35	4	21	1	2		289
	Reasoned opinion	1	1			40	3	6	14	2			1		15				83
	Reference to the Court of Justice					21	3	6	3	2					7				42
1984	Letter of formal notice		21	11		172	6	15	91	7	2	4	65	13	43	1	3		454
	Reasoned opinion	1	5	2	2	46	3	4	25	1		3	33		20	1	2		148
	Reference to the Court of Justice	1	1	1	1	23		3	7	3			2		10	1	1		54
1985	Letter of formal notice	1	19	2		152	7	23	148	10	1	6	69	4	29	6	24	2	503
	Reasoned opinion		18			93	9	6	43	7	1	5	26		21		2	2	233
	Reference to the Court of Justice		5		1	34	1	2	17	5	1	6	23		17		1		113

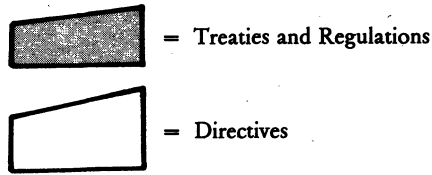
Infringement proceedings initiated (letter of formal notice) since 1978 classified by:

- sector
— legal basis

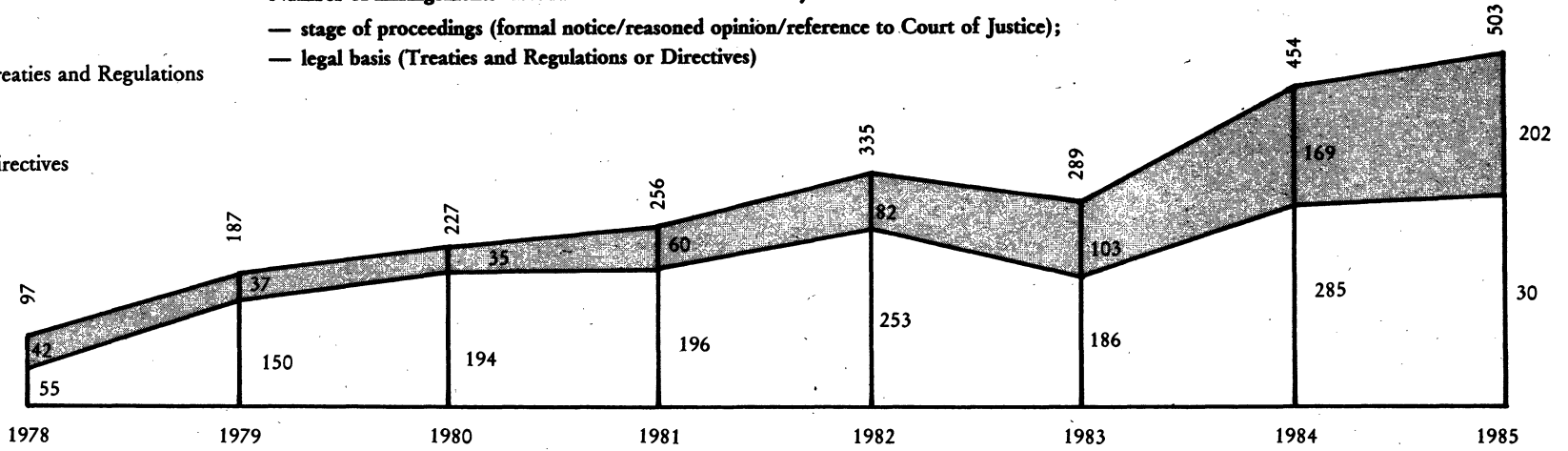
		Statistical questions	Customs union	Commercial policy	Economic and financial policy	Internal market and industrial affairs	Competition	Employment and social affairs	Agriculture	Transport	Development	Administrative questions	Environment and consumer protection	Fisheries	Financial institutions and taxation	Energy	Budgets	Legal Service	Subtotal	Total
1978	No measures notified		13			38		1											42	97
	Not properly incorporated					3													3	
	Not properly applied		2			7		1											10	
	Treaty/Regulations					22	1	2	13	1		2					1		42	
1979	No measures notified					68		2		5			35						110	187
	Not properly incorporated					6		5						1					12	
	Not properly applied		5			8		5		4				6					28	
	Treaty/Regulations		8			22			6					1					37	
1980	No measures notified		12			109		6	19	4			4		13				167	227
	Not properly incorporated					12		4	2					1					19	
	Not properly applied					5		2	1										8	
	Treaty/Regulations		5			14	1		7	1				5					33	
1981	No measures notified					69		6	45				27		17				164	256
	Not properly incorporated					5		1	1										7	
	Not properly applied					1		7	2	2				13					25	
	Treaty/Regulations		7	3		17	3	2	19	3				1			5		60	
1982	No measures notified					48			142				15			1			206	335
	Not properly incorporated					5				3			1						10	
	Not properly applied	1	10			5		9	3	3			1		6				37	
	Treaty/Regulations	2	3			39	1	1	19	3				5	9				82	
1983	No measures notified		8			56		2	45	4			23		1	1			140	289
	Not properly incorporated					3		3	1	1			10		2				19	
	Not properly applied				1	6		1	9				2		8				27	
	Treaty/Regulations		2	1	1	46	9	3	22		1	2		4	10		2		103	
1984	No measures notified		2			83		7	43				48		32				222	454
	Not properly incorporated		5			24			1				15		1				46	
	Not properly applied		1			1	2	2	3				2		6				17	
	Treaty/Regulations		13	11		64	4	6	44		2	4		13	4	1	3		169	
1985	No measures notified		8			87		5	80	8			58		5	6			257	503
	Not properly incorporated		2			5		7	5				10		1				30	
	Not properly applied	1						2	1				1		9				14	
	Treaty/Regulations		9	2		60	7	8	63	2	1	6		4	14		24	2	202	

Number of infringements introduced since 1978 classified by:

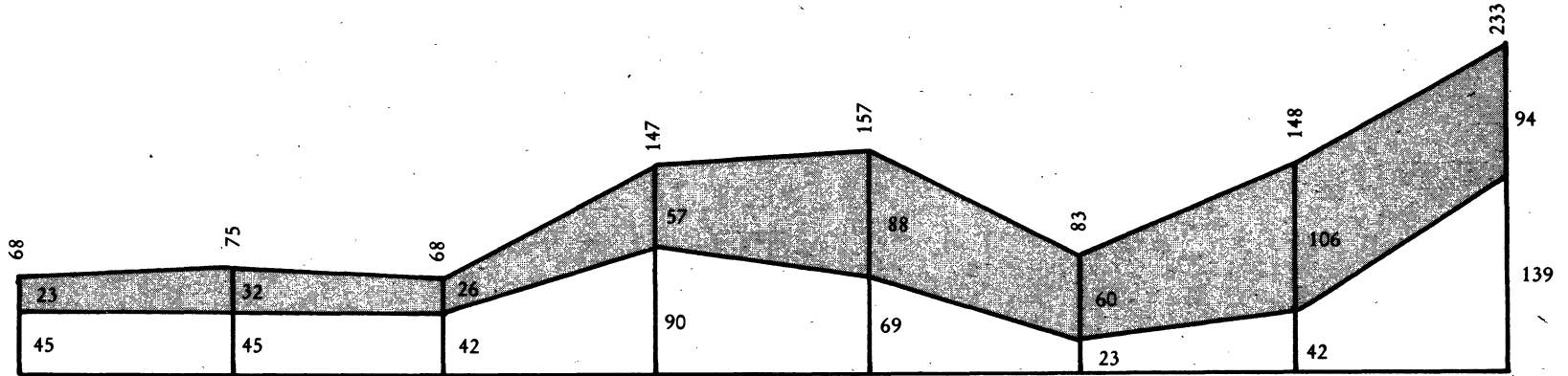
- stage of proceedings (formal notice/reasoned opinion/reference to Court of Justice);
- legal basis (Treaties and Regulations or Directives)



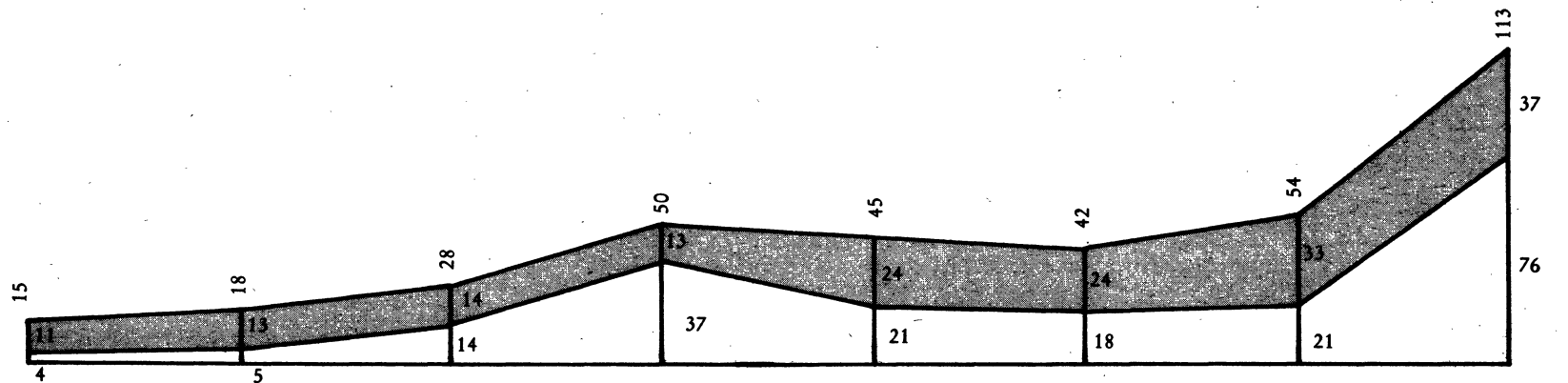
Formal notice



Reasoned opinion



Reference to Court of Justice



Number of infringements introduced since 1983 classified by:

- Member State;
- legal basis (Treaties and Regulations or Directives);
- stage of proceedings (formal notice/reasoned opinion/reference to the Court of Justice)

Member State	State of the infringement proceeding (*)	1983				1984				1985			
		Directives			Treaties and Regulations	Directives			Treaties and Regulations	Directives			Treaties and Regulations
		No measures notified	Not properly incorporated	Not properly applied		No measures notified	Not properly incorporated	Not properly applied		No measures notified	Not properly incorporated	Not properly applied	
B	FN	19	3	3	9	27	10	2	16	33	5	1	29
	RO	1	1	—	6	6	2	1	8	17	5	—	15
	RCJ	—	1	—	3	1	2	—	1	8	7	2	6
D	FN	1	4	2	9	17	7	1	11	11	—	2	16
	RO	—	—	3	5	2	1	1	9	5	3	—	9
	RCJ	—	4	—	—	1	1	2	3	2	3	1	3
DK	FN	9	1	1	2	10	5	—	6	15	4	—	8
	RO	—	1	1	1	—	2	—	1	—	2	—	2
	RCJ	1	2	—	—	—	—	—	1	—	2	—	—
F	FN	16	2	8	29	41	7	3	41	42	3	5	43
	RO	1	1	2	17	6	2	1	20	17	4	3	12
	RCJ	1	—	1	12	—	—	2	12	4	2	2	6
UK	FN	12	1	3	4	15	3	5	11	15	2	2	10
	RO	—	—	—	7	1	2	2	5	4	—	5	2
	RCJ	—	—	—	1	—	—	—	4	—	—	2	3
GR	FN	6	—	2	18	25	1	1	33	35	1	—	33
	RO	—	—	1	3	4	—	—	23	8	—	—	22
	RCJ	—	—	—	2	—	—	—	4	4	—	—	6
I	FN	40	2	6	21	25	5	3	34	35	6	1	28
	RO	4	—	3	14	5	1	2	18	30	4	3	24
	RCJ	3	1	1	12	1	2	2	7	17	3	3	8
IRL	FN	8	4	—	4	24	2	1	6	21	1	1	10
	RO	1	—	1	4	6	2	2	2	6	1	—	3
	RCJ	—	—	—	1	—	1	1	1	4	1	1	3
L	FN	17	2	1	4	22	1	—	5	29	4	—	4
	RO	—	—	—	2	2	2	—	2	13	—	—	3
	RCJ	—	—	—	—	—	3	—	—	4	—	—	2
NL	FN	12	—	1	3	16	5	1	6	21	4	2	21
	RO	1	—	1	1	1	1	2	1	6	3	—	2
	RCJ	3	—	—	—	1	—	1	—	1	1	1	1

(*) FN = Formal notice,
RO = Reasoned opinion,
RCJ = Reference to the Court of Justice.

Reference to the Court of Justice and Court of Justice judgments since 1978

Sector	Member State	Reference to the Court								Judgment for the Commission								Judgment for the Member State							
		1978	1979	1980	1981	1982	1983	1984	1985	1978	1979	1980	1981	1982	1983	1984	1985	1978	1979	1980	1981	1982	1983	1984	1985
Administrative questions	B			1				3				1													
	D							1																	
	L							1																	
	NL							1																	
Internal market and industrial affairs	B	2	1	7		3	2	3			1			1			1								
	D	1		1	2	1		2	1		1				1										
	DK			1	1																1				
	F	2		4	3	4	4	9	3		1	1		1	1		4			2				1	
	UK	1			1	1	1	1			1			1	1		1								
	GR						2	2	2							1	1								
	I	2	3	11	6	6	3	3	6	2	3	4	6	2	1	2	2								
	IRL			1	2	2	1	1	2				1	1											
	L			2		2			3																
	NL				1	1									1										
Economic and financial policy	GR						1	1																	
State monopolies and competition	F						1																		
	I					1		1														1			
Budget	D							1																	
	UK							1																	
Development	GR							1																	
Free movement of persons and freedom to provide services	B				1	2		1	5					1											
	D						3	1	2								1								
	DK				1																				
	GR							1	1																
	F				1		1	1	1																
	I				1		2		3					1		1									
	IRL				1	1			2						1										
	L				1			3							1										
	NL						3																		

Court of Justice judgments not yet complied with by 31 December 1985 (Article 169 of the EEC/Treaty)

Judgments delivered since 1 July 1985

GERMANY

Judgment of 15. 10. 1985	Case 28/84	Feedingstuffs	By letter of 25 October 1985 the German authorities indicated that they would comply with the Court's judgment. The responsible departments have been instructed immediately to cease applying the provisions declared unlawful by the Court. A regulation repealing these rules has been drawn up and will be submitted to the Bundesrat shortly (A 1/80).
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GREECE

Judgment of 11. 12. 1985	Case 192/84	Discrimination in credit terms for the purchase of tractors and other agricultural machinery	The Greek Government has already ended discrimination in respect of centrifuges.
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ITALY

Judgment of 3. 7. 1985	Case 277/83	Differential excise duties on liqueur wines	Italy has complied with the Court's judgment (A 278/82).
Judgment of 11. 7. 1985	Case 278/83	Differential taxation of sparkling wines through the use for tax purposes of the appellation of origin	
Judgment of 11. 7. 1985	Case 101/84	Statistical returns in respect of carriage of goods by road	
Judgment of 17. 10. 1985	Case 281/83	Rules on the manufacture and marketing of vinegar	
Judgment of 6. 11. 1985	Case 131/84	Collective redundancies	

