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COMMISSION DES COMMUNAUTÉS EUROPÉENNES

Bruxelles, le 14.11.2006  
COM(2006) 690 final

**DOCUMENT DE TRAVAIL DE LA COMMISSION**

**Premier rapport sur la mise en œuvre de la  
stratégie de simplification de l'environnement réglementaire**

{COM(2006) 689 final}  
{COM(2006) 691 final}

## **DOCUMENT DE TRAVAIL DE LA COMMISSION**

### **Premier rapport sur la mise en œuvre de la stratégie de simplification de l'environnement réglementaire**

#### ***Résumé***

Le présent document de travail de la Commission est la suite directe de la communication d'octobre 2005 intitulée «Mettre en œuvre le programme communautaire de Lisbonne: une stratégie de simplification de l'environnement réglementaire» [COM(2005) 535]. Il complète également la communication relative à l'«Examen stratégique du programme “Mieux légiférer” dans l'Union européenne».

La simplification de la législation européenne peut grandement contribuer à améliorer l'environnement réglementaire, à actualiser et moderniser les règles en vigueur ainsi qu'à alléger la charge administrative, pour le plus grand bénéfice de la santé de l'économie européenne, en tenant compte de l'évolution des technologies, des marchés et du contexte international. Aussi la Commission considère-t-elle la simplification comme l'une des principales priorités d'action dans son programme d'amélioration de la réglementation.

Conformément à cette orientation, le présent document de travail de la Commission dresse le bilan des progrès accomplis dans la mise en œuvre de la stratégie de simplification d'octobre 2005, évoque les travaux en cours et présente les initiatives nouvelles destinées à renforcer le programme glissant de simplification pour la période 2006–2009. L'une des avancées majeures est la couverture progressive de tous les domaines de réglementation communautaire. Le document fait également le point sur la codification.

En parallèle, ce premier rapport examine les facteurs qui contribuent à la réussite des objectifs de simplification, tels que l'assise méthodologique solide, l'amélioration de la coopération interinstitutionnelle avec le Parlement européen et le Conseil pour mener les travaux à leur terme, le recours accru à l'autorégulation et à la corégulation ainsi que la simplification au niveau national, pour faire en sorte que les bénéfices obtenus par la simplification des règles au niveau de l'Union ne soient pas anéantis par de nouvelles règles ou entraves techniques nationales.

## INTRODUCTION

Conformément aux priorités d'action de sa politique d'amélioration de la réglementation définie en mars 2005, la Commission a adopté une nouvelle stratégie de simplification de l'environnement réglementaire<sup>1</sup> en octobre 2005. La finalité première de la stratégie est d'améliorer la qualité de l'acquis et de le rendre plus efficace tout en supprimant les contraintes inutiles imposées aux opérateurs économiques, de manière à aider l'économie européenne à devenir plus compétitive.

Le Parlement européen<sup>2</sup> s'est largement félicité du programme de simplification de l'acquis décidé par la Commission et le Conseil européen<sup>3</sup> a invité le Conseil à accorder un caractère hautement prioritaire à l'avancement des propositions de simplification au plan législatif. La coopération avec les colégislateurs est essentielle à l'aboutissement des propositions de simplification.

Le présent document de travail de la Commission, qui complète l'«Examen stratégique du programme “Mieux légiférer” dans l'Union européenne»<sup>4</sup>, rend compte pour la première fois des résultats obtenus depuis le lancement de la stratégie en octobre 2005 et présente les étapes suivantes pour l'accomplissement des objectifs de cette stratégie. Le rapport:

- fait le point sur la mise en œuvre de la stratégie de simplification et sur le processus de codification, en s'intéressant plus particulièrement:
  - (1) aux actions du programme glissant qui ont été menées à bien,
  - (2) aux actions en cours à poursuivre,
  - (3) aux nouvelles actions identifiées par la Commission;
- évoque les principaux facteurs de réussite qui favorisent la mise en place d'un environnement réglementaire véritablement simplifié, tels que l'assise méthodologique solide, la coopération étroite entre les institutions de l'Union, le recours accru à l'autorégulation et à la corégulation ainsi que la simplification au niveau national.

Le programme glissant actualisé pour la période 2006–2009 intègre les initiatives de simplification inscrites par la Commission dans son programme législatif et de travail pour 2007 et fait le tour d'horizon des efforts déployés par la Commission pour simplifier le corpus réglementaire actuel dans une perspective pluriannuelle. La mention des initiatives de simplification dans le programme législatif et de travail de la Commission pour 2007

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<sup>1</sup> Communication COM(2005) 535: «Mettre en œuvre le programme communautaire de Lisbonne: une stratégie de simplification de l'environnement réglementaire». La simplification recouvre une vaste panoplie d'instruments tels que l'abrogation, la codification, la refonte ou le changement d'approche réglementaire. Dans le présent document, le concept de codification est défini au point 1.2, «Où en est-on en matière de codification?». La refonte consiste à adopter un nouvel acte législatif à caractère contraignant qui, à la fois, abroge les dispositions antérieures qu'il remplace, apporte les modifications de fond souhaitées et procède à la codification de celles-ci avec les autres dispositions qui restent inchangées.

<sup>2</sup> Résolution du Parlement européen sur une stratégie de simplification de l'environnement réglementaire [rapporteur: Giuseppe Gargani, réf. A6-0080/2006 – PA\_TA-PROV (2006) 0205].

<sup>3</sup> Conseil européen des 15 et 16 décembre 2005: conclusions de la présidence.

<sup>4</sup> COM(2006) 689.

constitue une première, qui dénote bien l'importance politique accordée à la stratégie de simplification.

La culture réglementaire est en train de changer. Pour la première fois en effet, la Commission a adapté ses méthodes de travail, ses priorités et ses ressources en fonction des objectifs de simplification. L'une des avancées majeures est la couverture progressive de tous les domaines de l'action communautaire.

Les travaux menés actuellement en vue de réduire la charge administrative viendront renforcer les efforts de simplification qui, à leur tour, contribueront à réaliser l'objectif conjoint de réduction générale de 25 % pour la législation nationale et européenne à atteindre d'ici à 2012, comme le prévoit l'«Examen stratégique du programme “Mieux légiférer” dans l'Union européenne».

En parallèle, les avantages apportés par les consultations approfondies des parties prenantes et les analyses d'impact contribueront à améliorer la qualité des nouvelles propositions de la Commission et donneront aux législateurs les moyens de mettre en place un cadre réglementaire pleinement respectueux du principe de subsidiarité et davantage synonyme de compétitivité, d'innovation et de croissance. Les travaux futurs de simplification devraient s'en trouver nettement allégés.

Des rapports faisant le point sur les progrès réalisés seront établis périodiquement.

## **1. LA SITUATION ACTUELLE**

### **1.1. Où en est-on dans la mise en œuvre du programme glissant?**

La stratégie de simplification d'octobre 2005 envisageait un éventail de méthodes de simplification et définissait un programme glissant sur trois ans énumérant initialement, pour la période 2005–2008, quelque 100 initiatives portant sur 220 actes législatifs de base, que la Commission avait choisi de simplifier au terme de consultations approfondies des États membres, des entreprises et des citoyens.

Consciente de l'importance du réexamen en continu de l'acquis, la Commission a désormais identifié 43 initiatives nouvelles qui pourraient se prêter à la simplification pour la période 2006–2009. Elles ont été ajoutées au programme glissant actualisé de l'annexe 1. Celui-ci confirme clairement que la Commission est déterminée à réduire la charge administrative découlant de l'environnement réglementaire et à moderniser celui-ci en tenant compte de l'évolution des technologies, des marchés et du contexte international.

#### *1.1.1. Progrès accomplis par la Commission*

Sur les 14 initiatives planifiées pour 2005, 12 ont été menées à bien<sup>5</sup>. En ce qui concerne l'année 2006, pas moins de 54 initiatives étaient prévues dans la communication d'octobre 2005, auxquelles s'ajoutent trois nouvelles initiatives identifiées, une initiative reportée de 2005 à 2006 et une dernière avancée de 2008 à cette année. À ce jour, 15 d'entre elles ont été

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<sup>5</sup> Les deux initiatives restantes, à savoir la proposition concernant la radioprotection et les produits agricoles et celle concernant les systèmes informatisés de réservation, ont été reportées respectivement à 2006 et 2007.

adoptées<sup>6</sup>. Il a en outre été confirmé que 24 propositions de simplification seront adoptées avant la fin de l'année; elles sont présentées à l'annexe 1. Quinze initiatives sont reportées à 2007/2008. Cinq autres ont été retirées à l'issue des examens approfondis et des consultations des parties prenantes.

Pour l'heure, la Commission a adopté 27 initiatives sur les 71 prévues pour 2005–2006 et plus de la moitié des propositions du programme seront adoptées d'ici à la fin de l'année 2006. Le rythme de mise en œuvre du programme glissant de simplification en 2006 varie selon la complexité du domaine concerné et, dans certains cas, les travaux ont globalement pris du retard, même si certaines initiatives ont été adoptées plus tôt que prévu à l'origine. Presque toutes les initiatives retardées sont néanmoins confirmées pour 2007.

Il convient de souligner que ce programme est, de loin, le projet de simplification le plus ambitieux jamais entrepris par la Commission. Le travail s'est révélé particulièrement ardu lorsque les avantages à procurer aux entreprises et aux citoyens sont à mettre en balance avec les efforts et les coûts engendrés par l'adaptation à un nouveau cadre juridique. La simplification peut en effet nécessiter une réforme réglementaire dans certains domaines. Pour vaincre les réticences face aux changements requis par de tels projets de réforme, il faut souvent plus de temps pour aider à convaincre que ces changements se traduiront, au final, par des bénéfices macroéconomiques.

Par ailleurs, il se peut que l'analyse d'impact mette en évidence de nouveaux éléments susceptibles de guider le législateur dans le choix de l'option la plus appropriée<sup>7</sup>. Le programme de simplification est mis en œuvre en tenant compte des résultats de ces analyses d'impact.

Presque toutes les propositions de simplification soumises par la Commission sont toujours en instance devant le Conseil et le Parlement européen. Elles sont présentées à l'annexe 3.

Quelques exemples de résultats obtenus sont donnés ci-dessous; ils montrent que des domaines très importants pour les entreprises et les citoyens ont déjà été traités par le programme de simplification de la Commission.

Exemples de propositions adoptées par la Commission:

- **Modernisation du code des douanes et informatisation des douanes**<sup>8</sup>: refonte de la législation douanière communautaire et création de systèmes électroniques paneuropéens

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<sup>6</sup> En date du 27 octobre 2006.

<sup>7</sup> Parmi les initiatives de la stratégie de simplification qui accusent des retards citons notamment: a) l'abrogation prévue au départ de la législation relative aux systèmes informatisés de réservation dans le secteur aéronautique est remise en question et toute action a été suspendue, car les réactions des parties prenantes et du Parlement européen ont montré qu'il fallait continuer les analyses. Dans le respect plein et entier des principes d'amélioration de la réglementation, la Commission a décidé d'entamer une analyse d'impact approfondie pour poursuivre l'étude des différentes possibilités, dont l'abrogation ou la libéralisation partielle de la réglementation existante, et de consulter de nouveau les parties prenantes. b) L'évolution récente de la situation internationale dans le domaine de l'énergie, qui a ouvert le débat sur la question de la sécurité énergétique, a amené la Commission à reporter, probablement jusqu'en 2008, la révision prévue de la législation sur les stocks pétroliers. La politique future de la Commission dans ce domaine dépendra fortement des résultats de la consultation sur le Livre vert pour une politique européenne de l'énergie publié par la Commission en mars 2006.

<sup>8</sup> COM(2005) 608.

d'échange de données entre les administrations et les entreprises. La rationalisation et la simplification des procédures et règles douanières, l'informatisation et l'interconnexion des systèmes douaniers et la coopération étroite de toutes les autorités et agences compétentes en matière de circulation transfrontalière des marchandises dans la Communauté auront pour effet de faciliter le commerce international.

- **Environnement**<sup>9</sup>: modernisation de la directive-cadre relative aux déchets:
  - simplification de la réglementation sur les déchets par la clarification des définitions, la rationalisation des dispositions et l'intégration des directives relatives aux déchets dangereux et aux huiles usagées;
  - modernisation du marché du recyclage au moyen de normes environnementales qui définissent les circonstances dans lesquelles certains déchets recyclés ne sont plus considérés comme des déchets.
- **Libre circulation des travailleurs**<sup>10</sup>:
  - modernisation des règles actuelles relatives à la coordination des systèmes nationaux de sécurité sociale;
  - simplification des procédures pour les assurés sociaux et réduction du délai de réponse et de traitement des situations transfrontalières par les institutions dans les différentes branches de la sécurité sociale (maladie, accidents du travail, maladies professionnelles, invalidité, pension, chômage, prestations familiales).
- **Additifs alimentaires et arômes**<sup>11</sup>:
  - simplification de la législation sur les additifs alimentaires par un instrument unique régissant les principes, les procédures et les autorisations;
  - amélioration de la procédure à suivre pour actualiser la liste communautaire des additifs alimentaires autorisés.
- **PME de l'industrie pharmaceutique**<sup>12</sup>: mise en place d'un cadre réglementaire simplifié pour les micro, petites et moyennes entreprises prévoyant notamment une réduction de la redevance, des possibilités de report du paiement de la redevance ainsi qu'une aide administrative et réglementaire lorsque ces entreprises soumettent une demande à l'Agence européenne des médicaments.
- **Services de paiement**<sup>13</sup>: définition d'un cadre réglementaire simplifié en matière de services de paiement au bénéfice des consommateurs et des entreprises. La proposition prévoit la simplification de la législation (en remplaçant trois directives et trois recommandations par un ensemble unique et cohérent de dispositions) et des procédures

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<sup>9</sup> COM(2005) 667.

<sup>10</sup> COM(2006) 16.

<sup>11</sup> COM(2006) 428.

<sup>12</sup> Règlement (CE) n° 2049/2005 de la Commission.

<sup>13</sup> COM(2005) 603.

administratives à suivre par les autorités publiques (communautaires ou nationales) et par le secteur privé. La proposition favorise une plus grande transparence et prévoit des exigences d'information plus claires et plus succinctes pour les utilisateurs des services de paiement et les consommateurs.

- **Règles comptables**<sup>14</sup>: modification des règles comptables existantes donnant aux États membres une plus grande marge de manœuvre pour exempter des entreprises de certaines obligations de publicité (en augmentant les seuils en la matière), une simplification administrative dont bénéficieront les petites entreprises.
- **Statistiques structurelles sur les entreprises**<sup>15</sup>: la proposition simplifie l'établissement de ces statistiques en supprimant 15 variables obligatoires (concernant la R & D, l'emploi, l'énergie et le crédit-bail), en passant d'une collecte annuelle à une collecte pluriannuelle pour d'autres variables et en supprimant les variables facultatives. Eurostat élabore en outre un programme de transformation des statistiques sur les entreprises, qui proposera aux États membres des méthodes nouvelles pour réduire considérablement la charge de réponse, notamment par un recours accru aux données administratives et par la transmission électronique automatique des comptes des sociétés.
- **Transports aériens**<sup>16</sup>: la révision de ce que l'on appelle communément le «troisième paquet» de libéralisation des transports aériens devrait rendre la législation plus lisible en fusionnant trois règlements existants en un seul. La législation modernise et simplifie le cadre juridique, garantit une application cohérente dans tous les États membres et contient des dispositions visant à remédier aux distorsions et aux limitations potentielles de la concurrence dans certains segments du marché. Les consommateurs devraient ainsi bénéficier d'un choix plus large à des tarifs plus intéressants ainsi que d'une concurrence accrue.

#### *1.1.2. Travaux en cours*

Un certain nombre d'initiatives de simplification de premier plan et importantes pour la compétitivité ont été confirmées pour 2006, 2007 ou 2008:

- **Agriculture**: fusion des 21 organisations communes des marchés en un régime unique afin d'établir un cadre juridique horizontal rationalisé définissant un ensemble unique de règles harmonisées dans les différents domaines de la politique de marché tels que l'intervention, le stockage privé, les contingents tarifaires à l'importation, les restitutions à l'exportation, les mesures de sauvegarde, les produits agricoles, les règles applicables aux aides d'État, les communications et la déclaration de données.
- **Environnement**: révision de la directive relative à la prévention et à la réduction intégrées de la pollution et d'autres actes législatifs connexes relatifs aux émissions industrielles en vue de clarifier les règles applicables et de les rendre plus cohérentes (notamment en matière de rapports) ainsi que pour rationaliser les exigences.

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<sup>14</sup> Directive 2006/46/CE adoptée le 14 juin 2006.

<sup>15</sup> COM(2006) 66.

<sup>16</sup> COM(2006) 396.

- **Produits de construction:** révision de la directive visant à clarifier et réduire les charges administratives, en particulier pour les PME, par davantage de flexibilité dans la formulation et l'utilisation des spécifications techniques, des règles de certification allégées et l'élimination des obstacles à la mise en œuvre qui, jusqu'à présent, ont entravé la création d'un véritable marché intérieur pour les produits de construction.
- **Statistiques:** allègement des obligations de déclaration statistique imposées aux opérateurs économiques, et surtout aux PME, en tenant compte des travaux menés actuellement concernant l'amélioration de la gouvernance statistique dans l'Union et des résultats finals des projets pilotes en cours sur la mesure et la réduction de la charge administrative.
- **Étiquetage des denrées alimentaires et des aliments pour animaux:** la modernisation de la législation va clarifier les règles en matière d'étiquetage pour permettre aux consommateurs de faire des choix informés, sûrs, sains et durables et va contribuer à mettre en place un environnement commercial bénéfique pour la concurrence dans lequel les opérateurs peuvent faire un usage efficace de l'étiquetage pour vendre leurs produits.
- **Protection des consommateurs:** rationalisation et simplification de l'ensemble de l'acquis communautaire relatif à la protection des consommateurs afin de supprimer les éventuels doubles emplois, incohérences, obstacles au marché intérieur et distorsions de concurrence.
- **Produits cosmétiques:** adoptée il y a trente ans, la directive relative aux produits cosmétiques a été modifiée à plus de quarante reprises. La refonte du texte s'impose pour le rendre plus clair et plus cohérent. L'opération devrait contribuer à réduire le coût administratif de la mise en œuvre et de la gestion de la directive, sans modifier le régime en vigueur d'interdiction progressive des essais réalisés sur des animaux.
- **Comptabilité et information financière:** fournir aux sociétés de l'Union un ensemble actualisé de normes en matière d'information financière en regroupant l'arsenal réglementaire actuel<sup>17</sup>, qui représente un volume de plus de 2 000 pages, en un règlement unique et facile à consulter.
- **Cadre réglementaire relatif à l'industrie automobile:** une fois adoptée, la proposition actuellement à l'examen de révision de la directive-cadre relative à la réception des véhicules à moteur permettra:
  - de remplacer les directives communautaires par les règlements de la CEE-ONU. Cette simplification aura pour effet de rationaliser les règlements et de supprimer les exigences faisant double emploi. Elle aidera en outre les industriels du monde entier à supprimer les obstacles non tarifaires au commerce, tout en préservant le rôle moteur de l'Union dans la définition des normes internationales, et permettra à l'industrie de s'adapter plus rapidement aux évolutions technologiques à l'échelle internationale;
  - d'inclure les dispositions techniques nécessaires concernant les essais par les constructeurs et les essais virtuels dans les 25 directives communautaires et règlements de la CEE-ONU. L'objectif est de simplifier la procédure de

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<sup>17</sup> Règlements de la Commission adoptant les normes internationales d'information financière (IFRS), les normes comptables internationales (IAS) et les interprétations.

réception et de faire en sorte que le cadre juridique suive l'évolution de la technique. Les essais par les constructeurs et les essais virtuels accéléreront le développement des produits et seront synonymes d'économies pour l'industrie comme pour les consommateurs. Par ailleurs, la Commission propose l'ajout, dans la directive relative à la réception des véhicules à moteur, d'une disposition générale visant à permettre aux constructeurs d'agir en tant que laboratoire d'essai, à la condition que l'autorité de réception établisse leur compétence à cet effet.

- **Accès à la profession et au marché du transport routier:** la refonte de quatre règlements et d'une directive devrait clarifier, simplifier et faciliter la mise en œuvre des règles régissant l'accès à la profession et au marché, notamment en ce qui concerne le cabotage dans le transport routier et le transport de passagers. La refonte devrait permettre une mise en œuvre harmonisée de la réglementation et un contrôle efficace de son application au regard des coûts engagés, dans le contexte transnational également, et limiter ainsi les distorsions de concurrence, protéger le droit d'établissement et améliorer la qualité de service et la sécurité routière.
- Consolidation des directives et règlements techniques relevant de la «**nouvelle approche**»<sup>18</sup> pour que les produits soient mis sur le marché selon des définitions cohérentes, des procédures de certification simplifiées et une coopération administrative allégée, l'objectif ultime étant de faciliter la commercialisation des produits tout en protégeant les fabricants contre les produits non conformes.

#### *1.1.3. Nouvelles initiatives destinées à renforcer le programme glissant de simplification*

Partant du programme glissant dévoilé l'an dernier, la Commission ajoute aujourd'hui à son action de simplification 43 initiatives<sup>19</sup> nouvelles pour la période 2006-2009 qui visent à:

- encourager l'innovation et réduire la charge administrative découlant des exigences réglementaires;
- réduire le volume global de l'acquis communautaire et encourager le choix d'approches réglementaires plus souples.

Parmi ces nouvelles initiatives figurent notamment les mesures importantes suivantes:

- Simplification des règles applicables aux modifications apportées aux **médicaments** après la délivrance de l'autorisation (règlements dits «de modification»). À l'heure actuelle, la gestion administrative de ces règles mobilise plus de 60 % des ressources humaines et financières des services juridiques des entreprises concernées. Dans certains cas, ces contraintes peuvent avoir un effet négatif sur l'innovation en empêchant l'introduction de changements qui pourraient être bénéfiques aux patients et à la société dans son ensemble. Les procédures seront rationalisées de manière à rendre la réglementation des

<sup>18</sup> Plutôt que de spécifier des règles détaillées différentes pour chaque produit, les directives relevant de la nouvelle approche s'en tiennent à la définition des exigences essentielles à la protection de l'intérêt public que les produits doivent respecter. Les fabricants ont le choix des solutions techniques à mettre en œuvre ainsi que des modalités pour démontrer que ces solutions sont conformes aux exigences essentielles (par la normalisation notamment).

<sup>19</sup> Ces 43 initiatives nouvelles sont planifiées comme suit: 3 en 2006, 28 en 2007, 11 en 2008 et 1 en 2009.

modifications plus simple, plus claire et plus souple, sans risque pour la santé des personnes et des animaux.

- **Reconnaissance mutuelle**<sup>20</sup> de marchandises qui ne font pas l'objet de règles communautaires harmonisées: la Commission élabore actuellement une proposition législative visant à éliminer les obstacles techniques à la libre circulation des marchandises au sein de l'Union (proposition «Reconnaissance mutuelle»). Ce texte définira les droits et obligations respectives des autorités nationales et des entreprises désireuses de vendre dans un État membre des produits qu'elles fabriquent ou commercialisent déjà légalement dans un autre État membre.
- Clarification de la définition et du champ d'application en ce qui concerne l'évaluation de la sécurité des **nouveaux aliments** et rationalisation de la procédure d'autorisation.
- Simplification de la gestion des procédures administratives dans le secteur de **l'agriculture** par une série de simplifications techniques. Un plan d'action glissant a été défini en vue de modifier des dispositions juridiques ayant une incidence directe sur les exploitants agricoles, sur d'autres opérateurs économiques et sur les administrations nationales. Ces modifications concernent par exemple les obligations faites aux agriculteurs de tenir certains documents à disposition, les obligations de contrôle des États membres, les conditions pour bénéficier d'aides, etc.
- Simplification et amélioration de la **politique commune de la pêche** grâce à la simplification juridique et administrative menée en application du «plan d'action 2006–2008» adopté par la Commission en 2005<sup>21</sup>. Le plan d'action porte sur certaines dispositions relatives à la gestion et au contrôle des activités de pêche et vise notamment à rendre le cadre législatif plus lisible et à alléger les contraintes administratives imposées aux pêcheurs et aux administrations concernées.
- Révision du cadre réglementaire relatif aux **réseaux et services de communications électroniques** afin de réduire les besoins de réglementation ex ante et d'encourager la flexibilité et l'innovation, au bénéfice des industriels comme des citoyens.
- Remplacement des directives «**Textile**» par un règlement unique pour simplifier les procédures concernant la détermination du nom de fibres nouvelles. En outre, les méthodes quantitatives pour la mesure de la teneur en fibres relèveront désormais du processus de normalisation.
- Simplification de la législation existante sur les **jouets** en clarifiant les exigences essentielles de sécurité et en mettant en place les conditions d'une approche commune plus adaptée pour les autorités nationales de surveillance des marchés.
- Limitation des actes législatifs sur la **métrologie** et les **engrais** aux exigences essentielles au titre de la nouvelle approche. Des normes seront utilisées au lieu des descriptions techniques détaillées.

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<sup>20</sup> Cette initiative concourt également à la réalisation de la stratégie de simplification mais ne figure pas dans le programme glissant de simplification.

<sup>21</sup> COM(2005) 647.

- Révision du mécanisme d'octroi du **label écologique** communautaire dans le but:
  - (a) de créer un système mieux adapté aux besoins des entreprises en associant les parties prenantes à la prise de décision et en tenant compte des besoins des PME;
  - (b) de confier à un organisme spécialisé la définition des critères d'attribution et de lier étroitement le label à la politique écologique en matière de marchés publics.
- Refonte de la directive concernant la commercialisation des **matériels de multiplication de plantes fruitières** et des plantes fruitières destinées à la production de fruits.
- Traiter la question des **troubles musculo-squelettiques** d'origine professionnelle dans un instrument juridique unique intégrant les différentes exigences minimales existantes en matière de santé et de sécurité, notamment concernant la manutention manuelle de charges ou le travail sur des équipements à écran de visualisation.

Tous les services de la Commission achèveront l'examen de l'acquis relevant de leur compétence d'ici à 2009 afin de vérifier la pertinence des instruments, le bien-fondé de la technique réglementaire choisie et la possibilité éventuelle de recourir à l'une des méthodes de simplification décrites dans la stratégie d'octobre 2005. S'ils l'estiment nécessaire et opportun, ils identifieront de nouvelles initiatives de simplification, qui nécessiteront l'actualisation future du programme glissant.

## 1.2. Où en est-on en matière de codification?

Volet essentiel du processus d'amélioration de la réglementation de la Commission européenne, la codification consiste à regrouper les dispositions d'actes en vigueur et leurs modifications ultérieures en un instrument unique, ce qui réduit le volume de l'acquis communautaire et le rend plus transparent, plus lisible et plus clair au plan juridique.

Le programme glissant de codification (voir l'annexe 2) porte sur quelque 500 actes. La codification a été menée à bien pour 52<sup>22</sup> d'entre eux, qui ont été adoptés et publiés au Journal officiel (il s'agit de 38 actes de la Commission et de 14 actes du Parlement européen et du Conseil). En outre, 33 sont en instance devant le législateur et 8 font l'objet d'une procédure écrite en cours. Au total, 85 actes ont été finalisés par la Commission européenne.

L'objectif étant de mener le programme de codification à son terme pour la mi-2008, des mesures ont été prises pour accélérer la conversion de l'arriéré des «copies maîtres» dans les nouvelles langues de l'Union. Cet arriéré résulte des retards pris par les traductions des textes codifiés dans ces langues.

Des mesures appropriées doivent également être décidées afin de maximiser le nombre de textes codifiés disponibles en bulgare, roumain, irlandais et maltais, en codifiant en priorité les actes pour lesquels les traductions nécessaires ont déjà été effectuées.

En outre, un programme a été défini concernant l'adoption des actes restant à codifier. L'objectif est de garantir la transparence du processus pour faire en sorte notamment que les

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<sup>22</sup> En date du 27 octobre 2006.

actes en cours de codification soient modifiés le moins possible, de manière à stabiliser la législation concernée et à ne pas ralentir les travaux. Le programme n'a qu'une valeur indicative dans la mesure où l'achèvement du projet de codification dépend de la disponibilité de toutes les versions linguistiques des actes concernés. Cette remarque vaut tout particulièrement pour le bulgare et le roumain. La codification doit en outre être postposée lorsque de nouvelles modifications des actes sont envisagées. L'ordre des actes dans le programme variera en fonction de ces deux facteurs.

Il convient en outre de noter que l'adoption d'actes codifiés par le législateur doit s'effectuer conformément aux règles de l'accord interinstitutionnel du 20 décembre 1994 concernant une méthode de travail accélérée pour la codification officielle des textes législatifs.

## **2. FACTEURS DE RÉUSSITE**

Le corpus réglementaire qui s'applique aux entreprises et aux citoyens européens consiste en une superposition de législations et de règles souvent étroitement liées et adoptées à des niveaux de pouvoir différents (international<sup>23</sup>, communautaire, national, régional et local). Aucune de ces autorités de réglementation n'est en mesure, à elle seule, d'améliorer de manière significative la qualité du cadre réglementaire. Pour que la qualité générale augmente concrètement, il faut que des efforts résolus, cohérents et coordonnés soient déployés à tous les niveaux.

### **2.1. Une assise méthodologique solide à la base des travaux de simplification**

#### *2.1.1. Consultation de tous les intervenants*

Le programme glissant de simplification pour 2006-2009 ainsi que son actualisation ont été définis en tenant compte des avis des parties prenantes et des États membres, car un programme de simplification efficace et pertinent ne peut se passer des expériences des uns et des autres. Les consultations approfondies des parties prenantes, le réexamen de pans entiers de politiques de l'Union, l'évaluation ex post d'actes législatifs et les analyses d'experts aident les décideurs à mieux cerner les problèmes réels sur le terrain. Ces pratiques favorisent en outre l'adhésion des parties prenantes aux mesures proposées.

La communication d'octobre 2005 sur la simplification<sup>24</sup> annonçait une série d'initiatives spécifiques:

- Comme le prévoyait la communication «Simplifier et mieux légiférer dans le cadre de la politique agricole commune», un plan d'action a été élaboré et présenté lors de la conférence organisée en octobre 2006 sur le thème: «Une PAC simplifiée pour l'Europe: un défi pour tous». Le plan d'action présente 20 projets concrets de simplification technique (allègement de la bureaucratie sans altérer les orientations politiques fondamentales), à mettre en œuvre pour 2007. Il marque le début d'un processus de simplification en continu, les parties prenantes et les États membres étant invités à avancer de nouvelles propositions de simplification.

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<sup>23</sup> En matière de comptabilité, d'audit, de marchés publics et de droits de propriété intellectuelle, par exemple, certaines règles et normes sont souvent convenues ou adoptées au niveau international.

<sup>24</sup> Communication COM(2005) 535: «Mettre en œuvre le programme communautaire de Lisbonne: une stratégie de simplification de l'environnement réglementaire».

- Le plan d'action 2006–2008 pour la simplification et l'amélioration de la politique commune de la pêche, adopté en 2005 par la Commission, a été pleinement appuyé par les institutions européennes et les parties prenantes consultées.
- La communication concernant la réduction de la charge des réponses, la simplification et la fixation des priorités dans le domaine des statistiques communautaires sera adoptée prochainement. Elle définit une approche stratégique visant à poursuivre les efforts d'allègement des contraintes qui pèsent sur les entreprises du fait des besoins statistiques en recourant conjointement aux deux techniques suivantes: simplifier les exigences statistiques dans certains domaines prioritaires et encourager le recours à des outils et à des méthodes statistiques qui faciliteront le respect des obligations. La Commission proposera notamment l'introduction d'un système à flux unique pour Intrastat, un programme de transformation des statistiques sur les entreprises et la poursuite active de la simplification du système européen de statistiques agricoles.

Par ailleurs, l'article 138 du traité prévoit la consultation des partenaires sociaux européens concernant les initiatives communautaires dans le domaine de la politique sociale<sup>25</sup>.

Les résultats de certaines consultations ont amené les services de la Commission à revoir leurs intentions initiales. Cela a été le cas notamment en ce qui concerne le réexamen du droit des sociétés et de la réglementation du droit d'auteur, qui va donner lieu à d'autres initiatives:

- En ce qui concerne le droit des sociétés, la Commission a prévu de lancer, avant la fin de cette année, une initiative de grande ampleur visant à mesurer les coûts administratifs découlant des directives «Droit des sociétés», dans le but de réfléchir, avec les États membres et les parties prenantes, aux possibilités de réduire ces coûts. La Commission présentera les résultats de l'opération dans une communication prévue pour le second semestre 2007.
- En ce qui concerne le droit d'auteur, l'examen de la législation s'est traduit par différentes initiatives, dont une évaluation de la directive de 2001 sur le droit d'auteur qui pourrait, entre autres, définir des dérogations à l'application de cette directive. Les résultats des travaux pourraient être disponibles durant l'été 2007.

### 2.1.2. *Analyse sectorielle*

Dans la communication précédente, la Commission évoquait la nécessité d'aborder la simplification de manière sectorielle afin de mieux évaluer les répercussions du cadre réglementaire sur la compétitivité des différents secteurs d'activité.

Des travaux en ce sens sont en cours dans le domaine des produits de construction, notamment. Ils consistent en une analyse globale des facteurs qui influencent la compétitivité des opérateurs du secteur de la construction ainsi qu'en une action spécifique de simplification de la directive «Produits de construction» (89/106/CEE). La consultation des parties prenantes a commencé et les réponses sont examinées actuellement par la Commission.

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<sup>25</sup> Citons à titre d'exemple récent la consultation, en 2005, des partenaires sociaux sur la simplification des directives relatives à la santé et à la sécurité au travail en ce qui concerne les rapports et l'application pratique.

En ce qui concerne les véhicules à moteur, le groupe de haut niveau «CARS 21» a étudié les principaux domaines réglementaires qui influent sur la compétitivité de l'industrie automobile européenne, travaux qui ont abouti à la formulation d'un certain nombre de recommandations.

En parallèle, l'application des principes d'amélioration de la réglementation est actuellement examinée par le nouveau forum mis en place dans le cadre de la communication relative à la politique industrielle<sup>26</sup>. Des examens sectoriels ont démarré au sein de groupes de travail tels que la task-force «Compétitivité des TIC» et le Dialogue politique pour la construction mécanique.

### *2.1.3. Travaux en cours concernant la charge administrative*

Faisant suite aux conclusions du Conseil européen de juin 2006 et dans le contexte du volet «compétitivité» de la stratégie de Lisbonne renouvelée, la Commission lancera, au début de l'année 2007, un plan d'action de grande ampleur visant à quantifier et alléger la charge administrative découlant de la législation en vigueur dans l'Union. Ce plan s'inspirera des expériences acquises par quatre États membres (le Royaume-Uni, les Pays-Bas, le Danemark et la République tchèque), qui se sont déjà fixé des objectifs de réduction après avoir réalisé les nombreuses mesures de référence préalables. Le document de travail de la Commission intitulé «La mesure des coûts administratifs et la réduction des charges administratives dans l'Union européenne»<sup>27</sup> présente les résultats d'un projet pilote réalisé en 2006 sur la charge administrative, qui analyse ces expériences antérieures et en tire des conclusions pour l'avenir. À moyen terme, ce processus devrait permettre au législateur européen et aux États membres de disposer d'informations chiffrées pour déterminer les domaines prioritaires pouvant faire l'objet de nouveaux efforts de simplification.

Il convient de noter à cet égard que, dans le domaine agricole, une étude est réalisée actuellement concernant la charge administrative pesant sur les agriculteurs. Cette étude s'intéresse à la mise en œuvre de la réforme de la PAC de 2003 et de ses modifications ultérieures. Les premiers résultats sont attendus en 2007.

## **2.2. La coopération étroite des institutions de l'Union**

Si les propositions législatives soumises par la Commission sont de qualité, il incombe au Conseil et au Parlement européen de mener le processus de simplification à son terme.

22 propositions de simplification adoptées par la Commission sont maintenant en instance devant le Conseil et le Parlement européen (voir l'annexe 3). Sur ces 22 initiatives, 7 datent des programmes de simplification antérieurs de 2003<sup>28</sup> et sont toujours à l'examen. La liste des propositions en suspens figure à l'annexe 3 et inclut des textes d'importance majeure pour les entreprises tels que le réexamen de la 6<sup>e</sup> directive sur la TVA, la modernisation du code des douanes, la révision de la législation relative aux déchets, la simplification de la réception des véhicules à moteur, la rationalisation des statistiques structurelles sur les entreprises et l'abrogation des exigences en matière de préemballage. L'adoption de la directive

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<sup>26</sup> Communication de la Commission: «Mettre en œuvre le programme communautaire de Lisbonne: un cadre politique pour renforcer l'industrie manufacturière de l'UE – vers une approche plus intégrée de la politique industrielle» - COM(2005) 474 du 5.10.2005.

<sup>27</sup> COM(2006) 691.

<sup>28</sup> Le cadre d'action visant à mettre à jour et simplifier l'acquis communautaire - COM(2003) 71.

comptable<sup>29</sup>, qui prévoit un régime dérogatoire en faveur des PME, ainsi que l'approbation récente par le Conseil de la position commune concernant le préemballage témoignent de la détermination de toutes les institutions à simplifier l'environnement réglementaire.

Invité par la Commission à se prononcer sur la stratégie de simplification d'octobre 2005, le Parlement européen a répondu en avril 2006. Les positions des commissions parlementaires concernant le programme pluriannuel de simplification dénotent une convergence significative avec les priorités de la Commission quant aux domaines à simplifier.

En mai 2006, le Parlement européen a adopté une série de rapports couvrant différents aspects de l'amélioration de la réglementation, dont la simplification<sup>30</sup>. Le Parlement européen propose notamment de définir un nouveau genre d'instrument qui viendrait s'ajouter à la codification et à la refonte<sup>31</sup> et serait utilisé pour des types spécifiques de propositions de simplification pour lesquelles des méthodes de travail adaptées et des délais d'adoption accélérés s'avéreraient particulièrement avantageuses.

L'accord interinstitutionnel «Mieux légiférer»<sup>32</sup>, en vigueur depuis décembre 2003, a mis en place un cadre pour le développement de la coopération entre les trois institutions. Le groupe technique de haut niveau chargé du suivi de la mise en œuvre de l'accord a périodiquement examiné les progrès accomplis, notamment en ce qui concerne la coordination et la programmation du travail législatif, la qualité de la législation (l'analyse d'impact en particulier), la transposition et l'application de la législation communautaire et la simplification. L'identification, par les colégislateurs, de mesures concrètes visant à donner un degré de priorité élevé à la simplification et à accélérer les travaux législatifs s'est avérée difficile.