Judgements delivered prior to 1 July 1985

Cases where the Commission has been informed that measures are being taken (to end March 1986)

GERMANY

Judgment of 28. 2. 1984	Case 247/81	Reserving the marketing of medicinal preparations to pharmaceutical firms having their headquarters on German territory	On 15 July 1985 the German authorities supplied the text of the draft amendment taking account of the Court's judgment. The Commission is awaiting formal adoption of this text.
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BELGIUM

Judgment of 28. 3. 1985	Case 215/83	Collective redundancies	Following the judgment, Collective Agreement No 24 ter was concluded within the National Labour Council on 8 October 1985 and was given legal force by the Royal Decree of 20 December 1985. This Royal Decree only partially implements the judgment. The Belgian authorities have announced that a new Royal Decree should be adopted shortly in order to implement the judgment in full.
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Judgment of 28. 3. 1985	Case 275/83	Sickness insurance: social security contributions	The Belgian Government has informed the Commission that it intends to take steps to comply with the Court's judgment: the offending deductions are not now being made in the case of migrant workers receiving pensions who are no longer insured by the National Sickness and Invalidity Institution (INAMI). Repayment of the deductions unlawfully made in the past has been ordered.
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DENMARK

Judgment of 30. 1. 1985	Case 143/83	Equal pay	At the beginning of October 1985 the Danish Government laid before the Folketing a draft amendment which would ensure incorporation of the Directive.
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FRANCE

Judgment of 10. 7. 1980	Case 152/78	Advertising of alcoholic beverages	A draft is to be laid before Parliament. The offending rules are in fact no longer applied by the courts, in accordance with the judgment	Fresh infringement proceedings: Annex A (A 290/84)
Judgment of 7. 2. 1985	Case 173/83	Restrictions on the export of waste oils	On 29 March 1985 the French authorities have adopted Decree 85-387. This decree is still not in line with Community law.	Fresh infringement proceedings: (A 103/86)
Judgment of 14. 3. 1985	Case 269/83	Discrimination in the distribution of newspapers and periodicals in France	The draft of a decree has been sent to the Commission. Its publication is awaited.	
Judgment of 7. 5. 1985	Case 18/84	Tax rules applying to newspaper publishers	Measures to rectify the position have been forwarded and are being studied by the Commission departments.	
Judgment of 9. 5. 1985	Case 21/84	Exclusion from the French market of postal franking machines manufactured by Pitney-Bowes Ltd	The French authorities are studying the application for approval submitted by Pitney-Bowes. The Commission is awaiting the outcome in order to ensure that the administrative practice condemned by the Court no longer exists.	

IRELAND

Judgment of 31. 1. 1984	Case 74/82	Restrictions on the import of poultrymeat and eggs — Newcastle disease	The Irish authorities informed the Commission that the infringement would be ended forthwith.	Fresh infringement proceedings: Annex A (A 398/85)
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ITALY

Judgment of 27. 3. 1984	Case 169/82	Common organization of the market — national aids: wine-growing, tomatoes and citrus fruit in Sicily	A draft law has been forwarded to the Commission and is currently being studied.	
Judgment of 27. 3. 1984	Case 50/83	Refusing to permit entry into service of buses more than seven years old from other countries	The Italian authorities supplied texts of draft decrees at the end of 1985. These texts are currently being studied.	Fresh infringement proceedings: Annex A (A 368/85)

Judgment of 28. 3. 1985	Case 274/83	Publication of public contract notices	The circular of 30 July 1985 (<i>Gazzetta Ufficiale</i> of 9. 10. 1985) applies the judgment and speaks of a forthcoming law on the subject. The Commission is awaiting the adoption of that law.
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UNITED KINGDOM

Judgment of 8. 11. 1983	Case 165/82	Equal treatment of men and women — access to employment	The United Kingdom authorities have submitted proposed amendments which are acceptable to the Commission. One (collective agreements) will require some study.	Fresh infringement proceedings commenced, Annex B (A 260/85)
Judgment of 31. 1. 1984	Case 40/82	Restrictions on the import of poultrymeat and eggs — Newcastle disease	The United Kingdom is ready to examine the measures required to rectify the situation together with the Irish authorities and the Commission.	Fresh infringement proceedings: Annex A (A 397/85)
Judgment of 25. 4. 1985	Case 207/83	Indication of origin required for the retail sale of certain goods	The United Kingdom authorities have indicated that the procedure for the repeal of the offending legislation is in hand.	

Other cases (to end March 1986)

GERMANY

Judgment of 14. 2. 1984	Case 325/82	Exemptions from turnover tax and excise duties on imports (butter-buying cruises)		Fresh infringement proceedings: Annex B (A 320/85)
Judgment of 21. 5. 1985	Case 248/83	Equal treatment for men and women as regards access to employment		
Judgment of 23. 5. 1985	Case 29/84	Nurses		

BELGIUM

Judgment of 19. 10. 1981	Case 137/80	Transfer of pension rights		Fresh infringement proceedings: Annex A (A 303/84, Case 383/85)
Judgment of 26. 5. 1982	Case 149/79	Discrimination on grounds of nationality in job offers		Fresh infringement proceedings: Annex A (A 411/85)
Judgment of 2. 2. 1983	Case 68-73/81	Six environmental directives; titanium dioxide waste		Fresh infringement proceedings: Annex B (A.169 to 172/84, Cases 227/85 to 230/85)

Judgment of 10. 4. 1984	Case 324/82	Retaining the catalogue price as the basis charging VAT on cars	Fresh infringement proceedings: Annex A (A 386/84, Case 391/85)
IRELAND			
Judgment of 11. 6. 1985	Case 288/83	Restrictions on the import of potatoes	Fresh infringement proceedings commenced (A 99/86)
ITALY			
Judgment of 10. 11. 1981	Case 28/81	Goods Haulage Operators Directive	Fresh infringement proceedings: Annex B (A 175/83, Case 160/85)
Judgment of 10. 11. 1981	Case 29/81	Road Passenger Transport Operators Directive	Fresh infringement proceedings: Annex B (A 176/83, Case 160/85)
Judgment of 15. 3. 1983	Case 145/82	Three directives on proprietary medicinal products	Fresh infringement proceedings: Annex B (A 53/85)
Judgment of 11. 10. 1983	Case 273/82	Recognition of qualifications of goods haulage and road passenger transport operators	Fresh infringement proceedings: Annex B (A 17/85)
Judgment of 15. 11. 1983	Case 322/82	Fruit and vegetables quality control	Fresh infringement proceedings: Annex A (A 68/85, Case 69/86)
Judgment of 7. 2. 1984	Case 166/82	Fixing the price of milk	Fresh infringement proceedings: Annex A (A 242/85)
Judgment of 28. 3. 1985	Case 2/84	Authorization required for combined road/rail transport	
Judgment of 18. 8. 1984	Case 221/83	Two directives on the right of establishment and the freedom to provide services for veterinary surgeons	Fresh infringement proceedings: Annex B (A 285/85)
NETHERLANDS			
Judgment of 15. 2. 1982	Case 160/82	Direct Insurance Directive	Fresh infringement proceedings: Annex B (A 58/85)

No 8

Review of significant judgment of national courts of final instance

The judgments mentioned below concern cases in which such supreme courts have clearly failed to take account of the case law of the Court of Justice or have failed, contrary to the requirements laid down in the last paragraph of Article 177 of the EEC Treaty, to refer a matter to the Court of Justice for a preliminary ruling. Mention is also made of certain judgments which, by departing from previous case law, assist in ensuring the correct application of Community law.

It must be emphasized that this review serves only to provide information and does not claim to be exhaustive; the judgments referred to are those which the Commission has noted in legal journals or to which its attention has been drawn.

Although it can, in general, be said that the courts and tribunals of the various Member States apply Community law in full, certain cases nevertheless cause the Commission concern. For that reason, the Commission, in response to a wish expressed by the European Parliament (⁽¹⁾), has included in this report various significant judgments delivered in 1985 by national supreme courts or by courts against whose decisions there is no judicial remedy under national law.

As the Commission has made clear on a number of occasions in regard to cases in which national courts disregard the legal force and the requirements of Article 177 of the EEC Treaty (⁽²⁾) an infringement procedure may, where a national court fails to respect Community law, be initiated against the Member State in which the said court is situated. However, such a procedure does not constitute the most suitable basis for cooperation between the national courts and the Court of Justice. For that reason, where circumstances permit, the Commission endeavours, in such cases, to induce the Member States to ensure, without impairing the independence of the judiciary, that Community law is respected, whether by recourse to primary or secondary legislation or to administrative means.

Federal Finance Court, Judgment of 25 April 1985 (VR 123/84 (⁽³⁾) (Europarecht) (1985), p. 191)

According to Article 13 B (d) 1 of the Sixth Council Directive of 17 May 1977 (⁽⁴⁾) laying down a common system of value added tax, activities pursued by credit negotiators are to be made exempt from VAT by 31 December 1977 at the latest.

(⁽¹⁾) See, in particular, the report of the Committee on Legal Affairs and Citizen's Rights on the monitoring of the application of Community law by the Member States, by Mrs Vayssade, Doc. A2-112/85 of 9 October 1985, notably § 34, pp. 16 to 18 and the Resolution adopted by Parliament on this matter on 21 October 1985 (OJ No C 343, 31. 12. 1985, p. 8).

(⁽²⁾) See, in particular, the Commission's answers to Written Questions Nos 100/67 and 349/69 by Mr Westertep, No 28/68 by Mr Deringer, No 608/78 by Mr Krieg and No 526/83 by Mr Tyrrell (OJ No L 270, 8. 11. 1967, p. 2; OJ No C 20, 14. 2. 1970, p. 3; OJ No C 71, 17. 7. 1968, p. 1; OJ No C 28, 31. 1. 1979, p. 8, and OJ No C 268, 6. 10. 1983, p. 25).

(⁽³⁾) See, in this regard, Written Question No 880/85 by Mr Rothley (OJ No C 276, 28. 10. 1985, p. 23).

(⁽⁴⁾) 77/388/EEC (OJ No L 145, 13. 6. 1977, p. 1).

The said Directive was not incorporated into German national law until 1 January 1980. On 26 June 1978 a Council Directive (⁽⁵⁾) on the harmonization of the laws of the Member States relating to turnover taxes was adopted; Article 1 thereof authorizes Germany and six other Member States to implement the Directive by 1 January 1979 at the latest.

In its judgment of 22 February 1984 in the Kloppenburg case (⁽⁶⁾), the Court of Justice held that in the absence of incorporation of the abovementioned Directive into German national law a credit negotiator could rely on exemption from VAT in relation to any transaction carried out in the first six months of 1978, the period not covered by the Ninth Directive.

The Lower Saxony Finance Court which had made the reference for a preliminary ruling followed the judgment of the Court of Justice. However, in its judgment of 25 April 1985, the Federal Finance Court expressly refused to recognize the direct effect of a directive concerning taxation, quashed the Finance Court's decision and failed to comply with the judgment delivered by the Court of Justice on this matter.

Munich Finance Court, Judgment of 11 September 1985 (III, 272/79 Z 1 and 2)

In this judgment the Finance Court annulled a decision of the German authorities requiring the University of Stuttgart to pay customs duties in respect of the importation of an optical apparatus originating in the United States.

The administrative measure followed a Commission decision finding that the conditions laid down to enable the scientific apparatus in question to qualify for relief from customs duties were not satisfied since equivalent apparatus was being manufactured in the Community.

The national court, holding that pursuant to Article 189 of the EEC Treaty only the German authorities were bound by the Commission decision, failed to apply it.

Such an interpretation of Article 189 is highly dubious. It does not appear that a national court can decline to apply a Commission Decision unless it has first been declared void. The Finance Court should, accordingly, pursuant to Article 177, have submitted its interpretation to the Court of Justice and, in the event of its being rejected, have asked the Court to determine the validity of the Commission Decision. The Finance Court gave its ruling as the court of final instance since it declined to grant the respondent leave to lodge a further appeal.

(⁽⁵⁾) Directive 78/583/EEC (OJ No L 194, 10. 7. 1978, p. 16).

(⁽⁶⁾) Case 70/83, *Gerda Kloppenburg v Finanzamt Leer* [1984] ECR p. 1075.

French Conseil d'État, judgment of 26 July 1985, Office national interprofessionnel des céréales (Actualité juridique du droit administratif, 1985, p. 615)

By its judgments of 15 October 1980 in the Providence agricole de la Champagne, Maïseries de Beauce and Roquette cases^(*), the Court of Justice had declared a number of Commission Regulations concerning the system for calculating monetary compensatory amounts in regard to products processed from maize void, although it limited the effects of the declaration to the period subsequent to the date of the judgment.

Dealing with an appeal against a judgment of the Orléans Administrative Court of 23 February 1982 (consequent upon the judgment of the Court in Case 109/79) which, in contravention of that judgment, had held that the declaration that the legislation was void took effect *ex tunc*, the Conseil d'État endorsed that interpretation by finding that the relevant part of the Court's judgment 'which does not fall within the confines of the reference made by the court having substantive jurisdiction, could not bind the latter with the force of *res judicata*'. The Conseil d'État thus declined to apply the terms of the judgment.

French Court of Cassation, Judgment of 10 December 1985 — Administration des Douanes v SA Roquette Frères (not yet reported)

In contrast to the abovementioned judgment, the Court of Cassation, dealing with the same question, after declaring that Article 177 of the EEC Treaty 'requires every national court to take account of the answer given insofar as that [Community] law is applicable to the facts at issue...' held that the judgment referred to it must be quashed since 'the Court of Justice, which has exclusive jurisdiction to limit the temporal effects of the non-validity of the regulations in question, had spelled out to the national court, in the context of the reference made to it, the effects of the non-validity of the Community regulations [and] the Court of Appeal has failed to draw the requisite inferences from the terms of the judgment of the Court of Justice of 15 October 1980.

Conseil d'État, Judgment of 13 December 1985 — International Sales and Support Corporation (not yet reported)

By its judgment of 21 June 1983^(*), the Court of Justice held that by fixing the retail selling prices of manufactured tobacco at a different level from that determined by the manufacturers or importers, the French Republic had failed to fulfill its obligations under Article 5 of Council Directive 72/464/EEC^(†) and Articles 30 and 37 of the EEC Treaty.

Dealing *inter alia* with an action for the annulment of a decision of the Minister for Economic Affairs and Finance refusing to increase the retail selling price of manufactured tobacco, the Conseil d'État, after referring to the terms of the Court's judgment, disregarded them by holding that the contested decision was in no way incompatible with the abovementioned provisions of Community law.

Italian Constitutional Court, Judgment No 113 of 23 April 1985 — Ministry of Finance v BECA and Others — Foro Italiano, 1985, pp. 1600 et seq.