L'accord intervenu entre les institutions en décembre 2005 concernant une approche interinstitutionnelle commune en matière d'analyse d'impact<sup>33</sup> démontre que, lorsque la volonté politique existe, l'accord interinstitutionnel «Mieux légiférer» peut donner lieu à des améliorations concrètes de la mise en œuvre interinstitutionnelle des principes d'amélioration de la réglementation. À l'occasion du réexamen de l'approche commune en 2008, les institutions devraient décider que les initiatives prises par les États membres dans le domaine de la coopération policière et judiciaire en matière pénale fassent l'objet d'analyses d'impact.

La Commission a annoncé qu'elle entendait faciliter le processus décisionnel interinstitutionnel en améliorant la programmation et la visibilité des initiatives de simplification par les mesures suivantes:

- en inscrivant les propositions de simplification dans son programme législatif et de travail annuel, comme elle l'a fait dans le programme de 2007;

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<sup>29</sup> Directive 2006/46/CE adoptée le 14 juin 2006.

<sup>30</sup> Résolution du Parlement européen sur une stratégie de simplification de l'environnement réglementaire [rapporteur: Giuseppe Gargani, réf. A6-0080/2006 – PA\_TA-PROV (2006) 0205]. Parallèlement à cette résolution, le Parlement européen a transmis une contribution adoptée par la Conférence des présidents qui résume la position des commissions concernant le programme glissant de simplification et évoque également la dimension interinstitutionnelle des efforts de simplification.

<sup>31</sup> Le Parlement européen réfléchit actuellement à la modification de ses procédures internes en matière de refonte et de codification.

<sup>32</sup> JO C 321 du 31.12.2003, p. 1.

<sup>33</sup> Annexe du document 2005/14901 du Conseil du 24 novembre 2005.

- en renforçant l'exposé des motifs pour qu'il explique plus clairement les objectifs de simplification poursuivis par les propositions. En ce qui concerne les propositions de simplification nécessitant la réalisation d'une analyse d'impact, la Commission s'emploiera également à évaluer les répercussions de la simplification, notamment en termes de charge administrative;
- en identifiant des cas pilotes de propositions qui permettraient d'expérimenter des améliorations possibles des méthodes de travail interinstitutionnelles en matière de simplification.

### **2.3. Un recours accru à la corégulation et à l'autorégulation**

La corégulation et l'autorégulation sont des exemples de techniques pouvant être utilisées dans certaines situations pour atteindre les objectifs poursuivis tout en limitant l'intervention du législateur.

Ainsi, les organismes européens de normalisation et la Commission travaillent actuellement de concert afin de proposer, dans le secteur des services, de nouvelles initiatives de normalisation spécifiquement axées sur le marché intérieur. Les normes permettent aux consommateurs de comparer librement les produits et leurs prix, ce qui ne peut qu'intensifier la concurrence et renforcer le commerce intracommunautaire des services. Au terme de consultations de grande ampleur, la définition d'un plan d'action de normalisation visant à stimuler la compétitivité industrielle ainsi que l'approbation d'une décision relative au financement communautaire vont dynamiser les travaux de normalisation.

En matière d'autorégulation, les partenaires sociaux au niveau européen ont un rôle spécifique à jouer car ils ont la possibilité de conclure des accords<sup>34</sup> qui acquièrent un caractère contraignant par l'adoption d'une proposition législative ou sont appliqués à titre autonome. L'autorégulation va dans le sens de la politique de la Commission visant à encourager la responsabilité sociale des entreprises (RSE). On peut s'attendre à ce que les initiatives volontaires réalisées dans le cadre de l'alliance européenne en matière de RSE se traduisent par de nouveaux accords d'autorégulation. Ces initiatives, décidées par les entreprises de l'Union en coopération étroite avec les parties prenantes, devraient également contribuer à généraliser les pratiques de RSE en Europe et dans le monde. Afin de mieux informer les acteurs du secteur privé désireux de mettre en place ou d'améliorer des mécanismes d'autorégulation, de même que les autorités publiques chargées de définir des modalités de corégulation, le Comité économique et social européen (CESE) et la Commission européenne ont constitué une base de données regroupant près d'une centaine de tels mécanismes dans l'Union. Cette base de données, qui devrait être opérationnelle à partir de novembre 2006, précise notamment les types de problèmes à la base de la mise en place du mécanisme d'auto- ou de corégulation dans l'Union, les objectifs de ces mécanismes et la manière dont ils sont organisés. Il sera ainsi beaucoup plus aisé d'identifier les bonnes et les mauvaises pratiques.

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<sup>34</sup> L'«accord sur la protection sanitaire des travailleurs par la manipulation et l'utilisation correctes de la silice cristalline et des produits qui en contiennent», signé en avril 2006, est un bon exemple d'autorégulation. Cet accord autonome dresse une liste des bonnes pratiques permettant de minimiser l'exposition des travailleurs aux poussières de silice cristalline et devrait contribuer au respect des différentes valeurs limites nationales sur le lieu de travail. L'accord, négocié par les partenaires sociaux des différentes branches industrielles concernées, est la première convention multisectorielle autonome conclue dans le contexte du dialogue social européen.

## **2.4. La simplification au niveau national**

### *2.4.1. La simplification du droit européen doit transparaître au niveau national*

Les États membres devront apporter leur soutien plein et entier aux institutions de l'Union dans leurs efforts de simplification de telle manière que les avantages découlant d'un corpus réglementaire allégé au niveau communautaire ne soient pas anéantis par de nouvelles règles ou entraves techniques arrêtées à l'échelle nationale. De plus en plus d'États membres travaillent déjà en ce sens, mais il reste encore à faire. Le maintien d'exigences statistiques au niveau national alors que la réglementation communautaire a été rationalisée en est une bonne illustration.

Aussi la Commission a-t-elle introduit, dans certaines propositions récentes d'abrogation, une disposition de reconnaissance mutuelle visant à éviter l'émergence de nouveaux obstacles au commerce après l'abrogation d'actes communautaires. La proposition relative au préemballage, notamment, est conçue de manière à prévenir d'éventuels obstacles au commerce dus au maintien des exigences nationales.

De même, pour que la décision d'abrogation de la directive européenne concernant le classement des bois bruts devienne effective, des mesures uniformes doivent être prises dans toute l'Union. Les législations nationales qui se réfèrent à la directive doivent être modifiées en conséquence et les États membres doivent faire en sorte que les modifications techniques soient mises en œuvre rapidement et clairement.

Trop souvent, des contrôles et des procédures administratives sont imposés aux entreprises européennes qui souhaitent exercer leur activité dans un autre État membre. Dans les situations qui s'y prêtent, les dispositions du traité contribuent à la simplification des transactions dans le marché intérieur. La Commission s'emploie à réduire de telles contraintes en veillant au respect de l'article 28 du traité CE relatif à la libre circulation des marchandises, notamment par la supervision des projets d'actes législatifs envisagés au niveau national.

En 2007, la Commission travaillera à l'intégration des marchés de la défense dans le but d'alléger les charges administratives excessives, qui ont des effets nuisibles sur la compétitivité des entreprises de l'Union dans ce domaine. En effet, les coûts annuels que représentent, pour les industriels et les administrations, l'octroi des licences d'importation ou d'exportation à l'intérieur de la Communauté pour l'équipement militaire sont estimés à quelque 238,90 millions d'euros alors que, dans la pratique, les refus sont très rares<sup>35</sup>.

### *2.4.2. Éviter la surenchère réglementaire*

Dans les législations nationales adoptées pour transposer les directives communautaires, les exemples foisonnent d'exigences techniques, d'obligations d'étiquetage, de délais, de procédures d'autorisation et d'autres contraintes administratives que le législateur national ajoute aux dispositions communautaires («surréglementation»). Pour pouvoir améliorer le cadre réglementaire dans lequel les entreprises européennes opèrent, il est indispensable que les initiatives communautaires soient complétées par des mesures appropriées au niveau national.

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<sup>35</sup> D'après le rapport final d'UNISYS sur les transferts intracommunautaires de produits de défense (février 2005).

D'autres sources confirment ce constat, comme l'étude récente<sup>36</sup> réalisée pour le compte d'une fédération nationale de PME. D'après cette étude, l'extension du champ d'application initial des directives dans les mesures de transposition est susceptible de nuire considérablement à la productivité des petites entreprises et de mobiliser des moyens financiers dont ont bien besoin ces opérateurs économiques vitaux en termes de création de richesse et d'emploi. De plus, la surréglementation risque de désavantager les entreprises nationales par rapport à leurs concurrents d'autres pays.

Consciente de ces problèmes, la Commission annonçait, dans la communication d'octobre 2005, son intention de mieux tirer parti des possibilités de simplification en recourant, le cas échéant, au règlement plutôt qu'à la directive. Le remplacement de la directive 91/414/CEE par le règlement relatif à la mise sur le marché des produits phytopharmaceutiques illustre concrètement cette inflexion des pratiques réglementaires.

#### 2.4.3. Programmes nationaux de réforme

Les exigences réglementaires et les mesures d'application sont principalement arrêtées au niveau national.

Les programmes nationaux de réforme (PNR) s'inscrivent dans le cadre de la nouvelle structure de gouvernance de la stratégie pour la croissance et l'emploi (stratégie de Lisbonne); ils définissent les politiques de réforme économique à mener à l'échelle nationale conformément aux lignes directrices communautaires. Ils ont dès lors un rôle particulièrement important à jouer dans la mise en place d'un environnement plus favorable aux entreprises dans l'Union. Tous les États membres ont pris acte des lignes directrices concernant l'amélioration de la réglementation et ont inclus des mesures destinées à promouvoir ces principes dans leur PNR.

Pour l'heure, neuf États membres ont mis en place des programmes de simplification aux ambitions variables dans le cadre de ces PNR. Or, le programme de simplification de l'Union doit impérativement aller de pair avec des efforts de simplification dans tous les États membres et à tous les niveaux de pouvoir. La note de la Commission européenne à l'intention du Comité de politique économique intitulée «Promoting Better Regulation» (promotion de l'initiative «Mieux légiférer»)<sup>37</sup> et le rapport 2006 sur la compétitivité tirent les grandes conclusions de l'amélioration de la réglementation mise en œuvre au niveau des États membres et décrivent plus en détail les progrès accomplis en la matière.

Parmi les initiatives nationales, citons:

- la réduction des coûts administratifs: 17 États membres ont pris conscience de la nécessité d'examiner les coûts administratifs imposés aux entreprises et ont lancé des projets de mesure en la matière. Certains se sont fixé des objectifs quantitatifs de réduction de ces coûts (par exemple 20 ou 25 % de moins à l'horizon 2010). Pour y parvenir, ils ont

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<sup>36</sup> Fédération britannique des petites entreprises: «Burdened by Brussels or the UK? Improving the implementation of EU Directives». Rapport rédigé par Sarah Schaefer et Edward Young. Ce projet analyse la transposition de huit directives en droit britannique et relève plusieurs exemples de «surtransposition», notamment en ce qui concerne la directive relative au blanchiment d'argent et la directive sur l'intermédiation en assurance.

<sup>37</sup> Direction générale des entreprises et de l'industrie, Bruxelles, le 18 octobre 2006.

notamment recours à l'administration en ligne, aux guichets uniques<sup>38</sup> ou aux bureaux d'enregistrement centraux, à l'allègement de la législation fiscale, à la simplification de procédures administratives liées à l'emploi et au travail indépendant ou à des initiatives faisant intervenir plusieurs administrations;

- le recours à l'administration en ligne et aux TIC pour réduire la bureaucratie dans les administrations publiques: mise en place de portails d'accès à la législation et aux formulaires (demandes, outils de déclaration, etc.) et disponibilité accrue de la large bande;
- l'examen de la législation pour déterminer si les objectifs qu'elle poursuit sont toujours d'actualité: simplification du droit du travail, diffusion des bonnes pratiques réglementaires dans toute l'administration, analyse coût/bénéfices de la législation, création d'un forum sur la réglementation applicable aux entreprises pour l'examen par les parties prenantes des charges pesant sur les entreprises, principes généraux de bonne réglementation tels que la nécessité, la proportionnalité, la subsidiarité, la transparence, la reddition de comptes, l'accessibilité et la simplicité;
- la simplification des obligations, des formalités administratives ou de déclaration en matière fiscale: principalement par des guichets uniques pour les entreprises, les PME et les citoyens et par la réforme de l'impôt sur les sociétés et de l'impôt sur les revenus du capital;
- la simplification des obligations en matière de TVA, par exemple en supprimant les entraves fiscales aux activités transfrontalières par l'introduction d'allègements d'impôts applicables aux cotisations à des régimes de pension dans les États membres de l'Union, au bénéfice tant des migrants que des prestataires de services transfrontaliers;
- l'amélioration de l'application du droit du marché intérieur en vue de maximiser les effets bénéfiques que celui-ci peut procurer;
- pour les PME: un meilleur accès aux capitaux, la réduction des obligations de déclaration, la création d'un guichet unique via l'internet pour les jeunes entreprises;
- des dates communes de prise d'effet<sup>39</sup>.

Les échanges de bonnes pratiques entre les États membres et les évaluations mutuelles sont primordiales pour améliorer le corpus réglementaire. La Commission facilite ces travaux par l'intermédiaire du groupe de haut niveau pour l'amélioration de la réglementation ainsi que dans le cadre du processus de Lisbonne.

Il conviendrait d'encourager les États membres et les régions à travailler ensemble à la définition de bonnes pratiques, par exemple au titre de l'initiative BEST<sup>40</sup>.

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<sup>38</sup> Les guichets uniques rassemblent différents mécanismes administratifs en une procédure unique. Ils sont synonymes d'efficacité accrue et d'avantages pour les PME, ils sont transposables et permettent des mesures quantifiées des résultats.

<sup>39</sup> Les dates communes de prise d'effet devraient aider les entreprises à planifier la mise en application de nouvelles réglementations et attirer leur attention sur l'adoption d'exigences nouvelles ou modifiées. Le but recherché, en limitant à deux dates par exemple la prise d'effet des nouvelles réglementations, est de faire en sorte que les entreprises soient mieux au fait des obligations nouvelles ou modifiées et d'améliorer ainsi le niveau de mise en conformité.

### 3. CONCLUSION

La stratégie de simplification, qui est l'un des piliers de l'initiative «Mieux légiférer», commence à produire ses premiers résultats.

La Commission européenne est déterminée à aller de l'avant pour concrétiser ses engagements en faveur d'un environnement réglementaire performant par la mise en œuvre d'un programme glissant ambitieux actualisé.

Pour atteindre l'objectif commun, le Conseil et le Parlement européen doivent intensifier leurs efforts de manière à faire aboutir les travaux de simplification.

Une partie du travail incombe également aux États membres, qui sont encouragés à échanger les bonnes pratiques et à mettre en œuvre des programmes de simplification.

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La task-force «Simplification de l'environnement des entreprises» (BEST) a été constituée en 1997. Composée de représentants du monde des entreprises et des pouvoirs publics des États membres, la task-force BEST avait pour mission d'élaborer un rapport indépendant concernant les méthodes à employer pour améliorer la législation et lever les obstacles inutiles qui empêchent les entreprises européennes, et plus particulièrement les PME, de se développer. Ce groupe d'experts a identifié des initiatives constituant de bonnes pratiques (comme l'encouragement de guichets uniques, la définition de réglementations basées sur les risques, etc.) qui sont menées dans différents pays, dans le but de faire profiter les autres pays de l'expérience ainsi acquise. Les réglementations basées sur les risques consistent à concentrer les efforts de réglementation (ainsi que les coûts incombant aux entreprises) sur les activités qui présentent le plus de risques pour la santé et l'environnement.

# Annex 1

## **Simplification Rolling programme (2006-2009)**

|             | <b>Title of action</b>                                           | <b>Type of simplification action</b> | <b>Description of scope and objectives</b>                                                                                                                                                                                                       | <b>Additional initiative to COM (2005) 535</b> |
|-------------|------------------------------------------------------------------|--------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| <b>2006</b> |                                                                  |                                      |                                                                                                                                                                                                                                                  |                                                |
| 1           | Single Common Market Organisation                                | Recast                               | Recast of 21 Regulations into 1 horizontal common market organisations instrument                                                                                                                                                                |                                                |
| 2           | Reform fruit and vegetable common market organisation            | Revision                             | Revision of 1 Regulation to improve competitiveness in the Fruit & vegetable sector.                                                                                                                                                             |                                                |
| 3           | State aid in the agricultural sector                             | Revision                             | Reduction from 7 to 3 texts governing state aid in the agricultural sectors.                                                                                                                                                                     |                                                |
| 4           | Parcel size of coupled payments (agricultural direct support)    | Revision                             | Amendment of Commission Regulation (EC) No 796/2004. The objective is to include landscape elements in the area eligible for support.                                                                                                            | X                                              |
| 5           | Use of set-aside land in case of exceptional climatic conditions | Revision                             | Amendment of Commission Regulation (EC) No 795/2004 to specify that Member States will have the possibility to decide themselves that there is an exceptional climatic condition which justifies the use of set aside land for grazing purposes. | X                                              |
| 6           | Energy crops support conditions                                  | Revision                             | Amendment of Commission Regulation (EC) No 1973/2004 to ease the eligibility conditions and the administrative procedures to be followed to receive support for the production of energy crops.                                                  | X                                              |

|    | <b>Title of action</b>                                                                                                  | <b>Type of simplification action</b> | <b>Description of scope and objectives</b>                                                                                                                                                                                                                                                                                                                                                                          | <b>Additional initiative to COM (2005) 535</b> |
|----|-------------------------------------------------------------------------------------------------------------------------|--------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| 7  | Codification of 2 Directives on employee protection in the event of the insolvency of their employer                    | Codification                         | Codification                                                                                                                                                                                                                                                                                                                                                                                                        |                                                |
| 8  | Recast of 1 Regulation on Maximum Residue Limits (MRLs) of veterinary medicinal products in foodstuffs of animal origin | Recast                               | Recast to:<br>- Reduce the number of lists of substances,<br>- Enhance transparency in the assessment procedure,<br>- Ensure compliance with international trade standards.<br>It will provide incentives to ensure availability of veterinary medicinal products for food-producing animals, and ensure consistency with parallel review of the legislation on control of residues in foodstuffs of animal origin. |                                                |
| 9  | Revision of 1 regulation on fishing authorisation permits                                                               | Revision                             | Clarification and improvement of the management of fishing authorizations and to introduce IT tools ("fishing authorisations permits").                                                                                                                                                                                                                                                                             |                                                |
| 10 | Recast of 3 Regulations regarding the European fisheries fund                                                           | Recast                               | Recast into a single document.                                                                                                                                                                                                                                                                                                                                                                                      |                                                |
| 11 | Codification of the acquis related to the Community trade mark                                                          | Codification                         | Codification                                                                                                                                                                                                                                                                                                                                                                                                        |                                                |
| 12 | Repeal of 1 Directive on freedom to provide services in respect to public procurement activities                        | Repeal                               | Repeal                                                                                                                                                                                                                                                                                                                                                                                                              |                                                |
| 13 | Review of 2 Directives regulating the professions involved in the trade, distribution and use of toxic products         | Review                               | Review of the 2 Directives. (consultations with stakeholders have confirmed the significant of the two Directives)                                                                                                                                                                                                                                                                                                  |                                                |
| 14 | Codification of 7 Directives on securities (UCITS acquis)                                                               | Codification                         | Codification                                                                                                                                                                                                                                                                                                                                                                                                        |                                                |

|    | <b>Title of action</b>                                                                                     | <b>Type of simplification action</b> | <b>Description of scope and objectives</b>                                                                                                                                                                                                                                             | <b>Additional initiative to COM (2005) 535</b> |
|----|------------------------------------------------------------------------------------------------------------|--------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| 15 | Council Directive 69/335/EEC of 17 July 1969 concerning indirect taxes on the raising of capital           | Recast                               | The proposal aims at simplifying and modernising the existing Community legislative framework in the area of indirect taxes on the raising of capital and to provide for a phasing out of capital duty. It also reinforces the prohibition on creating or levying other similar taxes. |                                                |
| 16 | Recast of 1 Regulation on radioprotection and agricultural products                                        | Recast                               | Recast, notably to remove Annex 3 of this Regulation (list of customs offices in which products listed in Annexe 1 may be declared for free circulation in the Community).                                                                                                             |                                                |
| 17 | Codification of 1 Regulation on radioactive contamination of feeding stuffs after a nuclear accident       | Codification                         | Codification                                                                                                                                                                                                                                                                           |                                                |
| 18 | Codification of 2 Regulations on imports of agricultural products following the Chernobyl accident         | Codification                         | Codification                                                                                                                                                                                                                                                                           |                                                |
| 19 | Codification of 1 Directive on maritime transport regarding seafarers training                             | Codification                         | Codification                                                                                                                                                                                                                                                                           |                                                |
| 20 | Simplification of the Rail Safety Directive and extension of the competence of the European Railway Agency | Revision                             | The objective is to simplify the process of certification for railway undertakings and the rail industry. This will be achieved through an extension of the competences of the European Railway Agency – ERA.                                                                          |                                                |
| 21 | Codification of 1 Directive on roadworthiness tests for motor vehicles and trailers                        | Codification                         | Codification of the basic act and its four Commission Directives adapting it technical progress, and possible simplification (pending the findings of an ongoing study to be completed by the end of 2006)                                                                             |                                                |
| 22 | Recast of 2 Directives on the transport of dangerous goods by road                                         | Recast                               | Recast: new directive or regulation and, at the same time, discontinue the translation and publication of the Annexes in all Community languages (± 900 pages per mode).                                                                                                               |                                                |

|    | <b>Title of action</b>                                                                             | <b>Type of simplification action</b> | <b>Description of scope and objectives</b>                                                         | <b>Additional initiative to COM (2005) 535</b> |
|----|----------------------------------------------------------------------------------------------------|--------------------------------------|----------------------------------------------------------------------------------------------------|------------------------------------------------|
| 23 | Repeal of 2 Directives on requirements for safety advisers for on the transport of dangerous goods | Repeal                               | Repeal: The corresponding provisions are already incorporated in existing international agreements |                                                |
| 24 | Recast of Statutes & Rules on nuclear energy supply contracts (Euratom Supply Agency)              | Recast                               | Recast: Procedures for approving supply contracts will be simplified.                              |                                                |

|             | <b>Title of action</b>                                                                                                     | <b>Type of simplification action</b> | <b>Description of scope and objectives</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Additional initiative to COM (2005) 535</b> |
|-------------|----------------------------------------------------------------------------------------------------------------------------|--------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| <b>2007</b> |                                                                                                                            |                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                |
| 25          | Proposal for a Council Regulation on common market organisation of wine                                                    | Revision                             | The reform of the common market organisation for wine aims mainly:<br>- To increase the competitiveness of the EU's wine producers;<br>- To create a wine regime that operates through clear, simple rules that ensure balance between supply and demand; and<br>- To create a wine regime that preserves the best traditions of EU wine production and reinforces the social and environmental fabric of rural areas.                                                                                                   |                                                |
| 26          | Cross compliance report and relevant legislative proposals for direct support schemes under the common agricultural policy | Revision                             | Report with appropriate legislative proposals on the implementation of the cross compliance mechanisms of Council Regulation (EC) NO 1782/2003 establishing common rules for direct support schemes                                                                                                                                                                                                                                                                                                                      |                                                |
| 27          | Council regulation on information and promotion actions for agricultural products                                          | Recast                               | The objective of this initiative is to define the conditions, procedures and control methods in the co-financing of information programmes and the promotion of agricultural goods, both within the Internal Market and with regard to third countries. This initiative translates into a reduction of current regime on the promotion of agricultural products. The four Regulations (two of the Council and two of the Commission) will be halved into one Council Regulation and one Commission implementing measure. | X                                              |
| 28          | Amendment of the rules concerning applications for export licenses (agricultural products)                                 | Revision                             | Redrafting of Art 25 of Commission Regulation (EC) N° 1291/2000 will clarify that (for reasons of efficiency) the electronic versions of certificates referred to in Art. 19 may be submitted to the issuing body instead of to the importer / exporter.                                                                                                                                                                                                                                                                 | X                                              |

|    | <b>Title of action</b>                                                                                                           | <b>Type of simplification action</b> | <b>Description of scope and objectives</b>                                                                                                                                                                                                                                                                                                                                                                                                              | <b>Additional initiative to COM (2005) 535</b> |
|----|----------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| 29 | Commission Regulation (EC) No 917/2004 on beekeeping                                                                             | Revision                             | The objective is to give Member States greater flexibility to adapt financial allocations, allowing better realisation of the programme and benefiting production and marketing conditions in this sector.<br>Commission autonomous act                                                                                                                                                                                                                 | X                                              |
| 30 | Commission Regulation (EC) No 800/1999 on proof of import for differentiated refunds (agricultural products)                     | Revision                             | The objective is to amend the rules concerning proof of import in the system of differentiated export refunds (Articles 16 and 17 of Commission Regulation (EC) No 800/1999). Commission autonomous act                                                                                                                                                                                                                                                 | X                                              |
| 31 | Commission Regulation (EC) No 2808/98 and implementing rules of Regulation (EC) No 2799/98 (operative events and exchange rates) | Revision                             | The proposal concerns the harmonisation of operative events and exchange rates in the different CAP sectors, relating to amounts, prices and aids to be converted in euros or in another national currency of Member States. The repeal of certain sectoral regulations and modification of Regulation (EC) NO 2808/98 in order to use a single exchange rate instead of an average rate for amounts are under consideration. Commission autonomous act | X                                              |
| 32 | Simplification of standard periodic agricultural instruments                                                                     | Revision                             | The objective is to replace multiple sectoral rules by horizontal ones and simplify management mechanisms through the modification of periodic agricultural instruments relating to:<br>- Allocation of quantities for import tariff quotas;<br>- Tendering procedures for export refunds;<br>- Tendering procedures for public storage;<br>- Fixing of export refunds (including respect of WTO commitments).<br>Commission autonomous act             | X                                              |

|    | <b>Title of action</b>                                                                                       | <b>Type of simplification action</b> | <b>Description of scope and objectives</b>                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Additional initiative to COM (2005) 535</b> |
|----|--------------------------------------------------------------------------------------------------------------|--------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| 33 | Horizontal rules for private storage of agricultural products                                                | Revision                             | The aim is to replace multiple sectoral rules by horizontal ones and simplify management mechanisms relating to the private storage of agricultural products. It is planned to carry out a legal review of the existing sectoral provisions with a view to eliminating unnecessary provisions and to harmonising the system of private storage, and to adopt a horizontal regulation for the rules concerning private storage. Commission autonomous act | X                                              |
| 34 | Commission Regulation (EC) No 2295/2003 on egg labelling                                                     | Revision                             | The existing implementing Regulation (EC) No 2295/2003 will be redrafted to take into account the changes introduced by the new Council Regulation (EC) No 1028/2006. Commission autonomous act                                                                                                                                                                                                                                                          | X                                              |
| 35 | Horizontal rules on tender procedures for export refunds for certain agricultural products                   | Revision                             | The aim is to replace multiple sectoral rules and simplify management mechanisms relating to tendering procedures concerning export refunds for certain agricultural products, through the adoption of a horizontal regulation for the tendering procedure concerning export refunds for certain agricultural products. Commission autonomous act                                                                                                        | X                                              |
| 36 | Horizontal rules on import tariff quotas managed through a system of import licences (agricultural products) | Revision                             | The aim is to replace multiple sectoral rules by horizontal ones and simplify management mechanisms relating to import tariff quotas managed by a system of import licences (excepted bananas) by means of a legal review of the existing sectoral provisions with a view to eliminating unnecessary provisions and to harmonising regulations opening the import tariff quotas. Commission autonomous act                                               | X                                              |
| 37 | Commission Regulation (EC) No 382/2005 on the Common organisation of the market in dried fodder              | Revision                             | The objective is to amend the implementing Regulation to reduce obligations for non-processors (farmers and downstream sector) under the regulation and to remove obsolete provisions. Commission autonomous act                                                                                                                                                                                                                                         | X                                              |

|    | <b>Title of action</b>                                                                                                                                       | <b>Type of simplification action</b> | <b>Description of scope and objectives</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>Additional initiative to COM (2005) 535</b> |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| 38 | General block exemption Regulations on the application of Arts 87 and 88 of the EC Treaty to regional aid, SME, R&D, environmental aid, employment, training | Revision                             | <p>The new General block exemption Regulation (GBER) will cover areas already covered by existing block exemptions concerning training, employment, SME, and new areas like innovation, environment, risk capital and regional aid.</p> <p>State aid covered by this GBER will not have to be notified to the Commission. The GBER will gather all provisions concerning State aid exempted from the notification obligation in one single document and by increasing the number of cases exempted from prior notification, thereby reducing the administrative burden for MS.</p>                             |                                                |
| 39 | Notice on the execution of recovery decisions                                                                                                                | Revision                             | <p>A more effective execution of recovery decisions by Member States has been identified as a priority objective in the State aid action plan</p> <p>This notice should provide guidance to Member States on how they should ensure that the Commission's recovery decisions are properly executed</p>                                                                                                                                                                                                                                                                                                         | X                                              |
| 40 | Implementing regulation, state aids procedural aspects                                                                                                       | Recast                               | <p>The implementing regulation provides guidance to Member States on a number of specific State aid procedural aspects (notification, calculation of recovery interests, reporting).</p> <p>The objective is to</p> <ul style="list-style-type: none"> <li>- Adapt the Regulation to accommodate the increased use of electronic exchanges between the Commission and the Member States;</li> <li>- Revise provisions regarding the recovery interests to bring them into line with economic reality;</li> <li>- Revise the annual reporting requirements for transparency and monitoring purposes.</li> </ul> | X                                              |

|    | <b>Title of action</b>                                                                                                                                                                   | <b>Type of simplification action</b> | <b>Description of scope and objectives</b>                                                                                                                                                                                                                                                                                                                                      | <b>Additional initiative to COM (2005) 535</b> |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| 41 | Repeal of Council Decision 85/368/EEC on a system for the comparability of vocational education and training (VET) qualifications                                                        | Repeal                               | Following the adoption of the draft Recommendation of the Council and the EP on a European Qualifications Framework COM(2006)479, the Decision has become outdated and is no longer sustainable, notably because of the rapid development of qualifications.                                                                                                                    | X                                              |
| 42 | Revision of Directive 2001/23/EC 'Transfer of Undertakings'                                                                                                                              | Revision                             | The objective is to clarify the application of the Directive to cross border operations and to introduce any amendments that are justified, after consulting Member States and social partners, on the basis of the Commission report of 2006.                                                                                                                                  | X                                              |
| 43 | Codification of Directive 89/655/CEE and its amendments, Directives 95/63/EC and 2001/45/EC, concerning the health and safety minimum requirements for the use of work equipment at work | Codification                         | Codification.                                                                                                                                                                                                                                                                                                                                                                   |                                                |
| 44 | Revision of Directive 88/378/EC on the safety of toys                                                                                                                                    | Revision                             | The main policy objectives are the simplification of the current legislation, the improvement on the safety of toys by clarifying essential safety requirements, the improvement in the functioning of the Internal Market by developing conditions for a better common approach by national market surveillance authorities in the implementation of the legislation in force. | X                                              |
| 45 | Proposal for Regulation of EP and Council on type approval of heavy-duty vehicles and engines with respect to their emissions (Euro VI proposal)                                         | Revision and repeal                  | <p>The proper functioning of the single market in the European Union requires common standards limiting the emission of atmospheric pollutants from motor vehicles. The proposal will apply to heavy-duty vehicles.</p> <p>The main objective of the proposal is to lay down the Euro VI limits for pollutant emissions.</p> <p>The proposal will repeal four directives.</p>   | X                                              |

|    | <b>Title of action</b>                                                                           | <b>Type of simplification action</b> | <b>Description of scope and objectives</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Additional initiative to COM (2005) 535</b> |
|----|--------------------------------------------------------------------------------------------------|--------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| 46 | Simplification of Council Directive 76/768/EEC on Cosmetic Products                              | Recast                               | The purpose of this proposal is to recast legislation on cosmetics products, as part of a more general simplification strategy concerning goods.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                |
| 47 | Recast of Directive 89/106/EEC on Construction Products                                          | Recast                               | The purpose of this proposal is to clarify the scope and the objectives of the existing Directive and to simplify the implementing mechanisms, ensuring proper functioning of the internal market for construction products, while avoiding constraints and obligations, e.g. administrative costs, which are disproportionate to the benefits to be expected.                                                                                                                                                                                                                                                                                                                    |                                                |
| 48 | Repeal of Directive 84/539/EEC on electro-medical equipment used in human or veterinary medicine | Repeal                               | This Directive has become obsolete. The applicable standard specified in the Annex dates back to 1979. It is intended to broaden the scope of Directive 93/42/EC on medical devices which currently only addresses medical devices for human beings to veterinary devices.                                                                                                                                                                                                                                                                                                                                                                                                        | X                                              |
| 49 | Review of existing legislation on industrial emissions                                           | Recast                               | The objectives is to improve the current legal framework related to industrial emissions, and to streamline the interaction between the various legislation, while not altering the underlying principles and the level of ambition of the present legal framework.<br>As regards the scope of the present initiative, it includes reviewing the Directive 96/61/EC concerning integrated pollution prevention and control (IPPC) and related industrial emissions legislation (Directive 2001/80/EC on large combustion plants, Directive 2000/76/EC on the incineration of waste, Directive 1999/13/EC on the use of organic solvents in certain activities and installations). |                                                |

|    | <b>Title of action</b>                                                                                                                           | <b>Type of simplification action</b> | <b>Description of scope and objectives</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>Additional initiative to COM (2005) 535</b> |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| 50 | Revision of Regulation (EC) No 1980/2000 on a revised Community eco-label award scheme                                                           | Recast                               | The objective is to create a more business friendly system by involvement of key stakeholders in the decision making process, outsource routine criteria development to a dedicated body, link Eco-label closely with Green Procurement and reduce the procedural burden for the Commission. The changes will focus on the substance with special attention for the needs of SMEs, the institutional set up and the links to other policy instruments in particular Green Public Procurement. | X                                              |
| 51 | Revision of the Regulation (EC) 761/2001 allowing voluntary participation by organisations in a Community eco-management and audit scheme (EMAS) | Recast                               | The objective is to raise attractiveness for SMEs by reduction of the administrative burden for companies, simplify access to EMAS for company-clusters and reduce procedural requirements by cutting red tape. The changes will focus on the substance with special attention for the needs of SMEs, the institutional set up and the links to other policy instruments in particular Green Public Procurement                                                                               |                                                |
| 52 | Review of the Directives on waste from the titanium dioxide industry                                                                             | Recast                               | The objective is to simplify the current legislation related to the waste from the titanium dioxide industry (78/176/EEC, 82/883/EEC, 92/112/EEC) based on other existing legislation, deleting obsolete provisions, while keeping the same level of environmental protection. This initiative includes reviewing and clarifying the interaction with Directive 96/61/EC (IPPC).                                                                                                              | X                                              |
| 53 | Development of the Shared Environmental Information System (SEIS)                                                                                | Communication<br>Recast/revision     | Communication outlining the vision, objectives, actions and timetable for the development of the Shared Environmental Information System. It will be accompanied or followed by appropriate legislative proposals to streamline the environmental reporting.                                                                                                                                                                                                                                  | X                                              |

|    | <b>Title of action</b>                                                                                                                                                                         | <b>Type of simplification action</b> | <b>Description of scope and objectives</b>                                                                                                                                                                                                                                                                                                                                                                                                    | <b>Additional initiative to COM (2005) 535</b> |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| 54 | Recast of Council Regulation (EC) No 850/98 and its modifications (8) for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms | Recast                               | Major revision of current technical measures in order to reduce their complexity and number, reinforce consistency and provide for simpler procedures for later updating and revision. More enforceable technical measures will be established in close cooperation with stakeholders.                                                                                                                                                        |                                                |
| 55 | New legislative proposals amending the regulatory framework for electronic communications networks and services                                                                                | Revision                             | The main objective of the legislative proposals is to enhance the ability of the current framework to deliver on its initial objectives by proposing adaptations that take account of experience to date and expected market and technological changes in the future. The creation of a competitive single market for electronic communications services and networks in Europe with corresponding benefits for citizens is the ultimate aim. | X                                              |
| 56 | Repeal of Decision 2003/548/EC on Leased Lines                                                                                                                                                 | Repeal                               | There is no need or justification for mandating specific retail services. In the public consultation on the 2006 review, it is proposed that the concept be removed altogether by legislative amendment of the Universal Service Directive.                                                                                                                                                                                                   | X                                              |
| 57 | Repeal of Directive 87/372/EC on the frequency bands to be reserved for cellular digital band-based mobile communications                                                                      | Repeal                               | Policy initiative linked to previous actions in radio spectrum policy. Directive 87/372 is reaching obsolescence. A new Commission Decision pursuant to Decision 676/2002/EC will regulate the use of the 900 MHz band in the EU.                                                                                                                                                                                                             | X                                              |
| 58 | Revision of Regulation (EC) No 2195/2002 on the Common Procurement Vocabulary (CPV)                                                                                                            | Revision                             | The objective is to update and revision of the existing Commission Regulation (following targeted and wide stakeholder consultations). The update of the CPV Regulation is necessary to maintain an efficient and simple procurement system that is easily applied for both suppliers and bidders                                                                                                                                             |                                                |

|    | <b>Title of action</b>                                                                                                                                                      | <b>Type of simplification action</b> | <b>Description of scope and objectives</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>Additional initiative to COM (2005) 535</b> |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| 59 | Proposal for a directive on the solvency of insurance companies (Solvency II)                                                                                               | Recast                               | In line with similar developments in the banking sector and following international developments in solvency, risk management and accounting, the new solvency regime aims at the protection of policyholders and beneficiaries. It will improve the competitiveness of EU insurers and provide for a better allocation of capital resources, without causing significant market disruptions and impeding innovation in the insurance industry.                                                                                                                                                                                                                        |                                                |
| 60 | Revision of Regulation (EC) No 258/97 on novel foods                                                                                                                        | Recast                               | Revision of the Novel Food Regulation is needed to clarify the legislation after removal of GM food from the scope, create a more favourable environment for innovation for the food industry and facilitate internal and external trade. This will:<br>-Tighten and streamline the authorisation procedure for novel/new foods and thus make it more predictable for the applicants.<br>-Tailor the safety assessment to different types of foods allowing foods with safe history of use outside the EU to enter the EU more easily than is presently the case.<br>-Take into account new technologies with an impact on food (e.g. nanotechnology, animal cloning). | X                                              |
| 61 | Revision of the existing legislation on feed labelling and authorisation/withdrawal procedure of feed materials (Directives 79/373/EEC, 96/25/EC, 82/471/EEC and 93/74/EEC) | Recast                               | Recast, modernisation and replacement of the directives to amend the existing feed labelling requirements, to extend the non-exclusive list of feed materials and to align the authorisation procedures with principles and provisions set out in the General Food Law.                                                                                                                                                                                                                                                                                                                                                                                                |                                                |