The Constitutional Court had, since 1975, recognized the precedence of directly applicable Community law over a subsequent conflicting national law but held that a national court could apply that principle only where the law in question had first been declared unconstitutional by the Constitutional Court^(*). The Court of Cassation had followed that thesis which, however, had been censured by the Court of Justice in its judgment of 9 March 1978^(*). By its Judgment No 170 of 8 June (Granital)^(*), the Constitutional Court had modified its former case law and acknowledged, in accordance with the position adopted by the Court of Justice, that a national court can and must decline to apply a national law which conflicts with a provision of directly applicable Community law, whether or not adopted subsequently, without having to refer the matter to the Constitutional Court.

The judgment of 23 April 1985 made it clear that the principle set out in the Granital judgment also applies where a national law is incompatible with a principle defined by the Court when interpreting a rule of Community law in the context of a reference for a preliminary ruling (Article 177 of the EEC Treaty).

Italian Court of Cassation, Judgment No 5129 of 18 October 1985 — Ministry of Finance v Srl JO.PRO.ZOO and Judgment No 5235 of 24 October 1985 — Ministry of Finance v Salengo (not yet reported)

In these two judgments, the Italian Court of Cassation, applying the principle laid down by the Court of Justice in its judgment of 9 November 1983^(*), whereby the repayment of charges paid contrary to the requirements of Community law cannot be made conditional on rules of evidence which render such repayment, in practice, difficult or impossible, declined to apply the Italian law which produced that result.

The Court of Cassation thus complied with the case law of the Constitutional Court referred to above.

^(*) Cases 4/79, 109/79 and 145/79 [1980] ECR pp. 2823, 2883 and 2917.

^(†) Case 90/82 *Commission v French Republic* [1983] ECR p. 2011.

^(†) Council Directive of 19 December 1972 on taxes other than turnover taxes which affect the consumption of manufactured tobacco (OJ No L 303, p. 1).

^(*) See Judgment No 232 of 30 October 1975, ICIC — *Foro Italiano*, 1975, I, p. 2661.

^(*) Case 106/77 *Amministrazione delle Finanze dello Stato v Simmenthal SpA*, [1978] ECR p. 629.

^(*) *Foro Italiano*, 1984, I, p. 2062.

^(*) Case 199/82 *Amministrazione delle Finanze dello Stato v SpA San Giorgio*, [1983] ECR p. 3595.

No 9

Complaints ("C") and infringements detected by the Commission's own inquiries ("I")

		B		D		DK		F		GB		GR		IRL		IT		L		NL		Total		
		C	I	C	I	C	I	C	I	C	I	C	I	C	I	C	I	C	I	C	I	C	I	
SG	1982	—	—	1	—	—	—	—	—	1	—	—	—	—	—	—	—	—	—	—	—	—	2	—
LS	1983	—	—	—	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—
	1984	—	—	—	—	—	—	1	—	1	—	—	2	—	—	—	—	1	—	—	—	—	3	2
	1985	—	—	1	1	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—	—	—	1	2
SOEC	1984	—	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2
	1985	—	—	—	—	—	—	—	—	—	1	—	—	—	—	1	—	—	—	—	—	—	—	2
CUS	1982	—	—	6	1	—	—	2	—	—	1	4	—	—	—	—	—	—	—	—	—	—	12	2
	1983	—	1	—	—	—	—	5	3	—	1	8	1	—	1	1	—	—	—	1	1	—	15	9
	1984	—	—	—	—	—	—	1	1	—	—	3	—	—	1	1	—	—	—	—	—	—	5	2
	1985	3	2	1	3	6	1	3	1	1	3	3	2	1	1	1	2	—	2	—	2	—	13	19
DG I	1982	—	—	—	—	—	—	—	4	2	—	—	2	—	2	1	—	—	—	—	—	1	4	8
	1983	—	—	—	—	—	1	1	6	1	2	—	2	—	1	1	—	—	—	—	—	—	4	13
	1984	—	—	—	—	—	—	—	2	—	—	—	5	—	1	2	—	—	—	—	—	—	1	9
	1985	—	2	—	1	—	—	1	—	—	—	—	1	—	1	3	—	2	—	—	—	—	1	10
DG II	1982	—	—	—	—	—	—	—	—	—	—	3	—	—	—	—	—	—	—	—	—	—	—	3
	1983	—	—	—	—	—	—	—	1	—	—	2	—	—	—	—	—	—	—	—	—	—	—	2
	1984	—	—	—	—	—	—	—	—	—	—	2	1	—	1	—	—	—	—	—	—	—	—	2
	1985	—	—	—	—	—	—	1	—	—	—	1	—	—	—	1	—	—	—	—	—	—	—	3
DG III	1982	12	2	11	4	4	—	69	13	18	6	31	5	10	1	27	7	4	—	11	3	197	41	
	1983	13	5	13	5	2	—	67	21	14	7	47	11	11	—	22	14	—	3	8	4	197	70	
	1984	5	5	11	7	6	1	53	14	14	3	64	10	4	—	65	7	1	1	3	3	226	51	
	1985	13	3	30	6	10	—	56	11	22	4	123	2	6	3	62	6	2	3	4	6	328	44	
DG IV	1982	5	2	3	—	1	1	4	2	2	1	—	—	1	2	—	1	—	—	—	1	—	17	9
	1983	2	2	1	—	—	—	4	6	1	—	2	—	—	—	1	—	—	—	7	—	—	18	8
	1984	1	—	3	1	—	—	3	1	—	—	1	2	—	1	—	2	—	—	—	1	—	9	7
	1985	2	—	—	—	—	1	—	—	—	1	—	2	2	—	—	1	—	—	—	—	—	5	4
DG V	1982	1	3	1	—	—	—	2	—	2	—	—	—	1	—	—	1	—	—	—	—	—	7	4
	1983	5	1	6	1	2	—	1	1	2	1	—	—	1	—	5	1	—	2	2	1	—	24	8
	1984	6	3	2	—	2	—	7	3	1	2	1	1	1	1	4	1	1	1	3	—	—	28	1
	1985	5	5	3	—	—	—	3	3	—	1	—	—	—	—	3	1	—	—	—	2	—	16	10
DG VI	1982	3	2	7	4	1	1	17	4	11	2	12	11	2	—	18	3	—	1	1	1	72	29	
	1983	2	3	7	7	2	4	30	7	9	9	30	8	6	4	20	10	1	3	2	5	109	60	
	1984	—	3	11	—	4	2	28	5	18	1	66	2	1	1	23	6	—	1	11	1	162	22	
	1985	2	8	5	7	2	4	28	9	17	3	49	7	5	4	32	8	—	5	2	3	142	58	
DG VII	1982	—	—	—	—	—	—	1	—	—	—	1	—	—	—	—	—	—	—	—	—	—	2	—
	1983	1	—	—	—	—	—	2	—	—	—	2	—	—	—	—	—	—	—	—	—	—	5	—
	1984	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—	—	—	—	1	—
	1985	—	—	2	—	—	—	1	—	—	—	3	—	—	—	1	1	—	—	—	1	—	8	1
DG VIII	1982	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	1	—
	1983	—	—	—	—	—	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—
	1984	—	—	—	—	—	—	—	—	—	—	—	2	—	—	—	—	—	—	—	—	—	—	2
	1985	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—	—	—	—	1
DG IX	1982	—	1	—	3	—	—	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	5
	1984	—	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	3
	1985	1	5	—	1	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	2	6
DG XI	1982	1	—	1	—	—	—	4	—	1	—	—	—	1	—	2	—	—	—	—	—	—	10	—
	1983	1	—	1	—	1	—	1	—	1	—	1	—	—	—	1	—	—	—	—	1	—	8	—
	1984	—	—	1	2	—	—	—	—	2	—	2	—	—	—	4	—	—	—	—	—	—	9	2
	1985	—	1	3	1	1	1	3	2	11	3	14	—	—	1	2	—	—	—	—	3	1	37	10
DG XIV	1982	—	—	—	—	—	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—
	1983	—	—	1	—	—	2	—	1	1	1	—	—	1	—	—	—	—	—	—	—	2	3	6
	1984	—	1	1	2	—	1	—	2	—	1	1	—	1	1	—	—	—	—	—	—	2	3	10
	1985	—	2	—	1	—	3	—	6	—	3	—	1	—	4	—	2	—	—	—	—	4	—	26
DG XV	1982	—	—	1	—	1	—	4	1	2	—	11	9	2	1	3	—	1	—	—	—	—	25	11
	1983	—	—	2	1	1	2	5	2	—	1	2	1	—	2	—	—	1	—	—	—	2	11	11
	1984	2	4	5	1	1	—	9	2	—	3	3	—	2	1	4	1	—	—	—	1	1	27	13
	1985	2	1	—	2	1	1	10	8	3	5	5	5	4	4	1	8	1	1	2	1	29	36	

		B		D		DK		F		GB		GR		IRL		IT		L		NL		Total	
		C	I	C	I	C	I	C	I	C	I	C	I	C	I	C	I	C	I	C	I	C	I
DG XVII	1982	—	—	—	—	—	—	2	—	—	—	—	—	—	—	—	—	—	—	—	—	2	—
	1983	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—	1	—	—	—	—	1	2
	1984	—	1	—	—	—	—	—	—	—	2	—	—	—	—	—	—	—	—	—	—	—	3
	1985	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1
DG XIX	1983	—	—	—	1	—	—	—	1	—	1	—	—	—	1	—	—	—	—	—	—	—	4
	1984	—	—	—	1	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—	3
	1985	—	1	—	1	—	1	—	1	—	3	—	—	—	—	—	5	—	—	—	2	—	14
	1982	22	10	31	12	7	2	106	25	39	10	59	30	17	4	53	13	5	1	13	5	352	112
	1983	24	12	31	15	9	9	117	50	29	23	94	23	19	9	51	28	3	8	21	15	399	192
	1984	14	21	34	14	13	4	102	30	36	12	144	26	9	6	102	21	3	4	19	7	476	145
	1985	28	31	45	24	14	12	106	41	55	26	200	22	16	18	104	38	3	13	14	19	585	244

*ANNEX A***Infringements of the Treaties and of regulations***Contents*

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Sector	Legal basis	Inf. No	Member State	Arrangements challenged	Stage of proceedings
Statistical questions	Regulation (EEC) No 1736/75	A 26/82	Belgium	External trade statistics	Discontinued (Case 305/84)
Administrative questions	Second subparagraph of Article 67 (2), and Article 81 of Staff Regulations	A 65/83	Germany	Family allowances from more than one source	Reference to the Court of Justice (Case 189/85)
	Article 67 (2) and second subparagraph of Article 68 of Staff Regulations	A 19/83	Belgium	Family allowances from more than on source	Reference to the Court of Justice (Case 186/85)
	Article 11 (2) Annex VIII to Staff Regulations	A 8/78	Netherlands	Obstacles to transfer to Community pension scheme of sums repaid or of actuarial equivalent of pension rights acquired under a national scheme	Reference to the Court of Justice (Case 72/85)
		A 304/84	Germany	Obstacles to transfer to Community pension scheme of sums repaid or of actuarial equivalent of pension rights acquired under a national scheme	Reasoned opinion
		A 306/84	Luxembourg	Obstacles to transfer to Community pension scheme of sums repaid or of actuarial equivalent of pension rights acquired under a national scheme	Reference to the Court of Justice (Case 315/85)
	Article 11 (2) Annex VIII to Staff Regulations, and Article 171 EEC Treaty	A 303/84	Belgium	Obstacles to transfer to Community pension scheme of sums repaid or of actuarial equivalent of pension rights acquired under a national scheme	Reference to the Court of Justice (Case 383/85)
	Article 12b) of Protocol on Privileges and Immunities	A 46/84	Belgium	Tax on residence other than the principal residence	Reference to the Court of Justice (Case 85/85)
	A 191/85	Belgium	Grants for the acquisition and renovation of buildings	Reasoned opinion	
Budgetary questions	Regulations (EEC) Nos 700/73 and 2891/77	A 112/83	Germany	Interest on late payments	Reference to the Court of Justice (Case 303/84)

Sector	Legal basis	Inf. No	Member State	Arrangements challenged	Stage of proceedings
Budgetary questions (<i>cont'd</i>)	Regulation (EEC) No 2891/77	A 181/83	United Kingdom	Interest on late payments	Reference to the Court of Justice (Case 93/85)
		A 109/84	France	Interest to late payments	Reasoned opinion
		A 362/84	Greece	Interest to late payments	Reasoned opinion
Economic and monetary policy	Article 52 EEC Treaty	A 39/83	Greece	Blocked accounts	Reference to the Court of Justice (Case 194/84)
Internal market and industrial affairs	Articles 5 and 30 EEC Treaty	A 152/84	France	Import of barbecue equipment	Reasoned opinion
		A 2/82	France	Order of 23 June 1978 concerning fixed heating installations obliging the manu- facturer to install protective grilles	Reasoned opinion
	Articles 7, 52 and 221 EEC Treaty	A 292/82	Greece	Mining law	Reference to the Court of Justice (Case 233/84)
	Articles 9 and 12 EEC Treaty + Decision 83/41/EEC Treaty + Decision 83/94/EEC Treaty	A 128/83	Greece	Fines levied on the imports of certain goods	Terminated
	Article 30 <i>et seq.</i> EEC Treaty	A 334	France	Preferential treatment for certain cooperatives in awarding public contracts	Discontinued (Case 2/85)
		A 335	France	Preferential treatment for producer groups in awarding public supply contracts or calling for tenders	Discontinued (Case 2/85)
		A 9/80	France	Refusal to market milk powder substitute	Reference to the Court of Justice (Case 216/84)
		A 188/81	Netherlands	Ban on importing seals and seal products	Terminated
		A 252/81	France	Exclusion from French market of franking machines manufactured in another Member State	Reference to the Court of Justice (Case 21/84) Judgment 9. 5. 1985
		A 253/81	Italy	Ban on registration of used buses more than seven years old, of foreign origin	Reference to the Court of Justice (Case 50/83) Judgment 27. 3. 1984

Sector	Legal basis	Inf. No	Member State	Arrangements challenged	Stage of proceedings
Internal market and industrial affairs (cont'd)	Article 30 <i>et seq.</i> EEC Treaty	A 267/81	United Kingdom	Indication of origin to be provided in retail sale of certain products	Reference to the Court of Justice (Case 207/83)
		A 268/71	Denmark	New order on packaging for beers and soft drinks	Reasoned opinion
		A 4/82	Greece	Provisions establishing that only malt-based beers may be sold	Reference to the Court of Justice (Case 176/84)
		A 5/82	Germany	Ban on the sale of beers not brewed solely from malted barley	Reference to the Court of Justice (Case 178/84)
		A 27/82	Italy	Ban on the import or manufacture of foodstuffs containing animal gelatine	Terminated
		A 28/82	France	Guaranteeing import prices against price rises due to increase in certain costs between time of contract signature and delivery of imported product	Reference to the Court of Justice (Case 291/83)
		A 29/82	France	Tax provisions applicable to newspaper publishers	Reference to the Court of Justice (Case 18/84) Judgment 7. 5. 1985
		A 30/82	Greece	Marketing arrangements for cars — ban on hire-purchase sales of new imported cars	Discontinued (Case 276/83)
		A 51/82	Germany	Restrictions on imports of vermouth	Reasoned opinion
		A 97/82	France	Discrimination in the distribution of newspapers and periodicals	Reference to the Court of Justice (Case 269/83) Judgment 14. 3. 1985
		A 98/82	Ireland	Discrimination in the distribution of newspapers and periodicals	Discontinued
A 289/82	Germany	Provisions concerning shapes of packaging for margarine	Reasoned opinion		