|    | <b>Title of action</b>                                                                                                              | <b>Type of simplification action</b> | <b>Description of scope and objectives</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>Additional initiative to COM (2005) 535</b> |
|----|-------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| 62 | Revision of existing Regulation on general food labelling and nutrition labelling                                                   | Revision and repeal                  | <p>The key objective is to update the current rules on general food and nutrition labelling, taking into account the experience gained in applying Directives 2000/13/EC and 1990/496/CEC. There is a need to ensure that there is legislation that meets consumers' needs, is not too burdensome for the industry, and that can adapt to a continually changing market. This requires a new approach that strikes a balance between flexibility and prescription and between action at the national and EU level.</p> <p>The proposed Regulation will repeal the above mentioned Directives and will clarify and simplify the laws on general food and nutrition labelling.</p> |                                                |
| 63 | Revision of Directive 92/34/EEC on the marketing of fruit plant propagating material and fruit plants intended for fruit production | Recast                               | <p>Amendments concern inter alia a new definition of marketing, as well as technical measures which will be adopted based on an appropriate evaluation and on technical and scientific progress.</p> <p>Two objectives can be identified:</p> <ul style="list-style-type: none"> <li>- To clarify and simplify the regulatory framework in which business operates;</li> <li>- To improve the legislation based on technical and scientific progress and to the new marketing environment in line with the new CAP.</li> </ul>                                                                                                                                                   | X                                              |
| 64 | Review of the Timeshare Directive (94/47/EC)                                                                                        | Revision                             | <p>The objective is to enhance legal certainty for consumers. Level playing field for business as traders marketing and selling the new products in the market will have to comply with the same rules as "traditional timeshare". Update of the list of requirements for the prospectus and the contract will provide for modernisation. The scope is extended to bring under the Directive other long-term holiday products which have been developed since the adoption of the current directive.</p>                                                                                                                                                                         | X                                              |

|    | <b>Title of action</b>                                                                                                                            | <b>Type of simplification action</b> | <b>Description of scope and objectives</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Additional initiative to COM (2005) 535</b> |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| 65 | Rules of Origin (based on the Community Customs Code)                                                                                             | Recast                               | The objective is to simplify the rules of origin by proposing new rules which will determine the position in negotiation on GSP as well as in the context of the new Economic Partnership Agreements with the ACP countries.                                                                                                                                                                                                                                                                                                                                                                      |                                                |
| 66 | Modernisation of VAT provisions relating to financial services including insurance                                                                | Revision                             | The current provisions are out of date and at the very least need to be modernised. The overall legal and regulatory environment in which the industry operates does not keep pace with the evolution of the industry and conflicts with the bias towards vertical integration. Companies are thus prevented from further refining their economic and legal structures to increase their competitiveness. Changes should be directed towards modernising the rules, ensuring their consistency with established policy objectives and reducing the need to seek clarification through litigation. |                                                |
| 67 | Revision of Directive 92/12/EEC on general arrangements for products subject to excise duty and holding, movement and monitoring of such products | Recast                               | Simplification and modernisation of requirements and computerisation of the procedures by: <ul style="list-style-type: none"> <li>- modernizing and simplifying the provisions of the directive wherever possible</li> <li>- integrating into the directive judgements of the ECJ as well as guidelines of the excise committee</li> <li>- adapting the directive to support the computerisation of procedures for the movement of excise products under suspension of excise duty (the EMCS project).</li> </ul>                                                                                 |                                                |

|    | <b>Title of action</b>                                                                                                                             | <b>Type of simplification action</b> | <b>Description of scope and objectives</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>Additional initiative to COM (2005) 535</b> |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| 68 | Revision of Regulation (EC) No 1334/2000 setting up a Community regime for the control of dual-use items and technology                            | Recast                               | <p>The proposal provides for enlarging the scope of controls by extending them, under specific circumstances, to transit and brokering of dual use items. This enlargement of the scope of controls is compensated by the creation of a level playing field for exporters aiming at reducing the current distortions of competition between EU exporters which originate from MS different practices. A number of measures will simplify the work for:</p> <ul style="list-style-type: none"> <li>– Community administrations (for example improved system of sharing denials using a template provided by the Commission, a comitology procedure for changes to the annexes and for the adoption of guidelines for the implementation of the Recast Regulation);</li> <li>– private entities (harmonisation of the conditions of use of export authorisations and their format, e-systems for the management of licence applications, replacement of intra-Community transfer authorisations by pre-notification of transfers by EU suppliers of those dual use goods whose intra-EC trade is currently under control ).</li> </ul> | X                                              |
| 69 | Recast of Directives 96/26/EC and 98/76/EC on the conditions of admission to the occupation of road haulage and road passenger transport operators | Recast                               | <p>The objective is to ensure a harmonised application of the rules, a clear understanding of what is required, maintain mutual recognition of qualifications, protect the right of establishment, rationalise the market, improve service quality and road safety.</p> <p>The amendment of existing rules will strengthen, clarify and simplify the application of the three qualitative criteria of good repute, financial standing and professional competence, by which operators gain admission to the occupation.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                |

|    | <b>Title of action</b>                                                                                                    | <b>Type of simplification action</b> | <b>Description of scope and objectives</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>Additional initiative to COM (2005) 535</b> |
|----|---------------------------------------------------------------------------------------------------------------------------|--------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| 70 | Recast of conditions of access to road transport market (Regulations (EC) No 881/92, 684/92, 3118/93, 12/98 and 484/2002) | Recast                               | The objective is to ensure a harmonised application of the rules, a clear understanding of what is required, protect the right of establishment, rationalise the market, improve service quality and road safety.<br>The amendment of existing rules to strengthen, clarify and simplify the access to the market, conditions for cabotage and the applicability of driver attestation to EU drivers.                                                                                                                                                                                                                                                                                                         |                                                |
| 71 | Revision of Regulation (EC) No 2299/89 on a code of conduct for computerised reservation systems                          | Revision                             | Regulation (EC) No 2299/89 was adopted in a market context where almost all airline bookings were made via computerised reservation systems (CRS) and where most CRS were owned and controlled by airlines. With the divestment of most airlines and the development of alternative distribution channels, the market context has changed and the regulation now seems to be standing in the way of an efficient functioning of the market.<br>The main policy objective is to increase market efficiency by giving more room to market forces. Increased competition in the sector should allow to improve the quality of services offered and to reduce the distribution costs in the air transport sector. |                                                |

|             | <b>Title of action</b>                                                                                                                                                                                                                      | <b>Type of simplification action</b> | <b>Description of scope and objectives</b>                                                                                                                                                                                                                                                                                                                                                                                    | <b>Additional initiative to COM (2005) 535</b> |
|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| <b>2008</b> |                                                                                                                                                                                                                                             |                                      |                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                |
| 72          | Direct Payments Health Check in the Common Agricultural Policy                                                                                                                                                                              | Revision                             | Report with appropriate legislative proposals on the implementation of Council Regulation (EC) No 1782/2003                                                                                                                                                                                                                                                                                                                   |                                                |
| 73          | Proposal to simplify Directives on information and consultation of workers (conditional)                                                                                                                                                    | Recast                               | Scope and objectives to be refined in light of 2007 report on Directive 2002/14 and further discussions with Member States.                                                                                                                                                                                                                                                                                                   |                                                |
| 74          | Community initiative on work-related musculoskeletal disorders (follow-up of the second phase of consultation of the social partners)                                                                                                       | Recast                               | The objective is to integrate the provisions of both Council Directive 90/269/EEC on the minimum health and safety requirements for the manual handling of loads and Council Directive 90/270/EEC on the minimum health and safety requirements for work with display screen equipment into a new legislative instrument. (depending on the result of the consultation of the social partners a proposal for a new Directive) | X                                              |
| 75          | Proposal for a Council Regulation extending the provisions of EC Regulation n° 883/2004 and its implementing Regulation to nationals of third countries (who are not already covered by those provisions on the basis of their nationality) | Revision and repeal                  | EC Regulation 883/2004 modernises and simplifies the coordination of social security systems. Its predecessor, Regulation 1408/71, was extended to third country nationals through Regulation 859/03. The proposed Regulation will achieve the same aim and replace Regulation 859/03. This Regulation will result in fewer administrative costs for Member States.                                                           | X                                              |
| 76          | Revision of Regulation of the European Parliament and of the Council completing the Annexes of EC Regulation n°883/2004                                                                                                                     | Revision                             | The objective of the proposal is to complete the Annexes of Regulation 883/2004. EC Regulation 883/2004 modernises and simplifies the coordination of social security systems. It is necessary for these Annexes to be completed for Regulation 883/2004 to apply.                                                                                                                                                            | X                                              |
| 77          | Codification of Directive 83/477/CEE and its amendments, directives 91/382/CEE and 2003/18/CE into a single text (protection of workers against the risks of exposure to asbestos at work)                                                  | Codification                         | Codification                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                |

|    | <b>Title of action</b>                                                                                                                                                                                                                                            | <b>Type of simplification action</b> | <b>Description of scope and objectives</b>                                                                                                                                                                                                             | <b>Additional initiative to COM (2005) 535</b> |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| 78 | Recast of two directives concerning Medical Devices and human blood and human plasma                                                                                                                                                                              | Recast                               | The purpose is to recast into a Regulation::<br>- Directive 2000/70/EC on medical devices incorporating stable derivatives of human blood or human plasma,<br>- and Directive 2001/104/EC on medical devices.                                          |                                                |
| 79 | Recast and adapt market authorisation procedures of directives concerning Medical Devices and active implantable medical devices                                                                                                                                  | Recast                               | The purpose is to recast into a Regulation:<br>- Directive 90/385/EEC relating to active implantable medical devices;<br>- and Directive 93/42/EEC on medical devices.<br><br>This is part of a more general simplification strategy concerning goods. |                                                |
| 80 | Revision of Regulation (EC) No 1085/2003 concerning the examination of variations to the terms of a marketing authorisation for medicinal products for human use and veterinary medicinal products falling within the scope of Council Regulation (EC) No 2309/93 | Revision                             | The objective is to reduce the administrative burden for industry by streamlining the circumstances obliging industry to file applications for variations of human and veterinary medicinal products.                                                  | X                                              |
| 81 | Revision of Regulation (EC) No 1084/2003 concerning the examination of variations to the terms of a marketing authorisation for medicinal products for human use and veterinary medicinal products granted by a competent authority of a Member State             | Revision                             | The objective is to reduce the administrative burden for industry by streamlining the circumstances obliging industry to file applications for variations of human and veterinary medicinal products.                                                  | X                                              |
| 82 | Moving towards the UN/ECE system of vehicle approval legislation                                                                                                                                                                                                  | Recast                               | Replacing the Community <i>acquis</i> in the field of motor vehicles with international regulations at UN_ECE level<br>This will be followed by the repeal of numerous EU Directives.                                                                  |                                                |

|    | <b>Title of action</b>                                                                                                                                                                                                                       | <b>Type of simplification action</b> | <b>Description of scope and objectives</b>                                                                                                                                                                                                                                                                                                       | <b>Additional initiative to COM (2005) 535</b> |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| 83 | Revision of 3 Directives on textiles                                                                                                                                                                                                         | Revision                             | The objective is to replace these Directives by a Regulation and simplify procedures for Member States, companies and the Commission. It will provide for shorter period of time for adoption of new fibre names. Quantitative methods will be transferred to the standardisation process Commission autonomous act                              | X                                              |
| 84 | Extension of the scope of Directive 2004/22/EC on measuring instruments and repeal 8 “old approach” metrology Directives (75/33/EEC, 76/765/EEC, 76/766/EEC, 71/317/EEC, 74/148/EEC, 86/217/EEC, 71/347/EEC, 71/349/EEC)                     | Repeal                               | The objective is to provide for a coherent legal framework for legal metrology. Commission autonomous act                                                                                                                                                                                                                                        | X                                              |
| 85 | Recast of 4 Directives on Pressure vessels and equipments                                                                                                                                                                                    | Recast                               | The objective is to recast these Directives into one legal instrument by implementing the revised regulatory approach to technical harmonisation.                                                                                                                                                                                                |                                                |
| 86 | Legal instrument setting sector-specific adaptations to New Approach revision                                                                                                                                                                | Recast                               | This instrument is meant to adapt sectoral Directives to the horizontal instrument to be adopted in 2006 and would cover sectors not already specifically addressed in the simplification programme.                                                                                                                                             |                                                |
| 87 | Commission Directive relating to self testing and to virtual testing, with a view to simplify the type-approval procedure with respect to ten separate directives. The list of Directive is published as Annex I to the CARS 21 Final Report | Recast                               | The introduction of virtual / self testing will reduce costs and administrative burden of present producers. Virtual and self testing will speed up product development and reduce costs for both industry and consumers.<br>The recast of Directive 70/156/EEC will empower the Commission to adopt the necessary modifications via comitology. |                                                |
| 88 | Review of Regulation (EC) No 2037/2000 on substances that deplete the ozone layer                                                                                                                                                            | Recast                               | Simplification as part of an overall assessment of the effectiveness of the present framework in the light of new technical and scientific developments which might require new issues to be addressed or possibly strengthened..                                                                                                                |                                                |

|    | <b>Title of action</b>                                                                                                                                                                                                  | <b>Type of simplification action</b>                  | <b>Description of scope and objectives</b>                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>Additional initiative to COM (2005) 535</b> |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| 89 | Revision of both Directive 2002/95/EC on the restriction of the use of certain hazardous substances in electrical and electronic equipment and Directive 2002/96/EC on waste electrical and electronic equipment (WEEE) | Revision                                              | Review based on the experience of the application of the Directives and based on the development of the state of technology, experience gained environmental requirements and the functioning of the internal market. The review shall, as appropriate, be accompanied by proposals for revision of relevant provisions of these Directives.                                                                                                                |                                                |
| 90 | Revision of Regulation (EC) No 638/2004 on Community statistics relating to the trading of goods between Member States                                                                                                  | Revision                                              | Simplification of Intrastat with a view to alleviate the statistical reporting of economic operators, in particular SMEs, taking into account the outcome of the ongoing pilot project of administrative costs and a future feasibility study to analyse workability of a collection system limited to one flow.                                                                                                                                            |                                                |
| 91 | Recast of Regulation (EC) No 2847/93 establishing a control system applicable to the common fisheries policy                                                                                                            | Recast                                                | The objective is to modernise the procedures and facilitate a better enforcement by alleviating the burden and constraints for the industry and public administrations and increasing the use of IT tools to reduce reporting obligations.<br><br>All aspects related to the control and monitoring of fisheries activities (declaration of catches, tolerance margins, landing declaration, transport, localisation of the fleet, etc.) will be simplified |                                                |
| 92 | Codification or recast of company law Directives                                                                                                                                                                        | Codification<br><br>Reduction of administrative costs | Codification<br><br>Report on outcome of measurement of administrative costs originating from company law directives. Could lead to simplification and recast                                                                                                                                                                                                                                                                                               |                                                |

|    | Title of action                                                                      | Type of simplification action                 | Description of scope and objectives                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Additional initiative to COM (2005) 535 |
|----|--------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| 93 | Revision of the accounting <i>acquis</i>                                             | Reduction of administrative costs<br>Revision | Revision of the accounting <i>acquis</i> to:<br>– simplify and update accounting rules under fourth and seventh CLD's for SME's.<br>– consolidate all Commission Regulations on IAS/IFRS/SIC/IFRIC in force in the EU (this could lead to the abrogation of six Regulations)                                                                                                                                                                                                                                                                                                                        |                                         |
| 94 | Revision of the Consumer Protection <i>acquis</i> (8 Consumer Protection Directives) | Codification                                  | The overall aim of the revision of the <i>acquis</i> , is to simplify and improve the coherence of the consumer regulatory framework and thus enhance legal certainty both for consumers and business.<br><br>The legal instrument will be a combination of codification and repeal of parts of existing directives and enactment of new rules. The most likely regulatory action, depending on the final outcome of the review, will be a mixed approach to the revision of the <i>acquis</i> . This will consist of a horizontal instrument, underpinned whenever required by vertical solutions. |                                         |

|    | <b>Title of action</b>                                                                                                                                                                                       | <b>Type of simplification action</b> | <b>Description of scope and objectives</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>Additional initiative to COM (2005) 535</b> |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| 95 | Proposal for a Council Directive amending Directive 77/388/CEE as regards the VAT treatment of public authorities and the exemptions for certain activities in the public interest                           | Revision                             | The proposal aims at ensuring a more harmonised and neutral VAT system.<br>Harmonisation is necessary as, due to certain options and vague definitions, the practical application of the provisions related to public authorities varies widely among Member States creating differences in the VAT treatment of public authorities between Member States. Neutrality has to be achieved as distortions of competition between the public and the private sector and several economic inefficiencies as well as tax avoidance schemes are the main disadvantages of the current rules. |                                                |
| 96 | Council Directive 2003/49/EC on a common system of taxation applicable to interest and royalty payments made between associated companies of different Member States as amended                              | Codification                         | Consolidation of the legal text and adoption of simplified procedures relating to exemption from withholding tax.                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                |
| 97 | Recast of Regulation (EC) No 3821/85 on recording equipment in road transport                                                                                                                                | Recast                               | Recast                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                |
| 98 | Recast of Regulation (EC) No 725/2004 on ship and port facility security                                                                                                                                     | Recast                               | Recast                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                |
| 99 | Review of the "first railway package" following the 2006 report on its implementation (Communication accompanied by a proposal to modify/recast existing acts, notably Directives 91/440/CEE and 2001/14/CE) | Recast                               | In the light of the above-mentioned report, it is necessary to take on board, where possible in the form of a "railway code", the totality of the relevant legislation with the aim to improve its readability and clarify certain points (notably with regard to the independence of vital functions)                                                                                                                                                                                                                                                                                 | X                                              |

|     | <b>Title of action</b>                                                                                                                                                                                                     | <b>Type of simplification action</b> | <b>Description of scope and objectives</b>                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>Additional initiative to COM (2005) 535</b> |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| 100 | Revision of Council Directive 94/56/EC establishing the fundamental principles governing the investigation of civil aviation accidents and incidents and of Directive 2003/42/EC on occurrence reporting in civil aviation | Revision                             | The objective is to modernise Directive 94/56/EC following the advice of the Group of Experts established by EC Decision 2003/425. In addition it will build upon Directive 2003/42/EC in order to create a minimum set of centralised functions, including a data base to allow appropriate entities to carry out trend analysis or other studies.                                                                                                            | X                                              |
| 101 | Mutual acceptance of personnel licences and harmonisation of technical requirements in civil aviation                                                                                                                      | Recast                               | Potential repeal of:<br><br>- Council Directive 91/670/EEC on mutual acceptance of personnel licences for the exercise of functions in civil aviation<br><br>- Council Regulation (EC) No 3922/91 on the harmonisation of technical requirements and administrative procedures in the field of civil aviation.                                                                                                                                                 |                                                |
| 102 | Recast of Directive 96/98 on marine equipment                                                                                                                                                                              | Recast                               | To ensure the free movement of marine equipment within the Single Market while ensuring the highest level of safety and environment protection.<br><br>The objectives are to:<br><br>- Produce a consolidated text following the successive amendments of the Directive;<br><br>- Improve the functioning of the Directive's system by addressing the existing shortcomings;<br><br>- Adapt, if and as necessary, to the ongoing revision of the New Approach. |                                                |

|     | <b>Title of action</b>                                                                                                                                                                                                                                                                                                                                                                              | <b>Type of simplification action</b> | <b>Description of scope and objectives</b>                                                                                                                                                                                                                                                                                         | <b>Additional initiative to COM (2005) 535</b> |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| 103 | Revision of the Emergency Oil Stock Systems<br>Recast of Directive 68/414/EEC to minimum stocks; repeal of 68/416/EEC Council Decision; recast of Directive 72/425/EEC; recast of Directive 73/238/EEC; repeal of 77/706/EEC Council Decision; repeal of 79/639/EEC Commission Decision and recast of Directive 98/93/EC                                                                            | Revision and repeal                  | The objective of this revision is to achieve better security of oil supply by providing for an integrated EU emergency mechanism which will be able to secure the integrity of supplies of oil products in case of supply disruptions and to contribute to the transparency of oil markets by increasing the visibility of stocks. |                                                |
| 104 | Recast of the framework Directive 92/75/EC on the compulsory energy labelling of domestic appliances                                                                                                                                                                                                                                                                                                | Recast                               | Impact Assessment will be launched in October 2006 to evaluate the opportunity to extend the scope of the directive beyond domestic appliances.                                                                                                                                                                                    |                                                |
| 105 | Recast of the Community regulatory framework regarding the transport of radioactive material                                                                                                                                                                                                                                                                                                        | Recast                               | Currently at Community level more than 30 Directives, Regulations, recommendations govern the transport of radioactive material. Based on the work of an expert group, harmonisation will lead to simplification of rules and procedures.                                                                                          | X                                              |
| 106 | Revision of the basic safety standards (2006-2007) to reflect the new ICRP Recommendation (2007) and to strengthen the Community legislation<br>Recast of 10 acts on radioprotection into a single Commission act: Euratom Council Directives 89/618, 90/641, 92/3, 96/29, 97/43, 2003/122 and 1493/93; Euratom Commission decision 93/552, and Commission recommendations 90/143 and C (2001)4580. | Recast                               | Once the International Commission on Radiological Protection will have issued new recommendations (mid-2007), Directive 96/29/Euratom will be revised taking into account operational experience and consolidating the existing <i>acquis</i> .                                                                                    |                                                |

|     | <b>Title of action</b>                                                                                                                                                                | <b>Type of simplification action</b> | <b>Description of scope and objectives</b>                                                                                                                                                                                                                                                                                                                           | <b>Additional initiative to COM (2005) 535</b> |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| 107 | Commission Decision amending the Annex to Directive 90/377 concerning a Community procedure to improve the transparency of gas and electricity prices charged to industrial end-users | Revision                             | The draft Decision concerns the methodology for collecting statistics. There are also significant simplifications to the methodology including the removal of data submission at local level and a reduction in the number of categories of consumer. These will reduce the reporting burden without losing very much in terms of the comprehensiveness of coverage. | X                                              |

|             | <b>Title of action</b>                                         | <b>Type of simplification action</b> | <b>Description of scope and objectives</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Additional initiative to COM (2005) 535</b> |
|-------------|----------------------------------------------------------------|--------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| <b>2009</b> |                                                                |                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                |
| 108         | Commission Directive repealing 38 Directives on Motor Vehicles | Repeal                               | Once the recast of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers has been adopted, a set of UN/ECE Regulations on motor vehicles can be made mandatory (step 1) in view of repealing 38 parallel Directives (step 2). The list of Directives to be repealed is published as Annex 1 to the CARS 21 Final Report. The recast of Directive 70/156/EEC will also empower the Commission to proceed to the necessary repeals via comitology.                                             |                                                |
| 109         | Simplification of Regulation (EC) No 2003/2003 on fertilizers  | Revision                             | <p>The purpose of the Fertiliser Regulation is to guarantee to the farmer the nutrient content of the fertiliser. For this purpose, the technical Annexes of the Regulation give detailed technical specifications of a larger number of nutrient test methods. The objective of the simplification is to:</p> <ul style="list-style-type: none"> <li>- Replace 150 pages of the Annexes containing detailed descriptions of text methods with standards</li> <li>- Have therefore greater compliance with WTO by use of international standards</li> </ul> <p>Commission autonomous act</p> | X                                              |

## Annex 2

### **Codification rolling programme – SEC(2006) 1220**

*\* Acts forming part of the Commission's Simplification Programme*

<sup>1</sup> *The order of priority of the acts in the list will be subject to the availability of the texts in all languages, in particular Bulgarian and Romanian, and to amendments foreseen to the act being codified.*

|    | <b>Title</b>                                                                                                                                          | <b>Legal Base</b> |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
|    | <b>SECTION 1: ACTS PENDING BEFORE THE COUNCIL OR THE EUROPEAN PARLIAMENT AND COUNCIL</b>                                                              |                   |
| 1  | Regulation 845/72 laying down special measures to encourage silkworm rearing                                                                          |                   |
| 2  | Regulation 2730/75 on glucose and lactose                                                                                                             | Art. 308          |
| 3  | Regulation 2759/75 on the common organization of the market in pig meat                                                                               | Art. 36 and 37    |
| 4  | Regulation 2075/92 on the common organization of the market in raw tobacco                                                                            | Art. 36 and 37    |
| 5  | Decision 2000/24 granting a Community guarantee to the European Investment Bank against losses under loans for projects outside the Community         | Art. 181a         |
| 6  | Directive 73/23 on the harmonisation of the laws of the Member States relating to electrical equipment designed for use within certain voltage limits | Art. 95           |
| 7  | Directive 93/31 on stands for two-wheel motor vehicles (amended proposal)                                                                             | Art. 95           |
| 8  | Directive 93/32 on passenger hand-holds on two or three-wheel motor vehicles (amended proposal)                                                       | Art. 95           |
| 9  | Directive 93/94 relating to the space for mounting rear registration plate of two or three-wheel motor vehicles                                       | Art. 95           |
| 10 | Directive 78/659 on the quality of fresh waters needing protection or improvement in order to support fish life                                       | Art. 175(1)       |
| 11 | Directive 79/923 on the quality required of shellfish waters                                                                                          | Art. 175(1)       |
| 12 | Directive 90/219 on the contained use of genetically modified micro-organisms                                                                         | Art. 175(1)       |
| 13 | Directive 96/61* concerning integrated pollution prevention and control                                                                               | Art. 175(1)       |

|    | Title                                                                                                                                                                              | Legal Base                       |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| 14 | Regulation 1588/90 on the transmission of data subject to statistical confidentiality to the statistical Office of the European Communities                                        | Art. 285                         |
| 15 | Decision 91/115 establishing a committee on monetary, financial and balance of payments statistics                                                                                 | The treaty: decision sui generis |
| 16 | Regulation 3880/91 on the submission of nominal catch statistics by Member States in the north-east Atlantic                                                                       | Art. 285                         |
| 17 | Directive 92/100 * on rental right and on certain rights related to copyright in the field of intellectual property                                                                |                                  |
| 18 | Directive 93/98 * harmonizing the term of protection of copyright and certain related rights                                                                                       |                                  |
| 19 | Directive 69/466 on control of San José Scale                                                                                                                                      | Art. 37 and 94                   |
| 20 | Directive 84/450 concerning misleading and comparative advertising                                                                                                                 | Art. 95                          |
| 21 | Directive 88/344 on the approximation of the laws of the Member States on extraction solvents used in the production of foodstuffs and food ingredients                            | Art. 95                          |
| 22 | Directive 89/398 on the approximation of the laws of the Member States relating to foodstuffs intended for particular nutritional uses                                             | Art. 95                          |
| 23 | Decision 90/638 laying down Community criteria for the eradication and monitoring of certain animal diseases                                                                       | Treaty and Dec. 90/424 (Art. 24) |
| 24 | Directive 91/629 laying down minimum standards for the protection of calves                                                                                                        | Art. 37                          |
| 25 | European Parliament and Council Directive 98/27 on injunctions for the protection of consumers' interests                                                                          | Art. 95 and 251                  |
| 26 | Directive 78/1035 on the exemption from taxes on imports of small consignments of goods of a non-commercial character from third countries                                         | Art. 93                          |
| 27 | Regulation 3911/92 on the export of cultural goods                                                                                                                                 | Art. 133                         |
| 28 | Decision 73/391 on consultation and information procedures in credit matters                                                                                                       | Art.133                          |
| 29 | Regulation 2007/2000 introducing exceptional trade measures for countries and territories participating in or linked to the European Union's Stabilisation and Association process | Art. 133                         |
| 30 | Directive 62/2005 on the establishment of common rules for international transport (carrying of goods by road for hire or reward)                                                  | Art. 71(1) and 251               |

|    | Title                                                                                                                                                                                              | Legal Base         |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 31 | Decision 62/403 instituting a procedure or prior examination and consultation in respect of certain laws, regulations and administrative provisions concerning transport proposed in Member States | Art. 71(1) and 251 |
| 32 | Regulation 4060/89 on the elimination of controls performed at the frontiers of Member States in the field of road and inland waterway transport                                                   | Art. 251           |
| 33 | Directive 92/14 on the limitation of the operation of aeroplanes covered by Annex 16 to the Convention on International Civil Aviation                                                             | Art. 80(2)         |
| 34 | Directive 95/18 on the licensing of railway undertakings                                                                                                                                           | Art. 71            |

|    | Title                                                                                                                                                                      | Legal Base     |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
|    | <b>SECTION 2: ADOPTION BETWEEN 15 SEPTEMBER 2006 AND 31 DECEMBER 2006</b>                                                                                                  |                |
|    | <b>(a) EP/Council acts</b>                                                                                                                                                 |                |
| 35 | Regulation 1601/91 laying down general rules on the definition, description and presentation of aromatized wines                                                           | Art. 37 and 97 |
| 36 | Directive 80/987 * on the approximation of the laws of the Member States relating to the protection of employees in the event of the insolvency of their employer          | Art. 251       |
| 37 | Directive 83/477 * on the protection of employees against the risk of exposure to asbestos at the workplace                                                                | Art. 251       |
| 38 | Directive 89/655 * on the minimum health and safety requirements for the use of equipment                                                                                  | Art. 251       |
| 39 | Directive 74/151 on the approximation of the laws of the Member States relating to certain parts and characteristics of wheeled agricultural or forestry tractors          | Art. 95        |
| 40 | Directive 74/347 on the approximation of the laws of the Member States relating to the field of vision and windscreen wipers for wheeled agricultural or forestry tractors |                |
| 41 | Directive 93/29 on identification of controls, tell-tales and indicators for two or three-wheel motor vehicles                                                             | Art. 95        |
| 42 | Regulation 837/90 concerning statistical information to be supplied by the Member States on cereals production                                                             | Art. 251       |

|    | Title                                                                                                                                                                                                              | Legal Base     |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| 43 | Regulation 2597/95 on the submission of nominal catch statistics by Member States fishing in certain areas other than those of the north Atlantic                                                                  | Art. 285       |
| 44 | Directive 85/611 * on the co-ordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities – CITS                                    | Art. 47(2)     |
| 45 | Directive 89/104* First Council Directive to approximate the laws of the Member States relating to trademarks                                                                                                      | Art. 95        |
| 46 | Regulation 40/94 * on the Community trade mark                                                                                                                                                                     | Art. 308       |
| 47 | Directive 77/504 on pure-bred breeding animals of the bovine species                                                                                                                                               | Art. 37 and 94 |
| 48 | Directive 91/630 laying down minimum standards for the protection of pigs                                                                                                                                          | Art. 37        |
| 49 | Directive 76/308 on mutual assistance for the recovery of claims resulting from operations forming part of the system of financing the EAGGF, and of the agricultural levies and customs duties                    | Art. 93 and 94 |
| 50 | Directive 83/183 on tax exemptions applicable to permanent imports from a Member State of the personal property of individuals                                                                                     | Art. 93        |
| 51 | Directive 90/377 concerning a Community procedure to improve the transparency of gas and electricity prices charged to industrial end-users                                                                        | Art. 284       |
| 52 | Directive 96/96 * on the approximation of the laws of the Member States relating to roadworthiness tests for motor vehicles and their trailers                                                                     | Art. 71        |
|    | <b>(b) Commission acts</b>                                                                                                                                                                                         |                |
| 53 | Regulation 1054/73 on detailed rules for aid in respect of silkworms                                                                                                                                               |                |
| 54 | Regulation 109/80 on the application of the lowest rate of export refund for certain products in the eggs and poultryment sectors                                                                                  |                |
| 55 | Regulation 2319/89 on minimum quality requirements for Williams and Rocha pears in syrup and in natural fruit juice eligible for the production aid scheme                                                         |                |
| 56 | Regulation 2742/90 laying down detailed rules for the application of Regulation 2204/90                                                                                                                            |                |
| 57 | Regulation 2825/93 laying down detailed rules for the application of Regulation 1766/92 as regards the fixing and granting of adjusted refunds in respect of cereals exported in the form of certain spirit drinks |                |
| 58 | Regulation 1432/94 laying down detailed rules for the application in the pigmeat sector of the import arrangements provided for in Regulation 774/94                                                               |                |

|    | <b>Title</b>                                                                                                                                                                                                                                                                                                                          | <b>Legal Base</b> |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 59 | Regulation 562/2000 laying down detailed rules for the application of Regulation 1254/1999                                                                                                                                                                                                                                            |                   |
| 60 | Regulation 2723/87 laying down special detailed rules for the application of the system of export refunds on cereals exported in the form of pasta products falling within heading No 19.03 of the CCT                                                                                                                                |                   |
| 61 | Decision 79/491 laying down a code and standard rules for the transcription into a machine-readable form of the data of the basic surveys of areas under vines                                                                                                                                                                        |                   |
| 62 | Regulation 908/2000 laying down detailed rules for calculating aid granted by member States to producer organisations in the fisheries and aquaculture sector                                                                                                                                                                         |                   |
| 63 | Regulation 1886/2000 laying down detailed rules for the application of Regulation 104/2000 as regards the extension to non-members of certain rules adopted by producers' organisations in the fisheries sector                                                                                                                       |                   |
| 64 | Directive 95/44 establishing the conditions under which certain harmful organisms, plants, plant products and other objects listed in Annexes I to V to Directive 77/93 may be introduced into or moved within the Community or certain protected zones thereof, for trial or scientific purposes and for work on varietal selections |                   |
| 65 | Directive 96/5 on processed cereal-based foods and baby foods for infants and young children                                                                                                                                                                                                                                          |                   |
| 66 | Regulation 3954/87 * concerning maximum permitted levels of radioactive contamination of foodstuffs                                                                                                                                                                                                                                   | Art. 31 Euratom   |
| 67 | Regulation 737/90 * concerning imports of agricultural products after the Chernobyl accident                                                                                                                                                                                                                                          | Art. 133          |
| 68 | Directive 2001/25 * concerning the minimum level of training of seafarers                                                                                                                                                                                                                                                             | Art. 80(2)        |

|    | Title                                                                                                                                                                                                                                                                                                            | Legal Base                          |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
|    | <b>SECTION 3 : ADOPTION BETWEEN 1 JANUARY 2007 AND 30 APRIL 2007</b>                                                                                                                                                                                                                                             |                                     |
|    | <b>(a) EP/Council acts</b>                                                                                                                                                                                                                                                                                       |                                     |
| 69 | Regulation 79/65 setting up a network for the collection of accountancy data on the incomes and business operation of agricultural holdings                                                                                                                                                                      | Art. 37(2)                          |
| 70 | Regulation 234/68 on the establishment of a common organization of the market in live trees and other plants, bulbs, roots and the like, cut flowers and ornamental foliage                                                                                                                                      | Art. 36 and 37                      |
| 71 | Regulation 315/68 fixing quality standards for flowering bulbs, corms and tubers                                                                                                                                                                                                                                 | Treaty Council<br>Regulation 234/68 |
| 72 | Regulation 316/68 fixing quality standards for fresh cut flowers and fresh ornamental foliage                                                                                                                                                                                                                    | Treaty Council<br>Regulation 234/69 |
| 73 | Regulation 827/68 on the common organisation of the market in certain products listed in Annex II to the Treaty                                                                                                                                                                                                  | Art. 36 and 37                      |
| 74 | Regulation 2782/75 on the production and marketing of eggs for hatching and of farmyard poultry chicks                                                                                                                                                                                                           | Art. 37                             |
| 75 | Regulation 1017/68 applying rules of competition to transport by rail, road and inland waterway                                                                                                                                                                                                                  | Art. 71, 83 and 251                 |
| 76 | Directive 75/321 on the approximation of the laws of the Member States relating to the steering equipment of wheeled agricultural or forestry tractors                                                                                                                                                           | Art. 95                             |
| 77 | Directive 77/536 on the approximation of the laws of the Member States relating to the roll-over protection structures of wheeled agricultural or forestry tractors                                                                                                                                              | Art. 95                             |
| 78 | Directive 78/764 on the approximation of the laws of the Member States relating to the drivers seat on wheeled agricultural or forestry tractors                                                                                                                                                                 | Art. 95                             |
| 79 | Directive 80/181 on the approximation of the laws of the Member States relating to units of measurement                                                                                                                                                                                                          | Art. 95                             |
| 80 | Regulation 959/93 concerning statistical information to be supplied by Member States on crop products other than cereals                                                                                                                                                                                         | Art. 251                            |
| 81 | Regulation 2018/93 on the submission of catch and activity statistics by Member States fishing in the north-west Atlantic                                                                                                                                                                                        | Art. 285                            |
| 82 | Directive 68/151 * on co-ordination of safeguards which, for the protection of the interests of members and others, are required by Member States of companies within the meaning of the second paragraph of Article 58 of the Treaty, with a view to making such safeguards equivalent throughout the Community | Art. 251                            |
| 83 | Directive 80/777 on the approximation of the laws of the Member States relating to the exploitation and marketing of natural mineral waters                                                                                                                                                                      | Art. 95                             |