Sector	Legal basis	Inf. No	Member State	Arrangements challenged	Stage of proceedings
Internal market and industrial affairs (cont'd)	Article 30 <i>et seq.</i> EEC Treaty	A 316/82	Belgium	Refusal to grant import licences for codeine	Reasoned opinion
		A 320/82	United Kingdom	Refusal to grant import licences for codeine	Reasoned opinion
		A 321/82	Italy	Sale of herb cigarettes	Discontinued
		A 322/82	Italy	Grants for the purchase of domestically produced trams	Reference to the Court of Justice (Case 103/84)
		A 333/82	France	Restrictions on the import of used oils	Reference to the Court of Justice (Case 173/83) Judgment 7. 2. 1985
		A 22/83	Italy	Law on the use of pesticides	Reasoned opinion
		A 26/83	France	Requirements and procedures in regard to type approval of machinery	Reference to the Court of Justice (Case 188/84)
		A 27/83	Italy	Restrictions on the import of foodstuffs	Discontinued
		A 32/83	United Kingdom	"Buy British" campaign	Discontinued (Case 301/84)
		A 37/83	France	Difficulty of obtaining technical opinions from the CSTB	Terminated
		A 42/83	Italy	Import of spirits and agricultural alcohol produced in France	Reasoned opinion
		A 43/83	Greece	Profit margins	Reasoned opinion
		A 48/83	Greece	Labelling of certain products	Reference to the Court of Justice (Case 4/85)
A 59/83	Greece	Import of caviar substitutes	Terminated		

Sector	Legal basis	Inf. No	Member State	Arrangements challenged	Stage of proceedings
Internal market and industrial affairs <i>(cont'd)</i>	Article 30 <i>et seq.</i> EEC Treaty	A 67/83	France	New definition of rum	Reasoned opinion
		A 81/83	France	"Buy French" campaign	Reasoned opinion
		A 84/83	Belgium	Shapes of packaging for margarine	Discontinued
		A 91/83	France	Import of letter-weighing and package-weighing machines	Reasoned opinion
		A 93/83	France	Cotton yarn originating in Egypt and in free circulation	Discontinued
		A 99/83	France	Shirts originating in Portugal	Discontinued
		A 101/83	Belgium	Prices of pharmaceutical products	Reasoned opinion
		A 103/83	Greece	Pharmaceutical products	Reasoned opinion
		A 109/83	Luxembourg	Milk substitutes	Reference to the Court of Justice (Case 101/85)
		A 110/83	Greece	Granting of loans for the purchase of tractors and other agricultural machinery	Reference to the Court of Justice (Case 192/84) Judgment 11. 12. 1985
		A 135/83	France	Vehicle registration	Reasoned opinion
		A 172/83 A 115/84	Italy	Grants for the purchase of buses and trams	Reference to the Court of Justice (Case 263/85)
		A 173/83	Germany	Import of particle board	Reasoned opinion
A 174/83	Italy	Grants for the purchase of domestically produced buses in Calabria	Reasoned opinion		

Sector	Legal basis	Inf. No	Member State	Arrangements challenged	Stage of proceedings
Internal market and industrial affairs (cont'd)	Article 30 <i>et seq.</i> EEC Treaty	A 183/83	Germany	Packaging of sparkling grape juice	Reference to the Court of Justice (Case 179/85)
		A 224/83	France	Health and safety rules for the import of certain equipment and machinery	Reference to the Court of Justice (Case 180/85)
		A 107/84	France	Inspection measures for disposable syringes	Reasoned opinion
		A 112/84	Netherlands	Sale of ready-mixed concrete	Reasoned opinion
		A 200/84	France	Ban on use of lead salts in imitation pearls	Reasoned opinion
		A 235/84	Belgium	The <i>Robertson</i> case (silver plate)	Terminated
		A 252/84	Ireland	Marketing of rum and vodka	Reasoned opinion
		A 283/84	Greece	Maximum prices for flat glass	Reasoned opinion
		A 331/84	Italy	Obstacles to the import of explosives for non-military use	Reasoned opinion
		A 290/84	France	Advertising of alcoholic drink	Reasoned opinion
		A 256/84	France	Import declarations for horsemeat	Reasoned opinion
		A 285/84	Greece	Import and marketing of fishery products	Reasoned opinion
		A 249/84	Greece	Import procedures and formalities	Reasoned opinion
A 351/84	Italy	Origin marking on textile product labels	Reasoned opinion		

Sector	Legal basis	Inf. No	Member State	Arrangements challenged	Stage of proceedings
Internal market and industrial affairs (cont'd)	Article 30 <i>et seq.</i> EEC Treaty	A 279/84	Greece	Import quotas for fertilizers	Reasoned opinion
		A 205/85	United Kingdom	Larger loans granted to purchasers of British vehicles	Reasoned opinion
		A 199/85	France	Suspension of approval for welded wire mesh	Reference to the Court of Justice (Case 400/85)
		A 354/84	Germany	Marketing of milk substitutes	Reasoned opinion
		A 356/84	Ireland	Restrictions on access to market by building materials manufacturers	Reasoned opinion
		A 370/84	Netherlands	The name <i>genever</i> (gin)	Reasoned opinion
		A 258/84	Belgium	Reimbursement of the cost of proprietary medicinal products	Reasoned opinion
		A 119/85	Italy	Difficulties in importing Belgian beer	Reasoned opinion
		A 140/85	France	Change of registration for second-hand motor vehicles	Reasoned opinion
		A 138/85	Belgium	Obstacles to the import of liquid manure	Reasoned opinion
		A 371/84	France	Rules on public contracts	Reasoned opinion
		A 266/84	Denmark	Packaging of beer and non-alcoholic beverages	Reasoned opinion
		A 407/84	Italy	Parallel imports of motor vehicles	Reference to the Court of Justice (Case 154/85)
	+ Article 5 EEC Treaty	A 2/82	France	Decree of 23 June 1968	Reasoned opinion

Sector	Legal basis	Inf. No	Member State	Arrangements challenged	Stage of proceedings
Internal market and industrial affairs (cont'd)	Article 30 <i>et seq.</i> EEC Treaty + Articles 52 and 59 EEC Treaty	A 22/79	Germany	Requirement that person responsible for marketing of medicinal preparations be established in the Federal Republic	Reference to the Court of Justice (Case 247/81) Judgment 28. 2. 1984
		A 182/83	Belgium	Medical analyses — obstacles to the supply of services and to secondary establishments	Reference to the Court of Justice (Case 221/85)
		A 302/84	Italy	Blacking out of advertisements	Reasoned opinion
		A 382/84	Greece	Public supply contracts	Reasoned opinion
	+ Articles 85, 86 and 90 EEC Treaty	A 16/83	Ireland	Restrictions on the import of petroleum products	Reference to the Court of Justice (Case 126/84)
		A 20/83	France	Preferential rates for investment in domestically produced equipment	Discontinued
		A 21/83	Italy	Ban on sales of bottled beer fitted with swing stoppers	Reasoned opinion
	+ Article 171 EEC Treaty	A 4/83	Italy	Rules on the production and marketing of vinegar	Reference to the Court of Justice (Case 281/83) Judgment 17. 10. 1985
		A 290/84	France	Advertising of alcoholic drink	Reasoned opinion
	+ Regulation (EEC) No 222/77	A 257/84	Italy	Excessive customs formalities	Reasoned opinion
	+ Regulation (EEC) No 802/68	A 307/84	Italy	Import ban on motorcycles	Reasoned opinion
	Articles 48, 52 and 59 EEC Treaty	A 123/79	Germany	Subsidies on services in film industry	Reasoned opinion

Sector	Legal basis	Inf. No	Member State	Arrangements challenged	Stage of proceedings
Internal market and industrial affairs (<i>cont'd</i>)	Articles 48, 52 and 50 EEC Treaty	A 124/79	France	Subsidies on services in film industry	Reasoned opinion
		A 125/79	Denmark	Subsidies on services in film industry	Reasoned opinion
		A 388/84	Greece	Requirement of Greek nationality for teaching	Reasoned opinion
	Article 52 EEC Treaty	A 425/84	France	City of Biarritz — nationality requirement	Reasoned opinion
	Articles 48, 52 and 59 EEC Treaty	A 126/79	Italy	Subsidies on services in film industry	Reasoned opinion
		A 36/84	Italy	Discriminatory provisions in the laws relating to several occupations	Reference to the Court of Justice (Case 168/85)
		A 182/84	Greece	Laws relating to frontier areas	Reasoned opinion
		A 325/84	Italy	Access to real-estate loans and renting of housing	Reasoned opinion
Customs union	Article 9 EEC Treaty	A 69/83	France	Charge for imports of seeds and plants	Reference to the Court of Justice (Case 3/85)
		A 277/84	Belgium	Charge for customs presentation of postal parcels	Reasoned opinion
	Articles 5, 12 and 95 EEC Treaty	A 437/84	France	Repayment of national charges having equivalent effect	Reasoned opinion
		A 438/84	Italy	Repayment of national charges having equivalent effect	Reasoned opinion
	Regulation (EEC) No 802/68	A 104/82	United Kingdom	Joint fishing in the Baltic Sea — rules of origin	Terminated
	Regulation (EEC) No 1266/83	A 79/84	Ireland	Import of new potatoes originating in Cyprus	Reasoned opinion

Sector	Legal basis	Inf. No	Member State	Arrangements challenged	Stage of proceedings
Customs union <i>(cont'd)</i>	Article 28 Act of Accession	A 154/84	Greece	Charge for price control of imported products	Reference to the Court of Justice (Case 138/85)
	Articles 9 and 28 EEC Treaty and Regulation (EEC) No 950/68	A 342/84	Belgium	Duty-free importation of military equipment	Reasoned opinion
		A 343/84	Denmark	Duty-free importation of military equipment	Reasoned opinion
		A 344/84	United Kingdom	Duty-free importation of military equipment	Reasoned opinion
		A 345/84	Italy	Duty-free importation of military equipment	Reasoned opinion
		A 346/85	Luxembourg	Duty-free importation of military equipment	Reasoned opinion
		A 347/84	Netherlands	Duty-free importation of military equipment	Reasoned opinion
	Articles 9, 12 and 171 EEC Treaty	A 34/85	Belgium	Inspection fees on importation of pountrymeat	Reasoned opinion
Competition	Article 37 EEC Treaty	A 294/83	France	Potash fertilizers monopoly	Reasoned opinion
		A 114/84	France	Monopoly for synthetic and agricultural alcohol	Terminated
		A 69/78	France	Manufactured tobacco monopoly	Terminated
	Article 40 Act of Accession	A 287/84	Greece	Petroleum products monopoly	Reasoned opinion
	Articles 5 and 89 EEC Treaty	A 193/85	Belgium	Air transport — refusal to give assistance	Reasoned opinion
		A 194/85	France	Air transport — refusal to give assistance	Reasoned opinion

Sector	Legal basis	Inf. No	Member State	Arrangements challenged	Stage of proceedings
Customs union <i>(cont'd)</i>	Articles 5 and 89 EEC Treaty	A 195/85	Greece	Air transport — refusal to give assistance	Reasoned opinion
		A 196/85	Italy	Air transport — refusal to give assistance	Reasoned opinion
		A 197/85	Ireland	Air transport — refusal to give assistance	Reasoned opinion
		A 198/85	Denmark	Air transport — refusal to give assistance	Reasoned opinion
		A 206/85	Germany	Air transport — refusal to give assistance	Reasoned opinion
Financial institutions and taxation	Article 52 EEC Treaty	A 269/81	France	Refusal to grant to the French branches of foreign companies the benefit of tax credits on the same terms as those enjoyed by French companies	Reference to the Court of Justice (Case 270/83)
	Articles 52, 59 and 221 EEC Treaty	A 406/84	Greece	Banking legislation	Reasoned opinion
	Article 95 EEC Treaty	A 180/83	Italy	Taxation of spirits	Terminated
		A 83/81	France	Parafiscal charge in horticulture	Reasoned opinion
		A 180/81	France	Health protection charges for oysters, mussels and shellfish	Discontinued
		A 277/82	Ireland	Differential taxation in respect of excise duties on wines	Reference to the Court of Justice (Case 251/85)
		A 278/82	Italy	Differential taxation in respect of excise duties on liqueur wines	Reference to the Court of Justice (Case 277/83) Judgment 3. 7. 1985
		A 279/82	Italy	Differential taxation in respect of excise duties on sparkling wines	Reference to the Court of Justice (Case 278/83) Judgment 11. 7. 1985

Sector	Legal basis	Inf. No	Member State	Arrangements challenged	Stage of proceedings
Financial institutions and taxation <i>(cont'd)</i>	Article 95 EEC Treaty	A 280/82	Denmark	Differential taxation in respect of excise duties on fruit wines	Reference to the Court of Justice (Case 106/84)
		A 287/82	United Kingdom	Importation of perfumes and other cosmetic products containing alcohol	Discontinued
		A 330/82	Italy	Taxation of vehicles with an engine capacity greater than 2 500 cm ³	Reference to the Court of Justice (Case 200/85)
		A 331/82	France	Special tax on motor vehicles	Reference to the Court of Justice (Case 164/85)
		A 38/83	Ireland	Import of tyres	Reference to the Court of Justice (Case 274/85)
		A 66/83	France	Differential taxation of liqueur wines and naturally sweet wines	Reference to the Court of Justice (Case 196/85)
		A 136/83	Italy	Consumption tax on bananas	Reference to the Court of Justice (Case 184/85)
		A 188/84	Italy	Import of medical samples	Reasoned opinion
		A 264/84	Belgium	Differential taxation in respect of wine and beer	Reference to the Court of Justice (Case 356/85)
Employment and social affairs	Articles 7 and 128 EEC Treaty	A 256/85	Belgium	Enrolment fee for students	Reference to the Court of Justice (Case 293/85)
		A 311/82	Belgium	Non-exemption from payment of the supplementary enrolment fee in Belgian educational establishments for nationals of another Member State working in Belgium	Terminated
	Article 48 EEC Treaty and Regulation (EEC) No 1612/68	A 176/84	Belgium	Access to employment	Reasoned opinion

Sector	Legal basis	Inf. No	Member State	Arrangements challenged	Stage of proceedings
Employment and social affairs <i>(cont'd)</i>	Articles 48 EEC Treaty + Regulation (EEC) No 1612/68	A 313/84	Italy	Discrimination against research workers from other Member States	Reference to the Court of Justice (Case 225/85)
		A 323/84	Belgium	Funds for providing minimum subsistence benefit	Reasoned opinion
		A 336/84	Germany	Concept of normal housing	Reasoned opinion
	Articles 48 and 171 EEC Treaty + Regulation (EEC) No 1612/68	A 411/85	Belgium	Concepts of public service employment and free movement of workers	Formal notice
		Article 51 EEC Treaty + Regulation (EEC) No 1408/71 (Article 10)	A 131/79	France	Supplementary allowance from the Fonds national de solidarité — refusal to export a social security benefit
	Article 51 EEC Treaty + Regulation (EEC) No 1408/71 (Article 10)	A 15/83	Belgium	Deduction from pensions of a contribution to sickness-insurance scheme	Reference to the Court of Justice (Case 275/83) Judgment 28. 3. 1985
Agriculture	Second paragraph of Article 5 EEC Treaty	A 284/82	France	Aid to the poorest farmers (annual agricultural conference)	Reference to the Court of Justice (Case 290/83) Judgment 30. 1. 1985
		Article 30 <i>et seq.</i> EEC Treaty	A 6/78	France	Formalities on the importation of horses
		A 8/81	Italy	Imports of live animals transported by lorry	Reference to the Court of Justice (Case 121/84)
		A 291/82	Ireland	Requirement of licences in respect of the import of potatoes and refusal to grant a licence for the import of potatoes in free circulation in the Community	Reference to the Court of Justice (Case 288/83) Judgment 11. 6. 1985
		A 60/83	Italy	Restrictions on import of milk	Reasoned opinion
		A 85/83	Greece	Import ban on bananas	Reference to the Court of Justice (Case 194/85)
		A 155/83	United Kingdom	Milk products	Reasoned opinion

Sector	Legal basis	Inf. No	Member State	Arrangements challenged	Stage of proceedings
Agriculture (cont'd)	Article 30 <i>et seq.</i> EEC Treaty	A 185/83	Greece	Restrictions on intra-Community trade in meat	Reasoned opinion
		A 253/84	Italy	Quantitative limit on the importation of beef cattle through Ventimiglia	Reasoned opinion
		A 357/84	Italy	Inspection lanes	Reasoned opinion
		A 1/84	Belgium	Measures in respect of the distributive trades and of fruit and vegetables	Reasoned opinion
		A 105/84	United Kingdom	Pasteurized milk	Reference to the Court of Justice (Case 261/85)
		A 180/84	United Kingdom	Restrictions on meat imports	Reference to the Court of Justice (Case 124/85)
		A 254/84	Greece	Obstacles to the import of fruit and vegetables	Reasoned opinion
		A 268/84	Greece	Import of live plants	Reasoned opinion
		+ Article 171 EEC Treaty	A 397/85	United Kingdom	Newcastle disease — health protection regulations for poultry
	A 398/85		Ireland	Newcastle disease — health protection regulations for poultry	Formal notice
	+ common organization of market	A 41/83	Greece	Age of butter	Reasoned opinion
	+ Regulation (EEC) No 355/79	A 360/84	Germany	Protection of the <i>Bocksbeutel</i> bottle	Reasoned opinion
	+ Regulation (EEC) No 337/79	A 16/85	Germany	Sparkling wines	Reasoned opinion
+ Regulation (EEC) No 804/68	A 35/83	Italy	'Cagliata' cheeses — systematic checks on imports	Reference to the Court of Justice (Case 35/84)	

Sector	Legal basis	Inf. No	Member State	Arrangements challenged	Stage of proceedings
Agriculture (<i>cont'd</i>)	+ Regulation (EEC) No 804/68	A 359/84	Luxembourg	National symbol refused for certain butters	Reasoned opinion
		A 181/84	Italy	Denaturing of skimmed milk	Reasoned opinion
	+ Regulations (EEC) Nos 804/68 and 262/79	A 85/84	Italy	Marketing of fractionated concentrated butter	Reasoned opinion
	+ Regulations (EEC) Nos 1035/72 and 1641/71	A 18/85	France	Marketing of pears	Reasoned opinion
	+ Regulation (EEC) No 805/68	A 284/84	Greece	Ban on importing beef other than as carcasses or half-carcasses	Reasoned opinion
		A 327/84	Germany	Export of agar preserved meat	Reasoned opinion
	+ Regulation (EEC) No 2358/71	A 348/84	Greece	Exclusive rights to import grain maize	Reasoned opinion
	+ Regulation (EEC) No 2759/75	A 86/83	Greece	Import licence for pigmeat	Reasoned opinion
	Article 92 <i>et seq.</i> EEC Treaty	A 82/83	Greece	Marketing aids for new potatoes	Reasoned opinion
	Article 92 EEC Treaty + Regulation (EEC) No 2727/75	A 186/83	Greece	Export prices of pasta products	Reference to the Court of Justice (Case 357/85)
	A 341/84	Greece	Currency authorization required for importation of wheat	Reasoned opinion	
<i>Agricultural Regulations</i>					
	Regulation (EEC) No 804/68. + Article 171 EEC Treaty	A 242/85	Italy	Selling price for milk	Formal notice

Sector	Legal basis	Inf. No	Member State	Arrangements challenged	Stage of proceedings
Agriculture (cont'd)	Regulation (EEC) No 136/66	A 308/84	Italy	Designation of olive oil for export to non-member countries	Reasoned opinion
		A 142/85	Greece	Obstacles to trade in olive oil	Reasoned opinion
	Regulation (EEC) No 205/73	A 291/84	Italy	Inspection of oilseeds imported from non-Community countries	Reasoned opinion
	Regulations (EEC) Nos 804/68 + 1422/78	A 78/82	United Kingdom	Milk Marketing Boards	Reference to the Court of Justice (Case 23/84)
	Regulations (EEC) Nos 804/68 + 1422/78 + 1565/79	A 61/83	United Kingdom	Milk Marketing Boards	Reference to the Court of Justice (Case 428/85)
	Regulations (EEC) Nos 2782/85 + 1868/77	A 309/84	Italy	Forwarding of hatching statistics	Reasoned opinion
	Regulation (EEC) No 1035/72 + Article 171 EEC Treaty	A 68/85	Italy	Quality standards for fruit and vegetables	Reasoned opinion
	Regulation (EEC) No 2727/75	A 108/84	Greece	Common wheat	Terminated
	Regulation (EEC) No 2727/75 + Article 171 EEC Treaty	A 207/85	Italy	Water content of frozen poultry	Formal notice
	Regulation (EEC) No 2680/77	A 128/84	Italy	Sugar market	Reference to the Court of Justice (Case 308/84)
Regulation (EEC) No 1360/78	A 100/82	Italy	Scheme to encourage the formation of producer groups	Reference to the Court of Justice (Case 272/83) Judgment 28. 3. 1985	
Regulation (EEC) No 337/79	A 212	Germany	Wine Law 1971	Reference to the Court of Justice (Case 116/82)	
	A 358/84	Germany	Increase in alcoholic strength of Moselle wines	Reasoned opinion	

Sector	Legal basis	Inf. No	Member State	Arrangements challenged	Stage of proceedings
Agriculture (cont.)	Regulations (EEC) No 337/79 + (EEC) No 338/79	A 30/83	Germany	Grape must	Reference to the Court of Justice (Case 48/85)
	Regulations (EEC) No 337/79 + (EWG) Nr. 355/79	A 74/85	France	Coupage of rosé table wines	Reasoned opinion
	Regulations (EEC) No 337/79 + (EEC) No 516/77 + (EEC) No 1035/72	A 90/81	Italy	Regional aids to the wine and fruit and vegetable sectors in Sicily	Reference to the Court of Justice (Case 169/82) Judgment 27. 3. 1984
	Regulation (EEC) No 338/79	A 115/83	Italy	Lago di Caldaro wine	Reasoned opinion
	Regulation (EEC) No 456/80	A 79/83	Italy	Delays in the granting of abandonment premiums in respect of areas under vines	Reference to the Court of Justice (Case 309/84)
	Regulation (EEC) No 3183/80	A 171/83	Greece	Export certificates for common wheat flour	Terminated
	Regulation (EEC) No 857/84	A 387/84	Italy	Milk levy	Reference to the Court of Justice (Case 394/85)
	Decision 85/341/EEC	A 292/85	Italy	Protection against swine fever	Reasoned opinion
Transport	Regulation (EEC) No 543/69	A 145/80	France	Road transport — failure to implement certain social legislation	Reference to the Court of Justice (Case 7/84)
Energy	Article 64/Euratom Treaty	A 2/75	France	Toll enrichment (uranium)	Reasoned opinion
External relations	Decision 74/393/EEC	A 181/81	France	Failure to notify a cooperation agreement (Mexico)	Discontinued
		A 182/81	France	Failure to notify a cooperation agreement (Poland)	Discontinued
		A 183/81	France	Failure to notify a cooperation agreement (South Korea)	Discontinued

Sector	Legal basis	Inf. No	Member State	Arrangements challenged	Stage of proceedings
External relations <i>(cont.)</i>	Decision 74/393/EEC	A 127/84	France	Disregard of Community powers in the field of commercial policy (USSR)	Reasoned opinion
		A 162/84	Greece	Failure to notify a cooperation agreement (Algeria)	Reasoned opinion
		A 164/84	Greece	Failure to notify a cooperation agreement (USSR)	Reasoned opinion
		A 165/84	Greece	Failure to notify a cooperation agreement (China)	Reasoned opinion
Development	Lomé Convention	A 392/84	Greece	Ban of importation of bananas from ACP countries	Reference to the Court of Justice (Case 241/85)
Miscellaneous		A 201/85	Greece	Issue of an EEC/Euratom order for enforcement	Reasoned opinion
		A 200/85	Greece	Issue of an EEC/Euratom order for enforcement	Reasoned opinion

*ANNEX B***Infringement of directives***Contents*

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Explanation of entries

78/546	= number of Directive
(31. 12. 1980)	= deadline for incorporation of Directive into national law
blank	= no measures notified by 31 December 1985 although measures may in fact have been taken/measures notified by MS currently under study/infringement proceedings decided but not yet initiated
yes	= national implementing measures notified
n.m.n.	= proceedings initiated or pursued on the grounds that no measures have been notified
n.p.i.	= proceedings pursued on the grounds that the Directive has not been properly incorporated into national law
n.p.a.	= proceedings pursued on the grounds that the Directive is not being properly applied
1. 1. 1984	= deadline for incorporation by the particular Member State
A 74/82	= infringement number (/82 = year in which proceedings were initiated)
Case 101/84	= number of case on Court of Justice register
Judgment 18. 3. 1980	= date of Court judgment

Directive	Subject	B	D	DK	F	GB	GR	I	IRL	L	NL
Statistical Questions											
78/546 (31. 12. 1980)	Statistical returns — carriage of goods by road	yes	yes	yes	yes	yes	yes	A 74/82 n.p.a. Judgment 11. 7. 1985 Case 101/84	yes	yes	yes
Internal market and industrial affairs											
65/65 (4. 8. 1966)	Proprietary medicinal products	yes	yes	yes	yes	yes		A 29/80 n.p.i. Judgment 15. 3. 1983 Case 145/82 A 53/85 n.p.i. reasoned opinion	yes	yes	yes
68/151 (11. 9. 1969)	Company law	yes	yes	yes	yes	yes	A 432/85 n.m.n. 169 letter	yes	yes	yes	yes
71/305 (29. 7. 1972)	Public works contracts	yes	yes	yes	yes	yes		A 332/82 n.p.i. Judgment 28. 3. 1985 Case 274/83 A 92/83 n.p.a. reference Case 199/85	yes	yes	yes
72/306 (10. 2. 1974)	Pollutants from diesel engines	yes	yes	yes	yes	yes		yes	yes	yes	yes

Directive	Subject	B	D	DK	F	GB	GR	I	IRL	L	NL
73/23 (21. 9. 1974)	Electrical equipment	yes	yes	yes	A 326/84 n.p.i. reasoned opinion	yes		yes	yes	yes	yes
75/323 (21. 11. 1976)	Tractors	yes	yes	yes	yes	yes		yes	yes	yes	yes
75/318 (22. 11. 1976)	Proprietary medicinal products	yes	yes	yes	yes	yes		A 29/80 n.m.n. Judgment 15. 3. 1983 Case 145/82 A 53/85 n.p.i. reasoned opinion	yes	yes	yes
75/319 (22. 11. 1976)	Proprietary medicinal products	yes	yes	yes	yes	yes		A 29/80 n.m.n. Judgment 15. 3. 1983 Case 145/82 A 53/85 n.p.i. reasoned opinion	yes	yes	yes
75/362 (20. 12. 1976)	Doctors	A 228/80 n.p.i. reference Case 306/84	yes	yes	yes	A 106/83 n.p.a. reasoned opinion	A 1/85 n.m.n. reasoned opinion	yes	yes	yes	
75/363 (20. 12. 1976)	Doctors	A 85/82 n.p.i. reference Case 306/84	yes	yes	yes	A 106/83 n.p.a. reasoned opinion	yes	yes	yes	yes	yes

Directive	Subject	B	D	DK	F	GB	GR	I	IRL	L	NL
76/756 (1. 10. 1977)	Motor vehicles	yes	yes	yes	yes	A 232/84 n.p.i. reasoned opinion	yes	yes	yes	yes	yes
77/249 (24. 3. 1979)	Lawyers	yes	A 56/83 n.p.i. reference Case 427/85		A 450/84 n.p.i. reasoned opinion	yes	A 189/85 n.m.n. 169 letter	A 451/84 n.p.i. reasoned opinion			
77/62 (22. 6. 1978)	Public supply contracts	A 47/83 n.p.a. reasoned opinion	yes	yes	yes	yes	A 382/84 n.p.a. reasoned opinion	yes	yes	yes	yes
77/91 (16. 12. 1978)	Company law	yes	yes	yes	yes	yes	A 433/85 n.m.n. 169 letter	A 197/79 n.m.n. Judgment 12. 10. 1982 Case 136/81 A 116/85 n.m.n. 169 letter	yes	yes	yes
77/452 (29. 6. 1979)	Nurses	A 241/81 n.p.i. reference Case 100/85	A 105/80 n.p.i. Judgment 23. 5. 1985 Case 29/84	yes	A 324/82 n.p.a. reference Case 307/84	yes	A 2/85 n.m.n. reasoned opinion	yes	yes	yes	yes
77/453 (29. 6. 1979)	Nurses	A 241/81 n.p.i. reference Case 100/85	A 105/80 n.p.i. Judgment 23. 5. 1985 Case 29/84	yes	A 324/82 n.p.a. reference Case 307/84	yes	yes	yes	yes	yes	yes
77/536 (30. 12. 1978)	Tractors	yes	yes	yes	yes	yes		yes	yes	yes	yes

Directive	Subject	B	D	DK	F	GB	GR	I	IRL	L	NL
78/660 (31. 1. 1982)	Annual accounts of companies	yes	A 304/82 n.m.n. reference Case 18/85	yes	yes	yes	A 434/85 n.m.n. 169 letter	A 306/82 n.m.n. reference Case 17/85	A 307/82 n.m.n. reference Case 16/85	yes	yes
78/686 (28. 1. 1980)	Dentists	A 222/80 n.p.i. reference Case 11/85	A 232/80 n.p.i. reference Case 223/83	yes	yes	yes	A 3/85 n.m.n. reasoned opinion	yes	yes	yes	yes
78/687 (28. 1. 1980)	Dentists	A 223/80 n.p.i. reference Case 11/85	yes	yes	yes	yes	yes	yes	yes	yes	yes
78/855 (12. 10. 1980)	Mergers		yes	yes							yes
78/1027 (21. 12. 1980)	Veterinary surgeons	yes	yes	yes	yes	yes	yes	A 259/81 n.p.i. Judgment 18. 9. 1984 Case 221/83	yes	yes	yes
79/694 (26. 1. 1984)	Tractors	yes	yes	yes	yes	yes	yes	A 205/83 n.m.n. reference Case 396/85	yes	yes	yes
80/154 (23. 1. 1983)	Midwives	A 440/84 n.p.i. reference Case 388/85	A 40/84 n.p.i. reasoned opinion	yes	A 41/84 n.p.i. reasoned opinion	yes	A 5/85 n.m.n. reference Case 405/85	yes	yes	A 44/84 n.p.i. reasoned opinion	A 45/84 n.p.i. reasoned opinion