|     | Title                                                                                                                                                                                                                            | Legal Base        |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 84  | Directive 90/539 on animal health conditions governing intra-Community trade in and imports from the third countries of poultry and hatching eggs                                                                                | Art. 37           |
| 85  | Directive 92/12 on general arrangements for products subject to excise duty                                                                                                                                                      | Art. 93           |
| 86  | Regulation 3911/92 on the export of cultural goods                                                                                                                                                                               | Art. 133          |
| 87  | Regulation 519/94 on common rules for imports from third countries                                                                                                                                                               | Art. 133          |
| 88  | Regulation 3285/94 on the common rules for imports                                                                                                                                                                               | Art. 133          |
| 89  | Directive 94/55 on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road                                                                                                    | Art. 71           |
| 90  | Directive 96/49 relating to the transport of dangerous goods by rail                                                                                                                                                             | Art. 71           |
|     | <b>(b) Commission acts</b>                                                                                                                                                                                                       |                   |
| 91  | Decision 83/471 relating to the Community Inspection Committee on the application of the classification scale for carcasses of adult bovine animals                                                                              |                   |
| 92  | Regulation 2622/71 on procedures for the importation of rye from Turkey                                                                                                                                                          |                   |
| 93  | Regulation 2968/79 laying down detailed rules for the provision of administrative assistance in connection with the export of soft ripened cow's milk cheeses eligible for special treatment on import into a non-member country |                   |
| 94  | Regulation 2973/79 laying down detailed rules for the application of granting of assistance for the export of beef and veal products which may benefit from a special import treatment in a third country                        |                   |
| 95  | Regulation 32/82 laying down the conditions for granting special export refunds for beef and veal                                                                                                                                | amendment pending |
| 96  | Regulation 563/82 laying down detailed rules for the application of Regulation 1208/81 for establishing the market prices of adult bovine animals on the basis of the Community scale for the classification of carcasses        |                   |
| 97  | Regulation 1964/82 laying down the conditions for granting special export refunds on certain cuts of boned meat of bovine animals                                                                                                | amendment pending |
| 98  | Regulation 2213/83 laying down quality standards for onions and witloof chicory                                                                                                                                                  |                   |
| 99  | Regulation 2388/84 on special detailed rules for the application of export refunds in the case of certain preserved beef and veal products                                                                                       | amendment pending |
| 100 | Regulation 1591/87 laying down quality standards for cabbages, Brussels sprouts, ribbed celery, spinach and plums                                                                                                                |                   |
| 101 | Regulation 1677/88 laying down quality standards for cucumbers                                                                                                                                                                   |                   |
| 102 | Regulation 1014/90 laying down detailed implementing rules on the definition, description and presentation of spirit drinks                                                                                                      |                   |

|     | <b>Title</b>                                                                                                                                                                              | <b>Legal Base</b> |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 103 | Regulation 2921/90 on aid for the production of casein and caseinates from skimmed milk                                                                                                   |                   |
| 104 | Regulation 1538/91 introducing detailed rules for implementing Regulation 1906/90                                                                                                         |                   |
| 105 | Regulation 1518/95 laying down detailed rules for the application of Regulations 1418/76 and 1766/92 as regards the import and export system for products processed from cereals and rice |                   |
| 106 | Regulation 2051/96 laying down certain detailed rules for granting of assistance for the export of beef and veal which may benefit from a special import treatment in Canada              |                   |
| 107 | Regulation 936/97 opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat                               |                   |
| 108 | Regulation 2288/97 laying down marketing standards for garlic                                                                                                                             |                   |
| 109 | Regulation 1396/98 laying down procedures for applying Regulation 779/98 in the poultrymeat sector                                                                                        | amendment pending |
| 110 | Regulation 730/1999 laying down the marketing standard for carrots                                                                                                                        |                   |
| 111 | Regulation 1455/1999 laying down the marketing standard for sweet peppers                                                                                                                 |                   |
| 112 | Regulation 2377/1999 laying down the marketing standards for asparagus                                                                                                                    |                   |
| 113 | Regulation 2561/1999 laying down the marketing standard for peas                                                                                                                          |                   |
| 114 | Regulation 2789/1999 laying down the marketing standard for table grapes                                                                                                                  |                   |
| 115 | Regulation 851/2000 laying down the marketing standard for apricots                                                                                                                       |                   |
| 116 | Regulation 912/2001 laying down the marketing standard for beans                                                                                                                          |                   |
| 117 | Regulation 1508/2001 laying down the marketing standard for onions                                                                                                                        |                   |
| 118 | Regulation 1543/2001 laying down the marketing standard for lettuces and curled-leaved and broad-leaved (Batavian) endives                                                                |                   |
| 119 | Regulation 1615/2001 laying down the marketing standard for melons                                                                                                                        |                   |
| 120 | Regulation 1799/2001 laying down the marketing standard for citrusfruit                                                                                                                   |                   |
| 121 | Regulation 2396/2001 laying down the marketing standard applicable to leeks                                                                                                               |                   |
| 122 | Regulation 843/2002 laying down the marketing standard for strawberries                                                                                                                   |                   |
| 123 | Regulation 1284/2002 laying down the marketing standard for hazelnuts in shell                                                                                                            |                   |
| 124 | Directive 80/723 on the transparency of financial relations between Member States and public undertakings                                                                                 |                   |

|     | Title                                                                                                                                                         | Legal Base |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 125 | Regulation 4056/87 laying down the methods of analysis and other technical provisions necessary for the implementation of Regulation 3035/80                  |            |
| 126 | Regulation 4154/87 laying down the methods of analysis and other technical provisions necessary for the implementation of Regulation 3033/80                  |            |
| 127 | Directive 94/54 concerning the compulsory indication on the labelling of certain foodstuffs of particulars other than those provided for in Directive 2000/13 |            |

|     | Title                                                                                                                                                                                     | Legal Base                             |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
|     | <b>SECTION: ADOPTION BETWEEN 1 MAY 2007 AND 31 AUGUST 2007</b>                                                                                                                            |                                        |
|     | <b>(a) EP/Council acts</b>                                                                                                                                                                |                                        |
| 128 | Regulation 2729/75 on the import levies on mixtures of cereals, rice and broken rice                                                                                                      |                                        |
| 129 | Regulation 2783/75 on the common system of trade for ovalbumin and lactalbumin                                                                                                            | Art. 26, 87, 88, 89 and following, 308 |
| 130 | Regulation 3220/84 determining the Community scale for grading pig carcasses                                                                                                              | Treaty and Council Regulation 2759/75  |
| 131 | Regulation 386/90 on the monitoring carried out at the time of export of agricultural products receiving refunds or other amounts                                                         | Art. 37                                |
| 132 | Regulation 2204/90 laying down additional general rules on the common organization of the market in milk and milk products as regards cheese                                              |                                        |
| 133 | Regulation 2137/92 concerning the Community scale for the classification of carcasses of ovine animals and determining the Community standard quality of fresh or chilled sheep carcasses | Art. 37                                |
| 134 | Regulation 1254/1999 on the common organization of the market in beef and veal                                                                                                            | Art. 36 and 37                         |
| 135 | Regulation 3976/87 on the application of Article 85 (3) to agreements in the air transport sector                                                                                         | Art. 83                                |
| 136 | Regulation 479/92 on the application of Article 85 (3) of the Treaty to certain categories of agreements, decisions and concerted practices between liner shipping companies (consortia)  | Art. 83                                |

|     | Title                                                                                                                                                                                                         | Legal Base |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 137 | Directive 72/306 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of pollutants from diesel engines for use in vehicles                        |            |
| 138 | Directive 74/346 on the approximation of the laws of the Member States relating to rear view mirrors for wheeled agricultural or forestry tractors                                                            | Art. 95    |
| 139 | Directive 76/114 on the approximation of the laws of the Member States relating to statutory plates and inscriptions for motor vehicles and their trailers, and their location and method of attachment       | Art. 95    |
| 140 | Directive 76/760 on the approximation of the laws of the Member States relating to the rear registration plate lamps for motor vehicles and their trailers                                                    | Art. 95    |
| 141 | Directive 76/765 on the approximation of the laws of the Member States relating to alcoholmeters and alcohol hydrometers                                                                                      | Art. 94    |
| 142 | Directive 77/311 on the approximation of the laws of the Member States relating to the driver perceived noise level of wheeled agricultural or forestry tractors                                              | Art. 95    |
| 143 | Directive 78/933 on the approximation of the laws of the Member States relating to the installation of lighting and light signalling devices on wheeled agricultural or forestry tractors                     | Art. 95    |
| 144 | Directive 79/533 on the approximation of the laws of the Member States relating to the coupling device and the reverse of wheeled agricultural or forestry tractors                                           | Art. 95    |
| 145 | Directive 79/622 on the approximation of the laws of the Member States relating to the roll-over protection structures of wheeled agricultural or forestry tractors                                           | Art. 95    |
| 146 | Directive 80/720 on the approximation of the laws of the Member States relating to the operating space, access to the driving position and the doors and windows of wheeled agricultural or forestry tractors | Art. 95    |
| 147 | Directive 86/298 on rear-mounted roll-over protection structures of narrow track wheeled agricultural and forestry tractors                                                                                   | Art. 95    |
| 148 | Directive 87/402 on roll-over protection structures mounted in front drivers seat on narrow track wheeled agricultural and forestry tractors                                                                  | Art. 95    |
| 149 | Directive 89/106 on the approximation of the laws of the Member States relating to construction products                                                                                                      | Art. 96    |
| 150 | Directive 90/384 on the harmonisation of the laws of the Member States relating to non-automatic weighting instruments                                                                                        | Art. 95    |
| 151 | Directive 90/396 on the approximation of the laws of the Member States relating to appliances burning gaseous fuels                                                                                           | Art. 95    |
| 152 | Directive 93/92 on the installation of lighting and light-signalling devices on two or three-wheel motor vehicles                                                                                             | Art. 95    |

|     | Title                                                                                                                                                                                                                                 | Legal Base     |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| 153 | Directive 79/409 on the conservation of wild birds                                                                                                                                                                                    | Art. 175(1)    |
| 154 | Regulation 1210/90 on the establishment of the European Environment Agency and the European Environment Information and Observation Network                                                                                           | Art. 175       |
| 155 | Regulation 3037/90 on the statistical classification of economic activities in the European Community                                                                                                                                 | Art. 285       |
| 156 | Decision 96/411 on improving Community agricultural statistics                                                                                                                                                                        | Art. 251       |
| 157 | Directive 72/166 * on the approximation of the laws of Member States relating to insurance against civil liability in respect of the use of motor vehicles, and to the enforcement of the obligation to insure against such liability | Art. 251       |
| 158 | Directive 78/855 * concerning mergers of public limited liability companies                                                                                                                                                           | Art. 251       |
| 159 | Directive 84/5 * on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles                                                                          | Art. 251       |
| 160 | Directive 91/250 * on the legal protection of computer programs                                                                                                                                                                       | Art. 95        |
| 161 | Directive 91/496 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries                                                                                    | Art. 37        |
| 162 | Directive 92/102 on the identification and registration of animals                                                                                                                                                                    | Art. 37        |
| 163 | Directive 83/181 determining the scope of Article 14(1)(d) of Directive 77/388 as regards exemption from value added tax on the final importation of certain goods                                                                    | Art. 93 and 94 |
| 164 | Directive 90/434 on the common system of taxation applicable to mergers of companies of different Member States                                                                                                                       | Art. 94        |
| 165 | Regulation 2603/69 establishing common rules for exports                                                                                                                                                                              | Art. 133       |
| 166 | Regulation 520/94 establishing a Community procedure for administering quantitative quotas                                                                                                                                            | Art. 133       |
| 167 | Directive 76/135 on reciprocal recognition of navigability licences for inland waterway vessels                                                                                                                                       | Art. 71        |
|     | <b>(b) Commission acts</b>                                                                                                                                                                                                            |                |
| 168 | Decision 88/566 listing the products referred to in the second subparagraph of Article 3(1) of Regulation 1898/87                                                                                                                     |                |
| 169 | Regulation 467/67 fixing the conversion rates, the processing costs and the values of the by-products for the various stages of rice processing                                                                                       |                |
| 170 | Regulation 2237/77 on the form of farm return to be used for the purpose of determining incomes of agricultural holdings                                                                                                              |                |

|     | <b>Title</b>                                                                                                                                                                                                                                  | <b>Legal Base</b> |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 171 | Regulation 1552/80 laying down detailed rules for the provision of administrative assistance in connection with the export of certain cheeses eligible for special treatment on import into Australia                                         |                   |
| 172 | Regulation 1859/52 concerning the selection of returning holdings for the purpose of determining incomes of agricultural holdings                                                                                                             |                   |
| 173 | Regulation 1898/87 on the protection of designations used in marketing of milk and milk products                                                                                                                                              |                   |
| 174 | Regulation 344/91 laying down detailed rules for applying Council Regulation 1186/90 to extend the scope of the Community scale for the classification of carcasses of adult bovine animals                                                   |                   |
| 175 | Regulation 94/92 laying down detailed rules for implementing the arrangements for imports from third countries                                                                                                                                |                   |
| 176 | Regulation 2342/92 on imports of pure-bred breeding animals of the bovine species from the third countries and the granting of export refunds thereon                                                                                         |                   |
| 177 | Regulation 461/93 laying down detailed rules for the Community scale for the classification of carcasses of ovine animals                                                                                                                     |                   |
| 178 | Regulation 2131/93 laying down the procedure and conditions for the sale of cereals held by intervention agencies                                                                                                                             |                   |
| 179 | Regulation 1267/94 applying the agreements between the European Union and third countries on the mutual recognition of certain spirit drinks                                                                                                  |                   |
| 180 | Regulation 2019/94 on imports of residues from the manufacture of starch from maize from the USA                                                                                                                                              |                   |
| 181 | Regulation 1445/95 on rules of application for import and export licences                                                                                                                                                                     | amendment pending |
| 182 | Regulation 1501/95 laying down certain detailed rules for the application of Regulation 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market in cereals                |                   |
| 183 | Regulation 1598/95 laying down detailed rules for the application of the arrangements for additional import duties in the milk and milk products sector                                                                                       |                   |
| 184 | Regulation 1249/96 on the rules of application (cereal sector import duties) for Council Regulation 1784/2003                                                                                                                                 |                   |
| 185 | Regulation 2449/96 opening and providing for the administration of certain annual tariff quotas for products covered by CN codes 0714 10 91, 0714 10 99, 0714 90 11 and 0714 90 19 originating in certain third countries other than Thailand |                   |
| 186 | Regulation 2497/96 laying down procedures for applying in the poultrymeat sector the agreement with Israel                                                                                                                                    | amendment pending |
| 187 | Regulation 577/97 laying down certain detailed rules for the application of Regulations 2991/94 and 1898/87                                                                                                                                   |                   |
| 188 | Regulation 831/97 laying down marketing standards applicable to avocados                                                                                                                                                                      |                   |

|     | <b>Title</b>                                                                                                                                                                                                                                                                                            | <b>Legal Base</b> |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 189 | Regulation 2331/97 on special conditions for granting export refunds on certain pigmeat products                                                                                                                                                                                                        |                   |
| 190 | Regulation 790/2000 laying down the marketing standard for tomatoes                                                                                                                                                                                                                                     |                   |
| 191 | Regulation 883/2001 laying down detailed rules for implementing Regulation 1493/1999 as regards trade with third countries in products in the wine sector                                                                                                                                               |                   |
| 192 | Directive 88/301 on competition in the markets in telecommunications terminal equipment                                                                                                                                                                                                                 |                   |
| 193 | Regulation 80/2001 laying down detailed rules for the application of Regulation 104/2000 as regards notifications concerning recognition of producer organisations, the fixing of prices and intervention within the scope of the common organisation of the market in fishery and aquaculture products |                   |
| 194 | Directive 93/10 relating to materials and articles made of regenerated cellulose film                                                                                                                                                                                                                   |                   |
| 195 | Decision 94/63 drawing up a provisional list of third countries from which Member States authorize imports of semen, ova and embryos of the ovine, caprine and equine species, ova and embryos of the porcine species                                                                                   |                   |
| 196 | Directive 94/39 establishing a list of intended uses of animal feedingstuffs for particular nutritional purposes                                                                                                                                                                                        |                   |
| 197 | Directive 95/31 laying down specific criteria of purity concerning sweeteners for use in foodstuffs                                                                                                                                                                                                     |                   |
| 198 | Directive 96/77 laying down specific purity criteria on food additives other than colours and sweeteners                                                                                                                                                                                                |                   |
| 199 | Decision 2001/106 establishing a model for the lists of units approved by Member States for intra-Community trade in live animals, semen and embryos                                                                                                                                                    |                   |
| 200 | Decision 2000/585 laying down animal and public health conditions and veterinary certifications for imports of wild and farmed game meat and rabbit meat from third countries                                                                                                                           | amendment pending |
| 201 | Decision 2001/618 on additional guarantees in intra-Community trade of pigs relating to Aujeszky's disease and criteria to provide information on this disease                                                                                                                                          |                   |
| 202 | Decision 2000/666 laying down the animal health requirements and the veterinary certification for the import of birds, other than poultry and the conditions for quarantine                                                                                                                             |                   |
| 203 | Regulation 752/93 laying down provisions for the implementation of Regulation 3911/92                                                                                                                                                                                                                   |                   |
| 204 | Regulation 805/1999 laying down certain measures for implementing Regulation 718/1999 on a Community-fleet capacity policy to promote inland waterway transport                                                                                                                                         |                   |

|     | Title                                                                                                                                                                                                          | Legal Base                            |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|
|     | <b>SECTION 5: ADOPTION BETWEEN 1 SEPTEMBER 2007 AND 31 DECEMBER 2007</b>                                                                                                                                       |                                       |
|     | <b>(a) EP/Council acts</b>                                                                                                                                                                                     |                                       |
| 205 | Regulation 2771/75 on the common organization of the market in eggs                                                                                                                                            | Art. 36 and 37                        |
| 206 | Regulation 2777/75 on the common organization of the market in poultry meat                                                                                                                                    | Art. 36 and 37                        |
| 207 | Regulation 1906/90 on certain marketing standards for poultry                                                                                                                                                  | Treaty and Council Regulation 2777/75 |
| 208 | Regulation 1868/94 establishing a quota system in relation to the production of potato starch                                                                                                                  | Art. 36 and 37                        |
| 209 | Directive 74/152 on the approximation of the laws of the Member States relating to the maximum design speed of and load platforms for wheeled agricultural or forestry tractors                                | Art. 95 - amendment pending           |
| 210 | Directive 71/316 on the approximation of the laws of the Member States relating to common provisions for both measuring instruments and methods of metrological control                                        | Art. 95                               |
| 211 | Directive 75/322 on the approximation of the laws of the Member States relating to the suppression of radio interference produced by sparkignition engines fitted to wheeled agricultural or forestry tractors | Art. 95.                              |
| 212 | Directive 78/25 on the approximation of the laws of the Member States relating to the colouring matters which may be added to medicinal products                                                               | Art.95                                |
| 213 | Directive 79/532 on the approximation of the laws of the Member States relating to the component type-approval of lighting and light signalling devices on wheeled agricultural or forestry tractors           | Art. 95                               |
| 214 | Directive 80/1268 on the approximation of the laws of the Member States relating to the fuel consumption of motor vehicles                                                                                     | Art. 95                               |
| 215 | Directive 87/404 on simple pressure vessels                                                                                                                                                                    | Art. 95                               |
| 216 | Directive 89/173 on certain components and characteristics of wheeled agricultural or forestry tractors                                                                                                        | Art. 95                               |
| 217 | Directive 93/7 on the return of cultural objects unlawfully removed from the territory of a Member State                                                                                                       | Art. 251                              |
| 218 | Directive 93/34 on statutory markings for two or three-wheel motor vehicles                                                                                                                                    | Art. 95                               |
| 219 | Regulation 3448/93 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products                                                                       | Art. 37 and 133                       |
| 220 | European Parliament and Council Directive 96/74 on textile names                                                                                                                                               | Art. 95                               |