Directive	Subject	B	D	DK	F	GB	GR	I	IRL	L	NL
80/155 (23. 1. 1983)	Midwives	A 441/84 n.p.i. reference Case 388/85	A 158/84 n.p.i. reference opinion	yes	A 46/84 n.p.i. reasoned opinion	yes		A 48/84 n.p.i. reasoned opinion	yes	yes	A 50/84 n.p.i. reasoned opinion
80/720 (27. 12. 1981)	Tractors	yes	yes	yes	yes	yes	yes	A 206/83 n.m.n. reference Case 396/85	yes	yes	yes
80/777 (17. 7. 1982)	Natural mineral waters	A 274/83 n.m.i. reference Case 404/85	yes	yes	yes	yes	yes	yes	A 277/83 n.m.n. reference Case 414/85	yes	yes
80/781 (1. 1. 1984)	Dangerous preparations	A 86/85 n.m.n. 169 letter	A 87/85 n.m.n. 169 letter	yes	yes	yes	yes	yes	yes	A 88/85 n.m.n. 169 letter	A 89/85 n.m.n. 169 letter
80/876 (16. 1. 1982)	Straight fertilizers		yes	yes					yes		
80/1268 (30. 6. 1982)	Motor vehicles	A 218/83 n.m.n. reference Case 408/85	yes	yes	yes	yes	yes	yes	yes	yes	yes
80/1269 (30. 6. 1982)	Motor vehicles	A 220/83 n.m.n. reference Case 408/85	yes	yes	yes	yes	yes	yes	yes	yes	yes
80/1273 (23. 1. 1983)	Midwives	yes	A 51/84 n.p.i. reasoned opinion	yes	yes	yes	yes	yes	yes	A 55/84 n.p.i. reasoned opinion	yes
81/334 (1. 1. 1982)	Motor vehicles	yes	yes	yes	yes	yes		yes	yes	yes	yes

Directive	Subject	B	D	DK	F	GB	GR	I	IRL	L	NL
81/487 (1. 7. 1983/ 1. 7. 1984)	Fruit juice	yes	yes	yes	A 196/84 n.m.n. reasoned opinion	yes	yes	yes	yes	yes	yes
81/851 (9. 10. 1983)	Veterinary medicinal products	yes	yes	yes	yes	yes	yes	yes	A 294/84 n.m.n. reference Case 421/85	yes	A 121/85 n.m.n. 169 letter
81/852 (9. 10. 1983)	Veterinary medicinal products	yes	yes	yes	yes	yes	yes	yes	A 295/84 n.p.i. reference Case 421/85	yes	A 122/85 n.m.n. 169 letter
81/916 (1. 7. 1983)	Paints, varnishes, inks and adhesives	A 408/84 n.m.n. reasoned opinion	A 410/84 n.m.n. 169 letter	yes	A 412/84 n.m.n. reasoned opinion	yes		yes	yes	A 414/84 n.m.n. reasoned opinion	A 416/84 n.m.n. reasoned opinion
81/1057 (30. 6. 1982)	Acquired rights	A 443/84 n.p.i. reference Case 389/85	yes	yes	yes	yes	A 1/85 n.m.n. reasoned opinion	A 89/84 n.p.i. reference Case 423/85	yes	yes	A 92/84 n.p.i. reasoned opinion
82/76 (31. 12. 1982)	Doctors	A 442/84 n.p.i. reference Case 389/85	yes	yes	A 5/84 n.p.i. reasoned opinion	yes	A 1/85 n.m.n. reasoned opinion	A 6/85 n.p.i. reasoned opinion	yes	yes	yes
82/242 (8. 10. 1983)	Biodegradability of surfactants	A 374/84 n.m.n. reasoned opinion	yes	yes	A 376/84 n.m.n. reasoned opinion	yes		A 378/84 n.m.n. 169 letter	yes	A 380/84 n.m.n. reasoned opinion	yes
82/243 (8. 10. 1983)	Biodegradability of surfactants	A 375/84 n.m.n. reasoned opinion	yes	yes	A 377/84 n.m.n. reasoned opinion	yes		A 379/84 n.m.n. 169 letter	yes	A 381/84 n.m.n. reasoned opinion	yes

Directive	Subject	B	D	DK	F	GB	GR	I	IRL	L	NL
82/470 (2. 1. 1984)	Services incidental to transport	yes	yes	yes	yes	yes	A 127/85 n.m.n. 169 letter	A 126/85 n.m.n. 169 letter	yes	yes	
82/473 (1. 1. 1984)	Solvents	A 90/85 n.m.n. 169 letter	A 91/85 n.m.n. 169 letter	yes	yes	yes	A 321/85 n.m.n. 169 letter	yes	yes	A 92/85 n.m.n. 169 letter	A 93/85 n.m.n. 169 letter
82/489 (23. 1. 1984)	Hairdressers	yes	yes	yes	A 96/85 n.m.n. 169 letter	yes	A 99/85 n.m.n. 169 letter	yes	yes	A 98/85 n.m.n. 169 letter	yes
82/499 (1. 12. 1983/ 1. 12. 1984)	Radio interference	yes	yes	yes	yes	yes		yes	yes	A 237/84 n.m.n. reference Case 399/85	yes
82/500 (1. 12. 1983/ 1. 12. 1984)	Radio interference from luminaires with starters	yes	yes	yes	yes	yes		yes	yes	A 238/84 n.m.n. reference Case 398/85	yes
82/504 (1. 1. 1984)	Emulsifiers	yes	A 171/85 n.m.n. 169 letter	yes	yes	yes	yes	yes	yes	yes	yes
82/621 (1. 1. 1983)	Electrical energy meters	yes	yes	yes	yes	yes		yes	yes	yes	yes
82/712 (30. 6. 1984)	Antioxidants	A 175/85 n.m.n. 169 letter	A 177/85 n.m.n. 169 letter	yes	A 178/85 n.m.n. 169 letter	yes	yes	yes	yes	yes	yes
82/806 (25. 11. 1983)	Dangerous substances	yes	yes	yes	A 364/84 n.m.n. 169 letter	A 365/84 n.m.n. 169 letter	yes	yes	yes	A 368/84 n.m.n. 169 letter	A 369/84 n.m.n. 169 letter
82/890 (21. 6. 1984)	Tractors	yes	yes	yes	A 22/85 n.m.n. reasoned opinion	yes		A 25/85 n.m.n. 169 letter	yes	yes	yes

Directive	Subject	B	D	DK	F	GB	GR	I	IRL	L	NL
82/953 (30. 9. 1983)	Tractors	A 213/84 n.m.n. reference Case 409/85	yes	yes	yes	yes		A 233/84 n.m.n. reference Case 397/85	yes	yes	yes
83/189	Technical standards			yes		yes	yes		yes	yes	
83/190 (30. 9. 1983/ 1. 10. 1983/ 1. 10. 1984)	Tractors	A 214/84 n.m.n. reference Case 409/85	yes	yes	yes	yes		A 234/84 n.m.n. reference Case 397/85	yes	yes	yes
83/264 (19. 11. 1984)	Dangerous substances and preparations	A 495/85 n.m.n. 169 letter	yes	yes	yes	yes	yes	yes	yes	A 496/85 n.m.n. 169 letter	A 502/85 n.m.n. 169 letter
83/265 (19. 5. 1984)	Paints, varnishes and adhesives	A 409/84 n.m.n. reasoned opinion	A 411/84 n.m.n. 169 letter	yes	A 413/84 n.m.n. 169 letter	yes		yes	yes	A 415/84 n.m.n. reasoned opinion	A 417/84 n.m.n. reasoned opinion
83/276 (1. 10. 1983)	Motor vehicles	A 215/84 n.m.n. reference Case 408/85	yes	yes	yes	yes	yes	yes	yes	yes	yes
83/229 (1. 1. 1985)	Materials and articles in contact with foodstuffs	yes	A 489/85 n.m.n. 169 letter	A 488/85 n.m.n. 169 letter	A 491/85 n.m.n. 169 letter	A 494/85 n.m.n. 169 letter	A 490/85 n.m.n. 169 letter	yes	A 492/85 n.m.n. 169 letter	yes	A 493/85 n.m.n. 169 letter
83/351 (30. 11. 1983)	Motor vehicles	A 216/84 n.m.n. reference Case 408/85	yes	yes	yes	yes		yes	yes	yes	yes
83/417 (1. 8. 1985)	Lacoproteins										
83/447 (19. 10. 1983)	Radio interference	yes	yes	yes	yes	yes		yes	yes	yes	yes

Directive	Subject	B	D	DK	F	GB	GR	I	IRL	L	NL
83/463 (1. 7. 1984)	Labelling of foodstuffs	yes	A 183/85 n.m.n. 169 letter	yes	A 184/85 n.m.n. 169 letter	yes	yes	yes	A 185/85 n.m.n. 169 letter	yes	yes
83/575 (31. 12. 1984)	Measuring instruments	A 451/85 n.m.n. 169 letter	yes	yes	yes	A 456/85 n.m.n. 169 letter	yes	A 452/85 n.m.n. 169 letter	A 453/85 n.m.n. 169 letter	A 454/85 n.m.n. 169 letter	A 455/85 n.m.n. 169 letter
84/8 (1. 10. 1984)	Lighting and light-signalling of vehicles	A 20/85 n.m.n. 169 letter	yes	yes	yes	yes	yes	yes	yes	yes	yes
84/47 (1. 1. 1985)	Electrical equipment	yes	yes	yes	yes	A 459/85 n.m.n. 169 letter		yes	A 457/85 n.m.n. 169 letter	A 458/85 n.m.n. 169 letter	yes
84/291 (30. 4. 1985)	Pesticides			yes		yes			yes		
84/372 (1. 10. 1984)	Sound level of motor vehicles	A 21/85 n.m.n. 169 letter	yes	yes	yes	yes		yes	yes	A 29/85 n.m.n. reasoned opinion	yes
84/424 (1. 1. 1985)	Motor vehicles	A 460/85 n.m.n. 169 letter	yes	yes	yes	yes		yes	yes	A 461/85 n.m.n. 169 letter	yes
85/1 (1. 7. 1985)	Units of measurement		yes	yes	yes	yes	yes		yes		yes
85/10 (20. 12. 1985)	Prepackaged liquids		yes								
85/6 (30. 9. 1985)	Foodstuffs										
85/205 (1. 10. 1985)	Motor vehicles		yes	yes	yes	yes					

Directive	Subject	B	D	DK	F	GB	GR	I	IRL	L	NL
Customs Union											
78/453 (1. 1. 1979)	Payment of duties	yes	yes	A 186/84 n.p.i. reference Case 195/85	yes	yes	yes	yes	yes	yes	yes
79/623 (1. 1. 1982)	Customs debt	yes	yes	yes	yes	A 126/84 n.p.a. reasoned opinion	yes	yes	yes	yes	yes
79/695 (1. 7. 1982)	Release for free circulation	A 262/84 n.p.i. reasoned opinion	yes	A 178/84 n.p.i. reference Case 195/85	yes	yes	yes	yes	yes	yes	yes
81/177 (1. 1. 1983)	Procedures for the export of goods	A 263/84 n.p.i. reasoned opinion	yes	yes	yes	yes	yes	A 168/83 n.m.n. reference Case 158/85	yes	yes	yes
82/57 (1. 7. 1982)	Release for free circulation	yes	yes	yes	yes	yes	yes	A 183/84 n.p.a. reference Case 275/85	yes	yes	yes
82/347 (1. 1. 1983)	Procedures for the export of goods	yes	yes	yes	yes	yes	yes	A 162/83 n.m.n. reference Case 158/85	yes	yes	yes
83/321 (1. 6. 1983)	Inward processing	yes	yes	yes	yes	yes		yes	yes	yes	yes
84/318 (30. 9. 1984)	Inward processing	yes	yes	yes	yes	yes		yes	yes	yes	yes

Directive	Subject	B	D	DK	F	GB	GR	I	IRL	L	NL
84/442 (1. 10. 1984)	Inward processing	yes	yes	yes	yes	yes		yes	yes	yes	yes
84/444 (1. 10. 1984)	Inward processing	yes	yes	yes	yes	yes		yes	yes	yes	yes
Financial institutions and taxation											
69/169 (1. 1. 1970)	Tax-free allowances in international travel	yes	A 40/82 n.p.a. reference Case 325/82	yes	yes	yes	yes	yes	yes	yes	yes
72/464 (1. 7. 1973)	Taxes on manufactured tobacco	A 179/84 n.p.a. reasoned opinion	yes	yes	yes	yes	yes	yes	yes	yes	yes
73/239 (31. 1. 1975)	Taking up of business of direct insurance	yes	yes	yes	A 68/76 n.m.n. reasoned opinion	yes		yes	yes	yes	A 3/77 n.m.n. Judgment 15. 12. 1983 Case 160/82 A 58/85 n.m.n. reasoned opinion
77/388 (1. 1. 1978)	Sixth VAT Directive	A 17/81 n.p.a. Judgment 10. 4. 1984 Case 324/82 A 386/84 n.p.a. reference Case 391/85 (Art. 171)	A 103/82 n.p.a. Judgment 11. 7. 1985 Case 107/84 A 29/83 n.p.a. reference Case 298/85	yes	A 81/81 n.p.a. reasoned opinion A 89/83 n.p.a. reasoned opinion	A 102/82 A 202/81 reference Case 353/85 A 203/81 n.p.a. reference Case 416/85 A 265/84 n.p.a. reasoned opinion	(1. 1. 1986)	A 262/81 A 153/83 reasoned opinion A 188/84 n.p.a. reasoned opinion	A 202/81 n.p.a. reference Case 415/85	yes	A 153/83 n.p.a. reference Case 235/85

Directive	Subject	B	D	DK	F	GB	GR	I	IRL	L	NL
77/799 (1. 1. 1979)	Mutual assistance	yes	A 269/84 n.m.n. reasoned opinion	yes	yes	yes		yes	yes	yes	yes
77/780 (15. 12. 1979)	Taking up of business of credit institutions	yes	yes	yes	yes	yes		yes	yes	yes	yes
78/473 (2. 12. 1979)	Community co-insurance	yes	A 126/83 n.p.i. reference Case 205/84	A 57/82 n.p.i. reference Case 252/83	A 265/81 n.p.i. reference Case 220/83	yes	yes	A 82/85 n.m.n. reasoned opinion	A 127/83 n.p.i. reference Case 206/84	yes	A 83/85 n.m.n. 169 letter
79/267 (15. 9. 1980)	Taking up of business of life assurance	yes	yes	yes	yes	yes		A 31/84 n.m.n. reference Case 382/85	yes	yes	A 33/84 n.m.n. reference Case 430/85
79/279 (30. 6. 1983)	Admission to official listing	A 9/84 n.m.n. reference Case 390/85	A 12/84 n.m.n. reference Case 359/85	yes	A 372/84 n.m.n. 169 letter	yes	yes	A 22/84 n.m.n. reasoned opinion	yes	yes	yes
79/1070 (1. 1. 1981)	Mutual assistance — direct taxation	yes	A 270/84 n.m.n. reasoned opinion	yes	yes	yes		yes	yes	yes	yes
80/390 (30. 6. 1983)	Listing particulars for admission to official listing	A 10/84 n.m.n. reference Case 390/85	A 13/84 n.m.n. reference Case 359/85	yes	yes	yes	yes	A 23/84 n.m.n. reasoned opinion	yes	yes	yes
82/121 (30. 6. 1983)	Regular information to be published by companies	A 11/84 n.m.n. reference Case 390/85	A 14/84 n.m.n. reference Case 359/85	yes	yes	yes	yes	A 24/84 n.m.n. reasoned opinion	yes	yes	yes

Directive	Subject	B	D	DK	F	GB	GR	I	IRL	L	NL
82/877 (31.12.1983)	Taxes on manufactured tobacco										
83/2 (1.1.1983)	Tax-free allowances in international travel	yes	yes		yes	yes	yes	yes	yes	yes	yes
83/181 (1.7.1984)	Importation of goods	yes	yes	yes	yes	yes	yes	A 422/84 n.m.n. reasoned opinion	yes	yes	yes
83/183 (1.1.1984)	Permanent imports	yes	yes	yes	yes	yes	yes	A 421/84 n.m.n. reasoned opinion	yes	yes	yes
83/350 (1.7.1985)	Supervision of credit institutions	yes	yes	yes	yes				yes	yes	yes
84/386 (1.7.1985)	Movable tangible property	yes	yes	yes	yes	yes	yes		yes	yes	
85/346 (1.10.1985)	Permanent imports		yes		yes			yes		yes	
85/348 (1.10.1985)	Tax free allowances in international travel		yes		yes					yes	
85/349 (1.10.1985)	Small consignments		yes		yes					yes	
Employment, social affairs and education											
75/117 (12.2.1976)	Equal pay	yes	yes	A 28/79 n.p.i. reference Case 143/83	yes	yes	yes	yes	yes	yes	yes

Directive	Subject	B	D	DK	F	GB	GR	I	IRL	L	NL
75/129 (19. 2. 1977)	Collective redundancies	A 100/81 n.p.i. Judgment 28. 3. 1985 Case 215/83	yes	yes	yes	yes	yes	A 45/78 n.m.n. Judgment 8. 6. 1982 Case 91/81 A 102/83 n.m.n. reference Case 131/84	yes	yes	yes
76/207 (19. 8. 1978)	Equal treatment for men and women	yes	A 3/82 n.p.i. Judgment 21. 5. 1985 Case 248/83	yes	yes	A 131/80 n.p.i. Judgment 8. 11. 1983 Case 165/82 A 84/82 n.p.i. reasoned opinion	yes	yes	yes	A 75/83 n.p.i. reasoned opinion	A 34/82 n.p.i. reasoned opinion
77/187 (16. 2. 1979)	Transfers of business	A 23/82 n.p.i. reference Case 237/84	yes	yes	yes	yes	A 395/85 n.m.n. 169 letter	A 24/82 n.p.i. reference Case 235/84	yes	yes	yes
80/836 (3. 12. 1982)	Health protection ionizing radiation (Euratom)	A 203/84 n.m.n. 169 letter	yes	A 204/84 n.m.n. 169 letter	A 205/84 n.m.n. 169 letter	A 206/84 n.m.n. 169 letter		A 207/84 n.m.n. 169 letter	A 208/84 n.m.n. 169 letter	A 209/84 n.m.n. 169 letter	yes
80/1107 (4. 12. 1983/ 4. 12. 1984)	Protection of workers — chemical, physical and biological agents	A 363/85 n.m.n. 169 letter	yes	yes	A 364/85 n.m.n. 169 letter	yes	yes	yes	A 366/85 n.m.n. 169 letter	A 365/85 n.m.n. 169 letter	yes

Directive	Subject	B	D	DK	F	GB	GR	I	IRL	L	NL
Environment, consumer protection and nuclear safety											
71/307 (29. 1. 1973/ 1. 7. 1973)	Textile names	yes	yes	yes	yes	yes	A 48/83 n.p.a. reference Case 4/85 A 416/85 n.m.n. 169 letter	yes	yes	yes	yes
75/439 (18. 6. 1977)	Disposal of waste oil	A 98/79 n.m.n. Judgment 2. 2. 1982 Case 70/81 A 170/84 n.m.n. reference Case 229/85 (Article 171)	yes	yes	yes	yes	A 427/84 n.m.n. reasoned opinion	yes	yes	yes	yes
75/440 (19. 6. 1977)	Quality of surface water	yes	yes	yes	yes	yes	A 431/84 n.m.n. reasoned opinion	yes	yes	yes	yes
75/442 (18. 7. 1977)	Waste	A 102/78 n.m.n. Judgment 2. 2. 1982 Case 69/81 A 171/84 n.m.n. reference Case 228/85 (Article 171)	yes	yes	yes	yes	A 428/84 n.m.n. reasoned opinion	yes	yes	yes	yes
76/160 (10. 12. 1977)	Quality of bathing water	yes	yes	yes	yes	yes	A 430/84 n.m.n. reasoned opinion	yes	yes	yes	yes

Directive	Subject	B	D	DK	F	GB	GR	I	IRL	L	NL
76/403 (9. 4. 1978)	Disposal of PCBs and PCTs	A 94/79 n.m.n. Judgment 2. 2. 1982 Case 71/81 A 172/84 n.m.n. reference Case 230/85	yes	yes	yes	yes	A 429/84 n.m.n. reasoned opinion	yes	yes	yes	yes
76/768 (31. 12. 1980)	Cosmetics		yes	yes	A 328/84 n.p.i. reasoned opinion	yes	yes	A 106/79 n.m.n. Judgment 2. 3. 1982 Case 94/81 A 173/84 n.m.n. reference Case 366/85	yes	yes	yes
78/176 (22. 2. 1979)	Waste from the titanium dioxide industry	A 135/79 n.m.n. Judgment 2. 2. 1982 Case 68/81 A 169/84 n.m.n. reference Case 227/85	yes	yes	yes	yes	yes	yes	yes	yes	yes
78/319 (22. 3. 1980)	Toxic and dangerous wastes	A 169/83 n.p.i. reference Case 239/85	yes	yes	yes	yes	A 130/83 n.m.n. reference Case 291/85	yes	yes	yes	yes

Directive	Subject	B	D	DK	F	GB	GR	I	IRL	L	NL
78/659 (20. 7. 1980)	Quality of fresh waters	yes	yes	yes	yes	yes	A 433/84 n.m.n. reasoned opinion	yes	yes	yes	yes
79/76 (27. 6. 1979)	Analysis of textile fibres	yes	yes	A 172/81 n.m.n. 169 letter	yes	yes	yes	yes	yes	yes	yes
79/112 (22. 12. 1980/ 22. 12. 1982/ 22. 12. 1984)	Labelling of foodstuffs	yes	A 276/84 n.p.a. reasoned opinion A 282/84 n.p.i. reasoned opinion	yes	yes	yes	A 417/85 n.m.n. 169 letter	yes	yes	yes	yes
79/409 (6. 4. 1981)	Conservation of wild birds	A 118/84 n.p.i. reference Case 247/85	A 119/84 n.p.i. reference Case 412/85	A 120/84 n.p.i. reasoned opinion	A 121/84 n.p.i. reference Case 252/85	yes	A 274/84 n.m.n. reasoned opinion	A 124/84 n.p.i. reference Case 262/85	A 123/84 n.p.i. reference Case 240/85	yes	A 125/84 n.p.i. reference Case 236/85
79/831 (18. 9. 1981/ 18. 9. 1983)	Dangerous substances	A 37/84 n.p.i. reference Case 219/85	A 286/83 n.p.i. reference Case 208/85	A 38/84 n.p.i. reference Case 278/85	A 288/83 n.p.i. reference Case 224/85	A 289/83 n.p.i. reasoned opinion	yes	A 290/83 n.p.i. reference Case 429/85	A 291/83 n.p.i. reasoned opinion	yes	yes
79/869 (11. 10. 1981)	Analysis of surface water	yes	yes	yes	yes	yes	A 434/84 n.m.n. reasoned opinion	yes	yes	yes	yes
79/923 (5. 11. 1981)	Quality of shellfish waters	yes	yes	yes	yes	yes	A 435/84 n.m.n. reasoned opinion	yes	yes	yes	yes
80/68 (19. 12. 1981)	Protection of groundwater	A 281/84 n.p.i. reasoned opinion	yes	yes	yes	yes	A 418/85 n.m.n. 169 letter	yes	yes	yes	A 71/83 n.m.n. reference Case 291/84

Directive	Subject	B	D	DK	F	GB	GR	I	IRL	L	NL
80/779 (18. 7. 1982)	Air quality	yes	yes	yes	yes	yes	A 419/85 n.m.n. 169 letter	yes	A 151/83 n.m.n. reasoned opinion	yes	A 152/83 n.m.n. reasoned opinion
80/1335 (31. 12. 1982)	Cosmetics	yes	yes	yes	yes	yes	A 133/83 n.m.n. reasoned opinion	A 145/83 n.m.n. reference Case 367/85	yes	yes	yes
81/75 (27. 2. 1982)	Analysis of textile fibres	yes	yes		yes	yes	A 420/85 n.m.n. 169 letter	yes	yes	yes	yes
81/957 (1. 7. 1983)	Dangerous substances	yes	A 130/84 n.m.n. reasoned opinion	yes	yes	yes	yes	A 134/84 n.m.n. reference Case 410/85	yes	A 135/84 n.m.n. reference Case 418/85	A 136/84 n.m.n. reasoned opinion
82/147 (31. 12. 1982)	Cosmetics	yes	yes	yes	yes	yes	A 134/83 n.m.n. reference Case 292/85	A 140/83 n.m.n. reference Case 367/85	yes	yes	yes
82/176 (25. 3. 1984)	Mercury discharges	yes	yes	A 39/85 n.m.n. 169 letter	yes	A 42/85 n.m.n. 169 letter	A 421/85 n.m.n. 169 letter	yes	A 102/85 n.m.n. 169 letter	yes	yes
82/232 (1. 7. 1983)	Dangerous substances	yes	A 137/84 n.m.n. reasoned opinion	yes	yes	yes	yes	A 141/84 n.m.n. reference Case 410/85	yes	A 142/84 n.m.n. reference Case 418/85	A 143/84 n.m.n. reasoned opinion
82/368 (31. 12. 1983)	Cosmetics	A 393/84 n.m.n. reasoned opinion	yes	yes	A 394/84 n.m.n. reasoned opinion	yes	A 423/85 n.m.n. 169 letter	A 47/85 n.m.n. 169 letter	yes	yes	yes
82/434 (31. 12. 1983)	Analysis of cosmetic products	A 395/84 n.m.n. reasoned opinion	yes	yes	A 396/84 n.m.n. reasoned opinion	yes	A 424/85 n.m.n. 169 letter	A 70/85 n.m.n. reasoned opinion	yes	yes	yes

Directive	Subject	B	D	DK	F	GB	GR	I	IRL	L	NL
82/501 (8. 1. 1984)	Major-accident hazards	yes	yes	yes	yes	yes	A 422/85 n.m.n. 169 letter	yes	A 61/85 n.m.n. 169 letter	A 50/85 n.m.n. 169 letter	yes
82/883 (9. 12. 1984)	Waste from the titanium dioxide industry	A 302/85 n.m.n. 169 letter	yes	yes	A 303/85 n.m.n. 169 letter	A 278/85 n.m.n. 169 letter	yes	yes	yes	yes	yes
82/884 (9. 12. 1984)	Limit value for lead in the air	yes	yes	A 280/85 n.m.n. 169 letter	A 304/85 n.m.n. 169 letter	yes	A 426/85 n.m.n. 169 letter	yes	A 392/85 n.m.n. 169 letter	A 279/85 n.m.n. 169 letter	A 441/85 n.m.n. 169 letter
83/191 (31. 12. 1984)	Cosmetics	A 307/85 n.m.n. 169 letter	yes	yes	A 308/85 n.m.n. 169 letter	yes		A 436/85	yes	yes	yes
83/206 (26. 4. 1984)	Noise emissions of aircraft	A 398/84 n.m.n. reasoned opinion	A 69/85 n.m.n. 169 letter	yes	yes	yes	A 427/85 n.m.n. 169 letter	yes	yes	yes	yes
83/341 (31. 12. 1984)	Cosmetics	A 309/85 n.m.n. 169 letter	yes	yes	A 310/85 n.m.n. 169 letter	yes		A 437/85 n.m.n. 169 letter	yes	yes	yes
83/467 (1. 1. 1985)	Dangerous substances	yes	A 408/85 n.m.n. 169 letter	yes	A 306/85 n.m.n. 169 letter	yes	yes		yes	A 276/85 n.m.n. 169 letter	
83/496 (31. 12. 1984)	Cosmetics	A 311/85 n.m.n. 169 letter	yes	yes	A 312/85 n.m.n. 169 letter	yes		A 439/85 n.m.n. 169 letter	yes	yes	A 442/85 n.m.n. 169 letter
83/513 (28. 9. 1985)	Cadmium discharges		yes			yes					A 445/85 n.m.n. 169 letter
83/514 (31. 12. 1984)	Cosmetics	A 313/85 n.m.n. 169 letter	yes	yes	A 314/85 n.m.n. 169 letter	yes	A 425/85 n.m.n. 169 letter	A 438/85 n.m.n. 169 letter	yes	yes	A 443/85 n.m.n. 169 letter
83/574 (31. 12. 1984)	Cosmetics	A 315/85 n.m.n. 169 letter	yes	A 327/85 n.m.n. 169 letter	A 316/85 n.m.n. 169 letter	yes	yes	A 440/85 n.m.n. 169 letter	yes	yes	A 444/85 n.m.n. 169 letter

Directive	Subject	B	D	DK	F	GB	GR	I	IRL	L	NL
76/371 (1. 1. 1977)	Official control of feedingstuffs	yes	yes	yes	yes	yes		yes	yes	yes	yes
77/93 (1. 5. 1980)	Harmful organisms	yes	yes	yes	yes	A 80/84 n.p.a. reasoned opinion		yes	yes	yes	yes
77/99 (1. 7. 1979/ 15. 2. 1980/ 31. 12. 1980)	Health requirements for meat products	A 77/83 n.p.a. reference Case 47/85	yes	yes	yes	yes	yes	A 315/84 n.m.n. reasoned opinion	yes	yes	yes
77/101 (1. 1. 1981)	Straight feedingstuffs	yes	yes	yes	A 58/84 n.m.n. reference Case 371/85	yes	yes	A 241/83 n.m.n. reference Case 365/85	yes	yes	yes
79/109 (1. 4. 1979)	Brucellosis	yes	yes	yes	yes	yes	yes	A 316/84 n.m.n. reasoned opinion	yes	yes	yes
79/372 (1. 1. 1981)	Straight feedingstuffs	yes	yes	yes	A 61/84 n.m.n. reference Case 371/85	yes	yes	A 242/83 n.m.n. reference Case 365/85	yes	yes	yes
79/373 (1. 1. 1981)	Compound feedingstuffs	yes	A 1/80 n.p.a. Judgment 3. 10. 1985 Case 28/84	yes	A 60/84 n.m.n. reference Case 370/85	yes	yes	A 244/83 n.m.n. reference Case 361/85	yes	yes	yes
79/797 (1. 1. 1981)	Straight feedingstuffs	yes	yes	yes	A 62/84 n.m.n. reference Case 371/85	yes	yes	A 245/83 n.m.n. reference Case 365/85	yes	yes	yes

Directive	Subject	B	D	DK	F	GB	GR	I	IRL	L	NL
80/214 (31.12.1980)	Health problems — meat products	yes	yes	yes	yes	yes	yes	A 236/83 n.m.n. reference Case 386/85	yes	yes	yes
80/219 (31.12.1980)	Tuberculosis and brucellosis	yes	yes	yes	yes	yes		A 256/83 n.m.n. reference Case 364/85	yes	yes	yes
80/502 (1.7.1981)	Undesirable products	yes	yes	yes	yes	yes	yes	A 248/83 n.m.n. reference Case 363/85	yes	yes	yes
80/509 (1.1.1981)	Compound feedingstuffs	yes	yes	yes	A 63/84 n.m.n. reference Case 370/85	yes	yes	A 249/83 n.m.n. reference Case 361/85	yes	yes	yes
80/510 (1.1.1981)	Straight feedingstuffs	yes	yes	yes	A 64/84 n.m.n. reference Case 371/85	yes	yes	A 250/83 n.m.n. reference Case 365/85	yes	yes	yes
80/511 (1.1.1981)	Compound feedingstuffs in packages	yes	yes	yes	A 65/84 n.m.n. reference Case 370/85	yes	yes	A 251/83 n.m.n. reference Case 361/85	yes	yes	yes
80/695 (1.1.1981)	Compound feedingstuffs	yes	yes	yes	A 67/84 n.m.n. reference Case 370/85	yes	yes	A 253/83 n.m.n. reference Case 361/85	yes	yes	yes
80/1098 (1.7.1981)	Swine vesicular disease and swine fever	yes	yes	yes	yes	yes		A 258/83 n.m.n. reference Case 364/85	yes	yes	yes

Directive	Subject	B	D	DK	F	GB	GR	I	IRL	L	NL
80/1099 (1. 7. 1981)	Swine vesicular disease and swine fever	yes	yes	yes	yes	yes	yes	A 259/83 n.m.n. reference Case 386/85	yes	yes	yes
80/1100 (1. 7. 1981)	Swine vesicular disease and swine fever	yes	yes	yes	yes	yes		A 260/83 n.m.n. reference Case 386/85	yes	yes	yes
80/1102 (1. 1. 1981)	Enzootic bovine leukosis	yes	yes	yes	yes	yes		A 262/83 n.m.n. reference Case 364/85	yes	yes	yes
81/389 (22. 8. 1982)	Transport of animals	yes	yes	yes	yes	yes	A 355/84 n.m.n. 169 letter	yes	yes	yes	yes
81/602 (3. 11. 1981)	Substances having a hormonal or thyrostatic action	yes	yes	yes	A 75/85 n.p.a. reasoned opinion						
82/287 (1. 1. 1982/ 1. 1. 1983)	Seed	yes	yes	yes	yes	yes	(31. 12. 1985)	yes	yes	A 228/83 n.m.n. reference Case 369/85	yes
82/331 (1. 7. 1982)	Propagation of vine	yes	yes	yes	A 78/84 n.m.n. reference Case 368/85	yes	(31. 12. 1985)	A 231/83 n.m.n. reference Case 362/85	yes	yes	yes
82/471 (14. 7. 1984)	Products used in animal nutrition	A 147/85 n.m.n. 169 letter	yes	yes	A 104/85 n.m.n. 169 letter	yes		A 154/85 n.m.n. 169 letter	A 159/85 n.m.n. 169 letter	yes	A 164/85 n.m.n. 169 letter
82/475 (1. 1. 1985)	Compound feedingsuffs for pet animals	yes	yes	yes	A 369/85 n.m.n. 169 letter	yes		A 346/85 n.m.n. 169 letter	A 386/85 n.m.n. 169 letter	A 377/85 n.m.n. 169 letter	A 341/85 n.m.n. 169 letter

Directive	Subject	B	D	DK	F	GB	GR	I	IRL	L	NL
82/528 (1. 7. 1984)	Pesticide residues	yes	yes	yes	yes	yes	A 157/85 n.m.n. 169 letter	yes	yes	yes	
82/859 (1. 7. 1983)	Oil plant seed	yes	yes	yes	A 319/84 n.m.n. 169 letter	A 321/84 n.m.n. 169 letter	(31. 12. 1985)	yes	yes	A 311/84 n.m.n. 169 letter	yes
82/894 (1. 1. 1984)	Animal diseases	yes	yes	yes	yes	yes	yes	yes		yes	yes
82/937 (1. 7. 1983/ 1. 1. 1985)	Straight feedingstuffs	yes	yes	yes	A 106/85 n.m.n. 169 letter	yes		A 155/85 n.m.n. 169 letter	yes	yes	yes
82/957 (1. 1. 1985)	Compound feedingstuffs	A 337/85 n.m.n. 169 letter	yes	yes	A 370/85 n.m.n. 169 letter	yes		A 347/85 n.m.n. 169 letter	yes	yes	A 342/85 n.m.n. 169 letter
83/90 (1. 1. 1985)	Health problems fresh meat	A 233/85 n.m.n. 169 letter	yes	yes	A 236/85 n.m.n. 169 letter	yes	A 235/85 n.m.n. 169 letter	A 238/85 n.m.n. 169 letter	A 237/85 n.m.n. 169 letter	yes	yes
83/91 (1. 1. 1985)	Fresh meat	A 338/85 n.m.n. 169 letter	yes	A 381/85 n.m.n. 169 letter	A 373/85 n.m.n. 169 letter	yes		A 349/85 n.m.n. 169 letter	A 387/85 n.m.n. 169 letter	yes	A 344/85 n.m.n. 169 letter
83/131 (1. 10. 1984)	Plant protection products	yes	yes	yes	A 372/85 n.m.n. 169 letter	yes	yes	A 348/85 n.m.n. 169 letter	yes	yes	A 343/85 n.m.n. 169 letter
83/201 (1. 1. 1984)	Percentage of meat	A 149/85 n.m.n. 169 letter	yes	yes	A 111/85 n.m.n. 169 letter	yes		A 158/85 n.m.n. 169 letter	yes	yes	yes
83/228 (13. 7. 1984)	Feedingstuffs	yes	yes	yes	A 107/85 n.m.n. 169 letter	yes		A 156/85 n.m.n. 169 letter	A 160/85 n.m.n. 169 letter	yes	A 165/85 n.m.n. 169 letter
83/266 (30. 11. 1983)	Additives in feedingstuffs	yes	yes	yes	yes	yes		yes	yes	yes	yes

Directive	Subject	B	D	DK	F	GB	GR	I	IRL	L	NL
83/381 (31. 12. 1983)	Undesirable products in feedingstuffs	yes	yes	yes	yes	yes		yes	A 161/85 n.m.n. 169 letter	yes	yes
83/615 (31. 8. 1984)	Additives in feedingstuffs	yes	yes	yes	A 108/85 n.m.n. 169 letter	A 163/85 n.m.n. 169 letter	yes	yes	yes	A 113/85 n.m.n. 169 letter	yes
84/4 (1. 6. 1984)	Official control of feedingstuffs	yes	yes	yes	yes	yes		yes	yes	yes	yes
84/319 (1. 1. 1985)	Trichinae	A 339/85 n.m.n. 169 letter	yes	A 382/85 n.m.n. 169 letter	A 374/85 n.m.n. 169 letter	yes	A 358/85 n.m.n. 169 letter	A 350/85 n.m.n. 169 letter	A 388/85 n.m.n. 169 letter	A 379/85 n.m.n. 169 letter	A 345/85 n.m.n. 169 letter
84/349 (30. 11. 1984)	Additives in feedingstuffs	yes	yes	yes	A 371/85 n.m.n. 169 letter	A 389/85 n.m.n. 169 letter	yes	yes	yes	A 378/85 n.m.n. 169 letter	yes
84/378 (1. 7. 1985)	Harmful organisms of plants			yes							
84/425 (30. 6. 1985)	Feedingstuffs	yes	yes	yes	yes	yes		yes	yes		
84/443 (30. 6. 1985)	Additives in feedingstuffs	yes	yes	yes	yes					yes	
84/547 (30. 6. 1985)	Additives in feedingstuffs	yes	yes	yes	yes		yes	yes	yes		
84/643 (31. 12. 1984)	Foot-and-mouth disease	yes	yes	A 383/85 n.m.n. 169 letter	A 375/85 n.m.n. 169 letter	yes	A 359/85 n.m.n. 169 letter	A 351/85 n.m.n. 169 letter		A 380/85 n.m.n. 169 letter	yes
84/645 (31. 3. 1985)	Swine fever	A 340/85 n.m.n. 169 letter	A 385/85 n.m.n. 169 letter	A 384/85 n.m.n. 169 letter	A 376/85 n.m.n. 169 letter	yes	A 360/85 n.m.n. 169 letter	A 352/85 n.m.n. 169 letter	yes	yes	yes
Transport 65/269 (1. 1. 1966)	Authorizations for carriage of goods	yes	yes	yes	yes	yes	yes		A 246/81 n.p.a. Judgment 13. 12. 1984 Case 113/83	yes	yes

Directive	Subject	B	D	DK	F	GB	GR	I	IRL	L	NL
74/561 (31. 12. 1976)	Admission to the occupation of road haulage operator	yes	yes	yes	yes	yes	A 317/85 n.m.n. 169 letter	A 85/79 n.m.n. Judgment 10. 11. 1981 Case 28/81 A 175/83 n.m.n. reference Case 160/85	yes	yes	yes
74/562 (1. 1. 1977)	Admission to the occupation of road passenger transport operator	yes	yes	yes	yes	yes	A 318/85 n.m.n. 169 letter	A 113/79 n.m.n. Judgment 10. 11. 1981 Case 29/81 A 176/83 n.m.n. reference Case 160/85	yes	yes	yes
75/130 (1. 10. 1975)	Combined road/rail carriage of goods	yes	yes	yes	yes	yes	yes	A 99/82 n.p.a. Judgment 28. 3. 1985 Case 2/84	yes	yes	yes
76/135 (20. 1. 1977)	Navigability licence	A 226/85 n.m.n. 169 letter	yes	yes	yes	yes		yes	yes	yes	yes
77/796 (1. 1. 1979)	Recognition of qualifications	yes	yes	yes	yes	yes	A 319/85 n.m.n. 169 letter	A 141/80 n.m.n. Judgment 11. 10. 1983 Case 273/82 A 17/85 n.m.n. reasoned opinion	yes	yes	yes

Directive	Subject	B	D	DK	F	GB	GR	I	IRL	L	NL
80/1263 (30. 6. 1982)	Driving licence	A 150/84 n.m.n. reasoned opinion	yes	yes	yes	yes	yes	A 160/83 n.m.n. reference Case 419/85	A 159/83 n.m.n. reference Case 413/85	yes	yes
82/603 (1. 4. 1983)	Combined road/rail carriage of goods	yes	yes	yes	yes	yes		A 82/84 n.m.n. reference Case 420/85	yes	yes	yes
82/714 (1. 1. 1985)	Technical requirements for inland waterway vessels	A 202/85 n.m.n. 169 letter			A 203/85 n.m.n. 169 letter						
83/416 (1. 10. 1984)	Authorization of air transport services	yes		yes	A 390/84 n.m.n. 169 letter	yes		yes	A 301/85 n.m.n. 169 letter	yes	A 391/84 n.m.n. 169 letter
83/643 (31. 12. 1984/ 31. 12. 1986)	Inspections — carriage of goods	yes	yes	yes		yes	yes	yes		yes	yes
85/347 (1. 10. 1985)	Duty-free allowances for fuel										
Energy											
82/885 (16. 6. 1984)	Heat generators	yes	yes	yes	A 469/85 n.m.n. 169 letter	yes	A 473/85 n.m.n. 169 letter	A 470/85 n.m.n. 169 letter	yes	A 471/85 n.m.n. 169 letter	A 472/85 n.m.n. 169 letter
Economic and Monetary Policy											
60/501 (1. 1. 1981)	Implementation of Article 67	yes	yes	yes	yes	yes	A 179/83 n.p.a. reference Case 132/85	yes	yes	yes	yes
63/21 (18. 3. 1963/ 1. 1. 1981)	Implementation of Article 67	yes	yes	yes	yes	yes	A 179/83 n.p.a. reference Case 132/85	yes	yes	yes	yes
Competition											
80/723 (31. 12. 1981)	Financial transparency	yes	yes	yes	yes	yes	yes	A 177/84 n.p.a. reference Case 118/85	yes	yes	yes

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Tenth Annual Report (1984)

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COMMISSION DES COMMUNAUTÉS EUROPÉENNES

DOCUMENT

**COMPÉTITION EUROPÉENNE ET COOPÉRATION ENTRE ENTREPRISES EN
MATIÈRE DE RECHERCHE-DÉVELOPPEMENT**

Les accords de coopération interentreprises dans le domaine de la recherche-développement se sont multipliés au cours des années récentes, à travers deux formes principales: le contrat de collaboration qui permet, dans une perspective de court terme et avec une structure légère, de poursuivre des objectifs limités et l'entreprise conjointe (*joint venture*) qui correspond à la constitution d'une entité nouvelle ayant ou non la personnalité juridique, mais dotée d'une large autonomie et capable d'assurer des relations plus étendues et de longue durée.

L'objet de la présente étude est d'analyser certains aspects de ces accords de coopération en recherche-développement (ACRD) dans la perspective du nouveau règlement européen qui précise les conditions dans lesquelles l'article 85 paragraphe 3 du traité de Rome leur est applicable.

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EEC AIR TRANSPORT POLICY

In general the Committee welcomes the initiative taken by the Commission as a step towards the creation of a common air transport policy.

The Committee is pleased that USA-style deregulation is not proposed in the memorandum. However, it also agrees that some changes in the present regulatory framework are possible with a view to the continued development of a more comprehensive and efficient air transport system for Europe. To the extent that such changes result in increased demand for international air transport services there will be greater opportunities for job creation in air transport and ancillary services. In addition a larger air transport market will also benefit other economic sectors such as tourism, hotels and industry. The Committee therefore suggests that policy should encourage more commercial freedom in European air transport.

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