|     | <b>Title</b>                                                                                                                                                                          | <b>Legal Base</b>  |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 221 | Regulation 338/97 on the protection of species of wild fauna and flora by regulating trade therein                                                                                    | Art. 175(1)        |
| 222 | Regulation 3605/93 on the application of the Protocol on the excessive deficit procedure to the treaty establishing the European Community                                            | Art. 104(14)       |
| 223 | Directive 95/64 on statistical returns in respect of carriage of goods and passengers by sea                                                                                          | Art. 285           |
| 224 | Regulation 1172/95 on the statistics relating to the trading of goods by the Community and its Member States with non-member countries                                                | Art. 285           |
| 225 | Regulation 2223/96 on the European system of national and regional accounts in the Community                                                                                          | Art. 285           |
| 226 | Regulation 1172/98 on statistical returns in respect of the carriage of goods by road                                                                                                 | Art. 285           |
| 227 | Regulation 1683/95 on a uniform format for visas                                                                                                                                      | Art. 62(2)         |
| 228 | Decision 90/424 on expenditure in the veterinary field                                                                                                                                | Art. 37            |
| 229 | Directive 66/401 on the marketing of fodder plant seed (amended proposal)                                                                                                             | Art. 37            |
| 230 | Directive 66/402 on the marketing of cereal seed (amended proposal)                                                                                                                   | Art. 37            |
| 231 | Directive 68/193 on the marketing of material for the vegetative propagation of the vine                                                                                              | Art. 37            |
| 232 | Directive 89/556 on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species             | Art. 37            |
| 233 | Directive 90/426 on animal health conditions governing the movement and import from third countries of equidae                                                                        | Art. 37            |
| 234 | Directive 90/429 laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species                    | Art. 37            |
| 235 | Directive 91/68 on animal health conditions governing intra-Community trade in ovine and caprine animals                                                                              | Art. 37            |
| 236 | Directive 92/35 laying down control rules and measures to combat African horse sickness                                                                                               | Art. 37            |
| 237 | Directive 92/65 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements | Art. 80(2) and 251 |
| 238 | Directive 92/118 laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements          | Art. 37            |

|     | Title                                                                                                                                                                               | Legal Base      |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| 239 | Directive 2000/29 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community | Art. 37         |
| 240 | European Parliament and Council Regulation 2001/999 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies              | Art. 152(4)(b)  |
| 241 | Directive 77/799 concerning mutual assistance by the competent authorities of the Member States in the field of direct taxation                                                     | Art. 94         |
| 242 | Directive 95/50 on uniform procedures for checks on the transport of dangerous goods by road                                                                                        | Art. 71 and 251 |
| 243 | Decision 96/1692 of the European Parliament and of the Council on Community guidelines for the development of the trans-European transport network                                  | Art. 156        |
| 244 | Directive 98/18 on safety rules and standards for passenger ships                                                                                                                   | Art. 80(2)      |
|     | <b>(b) Commission acts</b>                                                                                                                                                          |                 |
| 245 | Regulation 1351/72 on the recognition of producer groups for hops                                                                                                                   |                 |
| 246 | Regulation 776/73 on registration of contracts and communication of data with respect to hops                                                                                       |                 |
| 247 | Regulation 584/75 laying down detailed rules for the application of the system of tendering for export refunds on rice                                                              |                 |
| 248 | Decision 85/377 establishing a Community typology for agricultural holdings                                                                                                         |                 |
| 249 | Regulation 2220/85 laying down common detailed rules for the application of the system of securities for agricultural products                                                      |                 |
| 250 | Regulation 120/89 laying down common detailed rules for the application of export levies and charges on agricultural products                                                       |                 |
| 251 | Regulation 3444/90 laying down detailed rules for granting private storage aid for pigmeat                                                                                          |                 |
| 252 | Regulation 3446/90 laying down detailed rules for granting private storage aid for sheepmeat and goatmeat                                                                           |                 |
| 253 | Regulation 3447/90 on special conditions for the granting of private storage aid for sheepmeat and goatmeat                                                                         |                 |
| 254 | Regulation 3002/92 laying down common detailed rules for verifying the use and/or destination of products from intervention                                                         |                 |
| 255 | Regulation 3515/92 laying down common detailed rules for the application of Regulation 1055/77 on the storage and movements of products brought in by an intervention agency        |                 |
| 256 | Regulation 1756/93 fixing the operative events for the agricultural conversion rate applicable to milk and milk products                                                            |                 |
| 257 | Regulation 2273/93 determining the intervention centres for cereals                                                                                                                 |                 |

|     | <b>Title</b>                                                                                                                                                                                                             | <b>Legal Base</b> |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 258 | Regulation 1429/95 on implementing rules for export refunds on products processed from fruit and vegetables other than those granted for added sugars                                                                    |                   |
| 259 | Regulation 1591/95 laying down detailed rules for the application of export refunds to glucose and glucose syrup used in certain products processed from fruit and vegetables                                            |                   |
| 260 | Regulation 1839/95 laying down detailed rules for the application of tariff quotas for imports of maize and sorghum into Spain and imports of maize into Portugal                                                        |                   |
| 261 | Regulation 996/97 on the opening and administration of an import tariff quota for frozen thin skirt of bovine animals falling within CN code 0206 29 91                                                                  |                   |
| 262 | Regulation 1081/1999 opening and providing for the administration of tariff quotas for imports of bulls, cows and heifers other than for slaughter of certain Alpine and mountain breeds                                 |                   |
| 263 | Regulation 2771/1999 laying down detailed rules for the application of Regulation 1255/1999 as regards intervention on the market in butter and cream                                                                    |                   |
| 264 | Regulation 2799/1999 laying down detailed rules for applying Regulation 1255/1999 as regards the grant of aid for skimmed milk and skimmed-milk powder intended for animal feed and the sale of such skimmed-milk powder |                   |
| 265 | Regulation 824/2000 establishing procedures for the taking-over of cereals by intervention agencies and laying down methods of analysis for determining the quality of cereals                                           |                   |
| 266 | Regulation 1291/2000 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products                                         |                   |
| 267 | Regulation 1622/2000 on the Community code of oenological practices                                                                                                                                                      |                   |
| 268 | Regulation 2584/2000 establishing a system for the communication of information on certain supplies of beef, veal and pigmeat by road to the territory of the Russian Federation                                         |                   |
| 269 | Regulation 2707/2000 laying down rules for applying Regulation 1255/1999 as regards Community aid for supplying milk and certain milk products to pupils in educational establishments                                   |                   |
| 270 | Regulation 245/2001 laying down detailed rules for the application of Regulation 1673/2000 on the common organization of the markets in flax and hemp                                                                    |                   |
| 271 | Decision 82/43 relating to the setting up of an Advisory Committee on Equal Opportunities for Women and Men                                                                                                              |                   |
| 272 | Decision 98/385 on rules for implementing Directive 95/64 on statistical returns in respect of carriage of goods and passengers by sea                                                                                   |                   |

|     | <b>Title</b>                                                                                                                                                                                | <b>Legal Base</b> |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 273 | Decision 86/109 limiting the marketing of seed of certain species of fodder plants and oil and fibre plants to seed which has been officially certified as 'basic seed' or 'certified seed' |                   |
| 274 | Decision 94/467 laying down health guarantees for the transport of equidae from one third country to another in accordance with Article 9 (1) (c) of Directive 91/496                       |                   |
| 275 | Directive 95/45 laying down specific purity criteria concerning colours for use in foodstuffs                                                                                               | amendment pending |
| 276 | Decision 97/10 on additional guarantees in relation to the temporary admission and imports into the Community of registered horses from South Africa                                        |                   |
| 277 | Directive 95/12 implementing Directive 92/75 with regard to energy labelling of household washing machines                                                                                  |                   |
| 278 | Directive 97/17 implementing Directive 92/75 with regard to energy labelling of household dishwashers                                                                                       |                   |

|     | Title                                                                                                                                                                                                                   | Legal Base                         |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|
|     | <b>SECTION 6 : ADOPTION DURING FIRST HALF OF 2008</b>                                                                                                                                                                   |                                    |
|     | <b>(a) EP/Council acts</b>                                                                                                                                                                                              |                                    |
| 279 | Regulation 1784/77 concerning the certification of hops                                                                                                                                                                 | Treaty and Regulation 1952/2005    |
| 280 | Regulation 1883/78 laying down general rules for the financing of interventions by the EAGGF                                                                                                                            | Legal base unclear                 |
| 281 | Regulation 4045/89 on scrutiny by Member States of transactions forming part of the system of financing by the EAGGF                                                                                                    | Art. 37                            |
| 282 | Regulation 1255/1999 on the common organisation of the market in milk and milk products                                                                                                                                 |                                    |
| 283 | Regulation 1673/2000 on the common organisation of the markets in flax and hemp grown for fibre                                                                                                                         | Art. 36 and 37 - amendment pending |
| 284 | Decision 77/270/Euratom empowering the Commission to issue Euratom loans for the purpose of contributing to the financing of nuclear power stations                                                                     | amendment pending                  |
| 285 | Decision 77/271/Euratom on the implementation of Decision 77/270/Euratom empowering the Commission to issue Euratom loans for the purpose of contributing to the financing of nuclear power stations                    | amendment pending                  |
| 286 | Regulation 2728/94 establishing a Guarantee Fund for external actions                                                                                                                                                   | amendment pending                  |
| 287 | Directive 76/763 on the approximation of the laws of the Member States relating to passenger seats for wheeled agricultural or forestry tractor                                                                         | Art. 95                            |
| 288 | Directive 77/537 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of pollutants from diesel engines for use in wheeled agricultural or forestry tractors | Art. 95 - amendment pending        |
| 289 | Directive 86/297 on the approximation of the laws of the Member States relating to power take-offs of wheeled agricultural or forestry tractors and their protection                                                    | Art. 95 - amendment pending        |
| 290 | Directive 86/415 on the installation, location operation and identification of the controls of wheeled agricultural or forestry tractors                                                                                | Art. 95 - amendment pending        |
| 291 | Directive 89/686 on the approximation of the laws of the Member States relating to personal protective equipment                                                                                                        | Art. 95                            |
| 292 | Directive 90/385 on the approximation of the laws of the Member States relating to active implantable medical devices                                                                                                   | Art. 95 - amendment pending        |

|     | <b>Title</b>                                                                                                                                                                                                                                                                                                                                               | <b>Legal Base</b>           |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|
| 293 | Regulation 1768/92 concerning the creation of a supplementary protection certificate for medicinal products                                                                                                                                                                                                                                                | Art. 95 - amendment pending |
| 294 | Directive 97/24 on certain components and characteristics of two or three-wheel motor vehicles                                                                                                                                                                                                                                                             | Art. 95 - amendment pending |
| 295 | European Parliament and Council Directive 2002/24 relating to the type-approval of two or three-wheel motor vehicles                                                                                                                                                                                                                                       | Art. 95 - amendment pending |
| 296 | Regulation 2150/2002 on waste statistics                                                                                                                                                                                                                                                                                                                   | Art. 285                    |
| 297 | Directive 77/91 * on coordination of safeguards which, for the protection of the interests of members and others, are required by Member States of companies within the meaning of the second paragraph of Article 58 of the Treaty, in respect of the formation of public limited liability companies and the maintenance and alteration of their capital | Art. 251                    |
| 298 | Directive 89/667 * on single-member private limited-liability companies                                                                                                                                                                                                                                                                                    | Art. 251                    |
| 299 | Directive 88/407 laying down the animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine species                                                                                                                                                                              | Art. 37 - amendment pending |
| 300 | Directive 89/662 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market                                                                                                                                                                                                                                | Art. 37                     |
| 301 | Directive 92/119 introducing general Community measures for the control of certain animal diseases and specific measures relating to swine vesicular disease                                                                                                                                                                                               | Art. 37                     |
| 302 | Directive 93/53 introducing minimum Community measures for the control of certain fish diseases                                                                                                                                                                                                                                                            | Art. 37 - amendment pending |
| 303 | Directive 97/7 on the protection of consumers in respect of distance contracts                                                                                                                                                                                                                                                                             | Art. 95                     |
| 304 | Directive 2002/56 on the marketing of seed potatoes                                                                                                                                                                                                                                                                                                        | Art. 37                     |
| 305 | Directive 90/435 common system of taxation applicable to parent companies and subsidiaries of different Member States                                                                                                                                                                                                                                      | Art. 94                     |
| 306 | Directive 92/79 on the approximation of taxes on cigarettes                                                                                                                                                                                                                                                                                                | Art.93                      |
| 307 | Directive 92/80 on the approximation of taxes on manufactured tobacco other than cigarettes                                                                                                                                                                                                                                                                | Art. 93                     |
| 308 | Directive 95/59 on taxes other than turnover taxes which affect the consumption of manufactured tobacco                                                                                                                                                                                                                                                    | Art. 93                     |
| 309 | Regulation 3821/85 on recording equipment in road transport                                                                                                                                                                                                                                                                                                | Art. 71                     |

|     | Title                                                                                                                                                                                                                      | Legal Base        |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 310 | Regulation 3922/91 on the harmonization of technical requirements and administrative procedures in the field of civil aviation                                                                                             | Art. 80(2)        |
| 311 | Directive 96/53 laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic | Art. 71 and 251   |
| 312 | Directive 96/98 on marine equipment                                                                                                                                                                                        | Art. 80(2)        |
|     | <b>(b) Commission acts</b>                                                                                                                                                                                                 |                   |
| 313 | Regulation 821/68 on the definition, applicable to the granting of export refunds, of hulled grains and pearled grains of cereals                                                                                          |                   |
| 314 | Regulation 100/72 laying down detailed rules on the denaturing of sugar for animal feed                                                                                                                                    |                   |
| 315 | Regulation 890/78 laying down detailed rules for the certification of hops                                                                                                                                                 |                   |
| 316 | Regulation 3076/78 on the importation of hops from non-member countries                                                                                                                                                    |                   |
| 317 | Regulation 3077/78 on the equivalence with Community certificates of attestations accompanying hops imported from non-member countries                                                                                     |                   |
| 318 | Regulation 2248/85 on detailed rules for administrative assistance with the exportation of certain cheeses subject to quota restrictions that qualifies for special treatment on importation into the USA                  |                   |
| 319 | Regulation 2967/85 laying down detailed rules for the application of the Community scale for grading pig carcasses                                                                                                         | amendment pending |
| 320 | Regulation 2145/92 redefining the destination zones for export refunds, export levies and certain export licences for cereals and rice                                                                                     |                   |
| 321 | Regulation 1713/93 establishing special detailed rules for applying the agricultural conversion rate in the sugar sector                                                                                                   |                   |
| 322 | Regulation 1431/94 laying down detailed rules for the application in the poultrymeat sector of the import arrangements provided for in Regulation 774/94                                                                   | amendment pending |
| 323 | Regulation 1251/96 on administration of tariff quotas in the poultry meat sector                                                                                                                                           | amendment pending |
| 324 | Regulation 327/98 opening and providing for the administration of certain tariff quotas for imports of rice and broken rice                                                                                                |                   |
| 325 | Regulation 800/1999 laying down common detailed rules for the application of the system of export refunds on agricultural products                                                                                         |                   |
| 326 | Regulation 1788/2001 laying down detailed rules for implementing the provisions concerning the certificate of inspection for imports from third countries under Article 11 of Regulation 2092/91                           |                   |
| 327 | Regulation 2375/2002 opening and providing for the administration of Community tariff quotas for common wheat of a quality other than high quality from third countries                                                    |                   |

|     | Title                                                                                                                                                                             | Legal Base        |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 328 | Regulation 2377/2002 opening and providing for the administration of a Community tariff quota for malting barley from third countries                                             |                   |
| 329 | Decision 92/260 on animal health conditions and veterinary certification for temporary admission of registered horses                                                             | amendment pending |
| 330 | Decision 93/195 on animal health conditions and veterinary certification for the re-entry of registered horses for racing, competition and cultural events after temporary export |                   |
| 331 | Decision 93/196 on animal health conditions and veterinary certification for imports of equidae for slaughter                                                                     |                   |
| 332 | Decision 93/197 on animal health conditions and veterinary certification for imports of registered equidae and equidae for breeding and production                                |                   |
| 333 | Decision 93/342 laying down the criteria for classifying third countries with regard to avian influenza and Newcastle disease                                                     | amendment pending |

|     | Title                                                                                                                             | Legal Base                         |
|-----|-----------------------------------------------------------------------------------------------------------------------------------|------------------------------------|
|     | <b>SECTION 7 : ADOPTION DURING FIRST HALF OF 2008</b>                                                                             |                                    |
|     | <b>(a) EP/Council acts</b>                                                                                                        |                                    |
| 334 | Regulation 404/93 on the common organization of the market in bananas                                                             | Art. 36 and 37 - amendment pending |
| 335 | Regulation 1103/97 on certain provisions relating to the introduction of the euro                                                 | Art. 123(5)                        |
| 336 | Regulation 974/98 on the introduction of the euro                                                                                 | Art. 123(5)                        |
| 337 | Regulation 975/98 on denominations and technical specifications of euro coins intended for circulation                            | Art. 106(2)                        |
| 338 | Regulation 357/79 on statistical surveys of areas under vines                                                                     | Art. 285                           |
| 339 | Regulation 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders | Art. 62(2)                         |
| 340 | Directive 92/33 on the marketing of vegetable propagating and planting material, other than seed                                  | Art. 37                            |
| 341 | Regulation 384/96 on protection against dumped imports                                                                            | Art. 133                           |
| 342 | Regulation 2236/95 laying down general rules for the granting of Community financial aid in the field of trans-European networks  | Art. 156(1)                        |
|     | <b>(b) Commission acts</b>                                                                                                        |                                    |

|     | Title                                                                                                                                                   | Legal Base |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 343 | Regulation 2659/94 on detailed rules for the granting of private storage aid for Grana Padano, Parmigiano-Reggiano and Provolone cheeses                |            |
| 344 | Regulation 214/2001 laying down detailed rules for the application of Regulation 1255/1999 as regards intervention on the market in skimmed-milk powder |            |
| 345 | Regulation 2700/98 concerning the definitions of characteristics for structural business statistics                                                     |            |
| 346 | Regulation 2701/98 concerning the series of data to be produced for structural business statistics                                                      |            |

|     | Title                                                                                                                                                                               | Legal Base         |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
|     | <b>SECTION 8 : PROPOSALS CONVERTED FROM CODIFICATION TO RECAST, TO BE ADOPTED BEFORE THE END OF 2008</b>                                                                            |                    |
|     | <b>(a) EP/Council acts</b>                                                                                                                                                          |                    |
| 347 | Regulation 2092/91 on the organic production of agricultural products                                                                                                               |                    |
| 348 | Regulation 2597/97 laying down additional rules on the common organization of the market in milk and milk products for drinking milk                                                |                    |
| 349 | Directive 72/245 on the approximation of the laws of the Member States relating to the suppression of radio interference produced by sparkignition engines fitted to motor vehicles | Art. 95            |
| 350 | Directive 76/115 on the approximation of the laws of the Member States relating to anchorages for motor vehicle safety belts                                                        | Art. 95            |
| 351 | Directive 76/432 on the approximation of the laws of the Member States relating to the braking devices of wheeled agricultural or forestry tractors                                 | Art. 95            |
| 352 | Directive 88/378 on safety of toys                                                                                                                                                  |                    |
| 353 | European Parliament and Council Directive 98/34 laying down a procedure for the provision of information in the field of technical standards and regulations                        | Art. 37, 95, 284   |
| 354 | Directive 92/34 on the marketing of fruit plant propagating material and fruit plants intended for fruit production                                                                 | Art. 37            |
| 355 | Directive 67/227 on the harmonization of legislation of Member States concerning turnover taxes                                                                                     | Art. 93 and 94     |
| 356 | Directive 69/335 concerning indirect taxes on the raising of capital                                                                                                                | Art. 93 and 94     |
| 357 | Regulation 1192/69 on common rules for the normalisation of the accounts of railway undertakings                                                                                    | Art. 71,89 and 251 |

|     | Title                                                                                                                                                                                                                                                                                                                                          | Legal Base         |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 358 | Directive 82/714 laying down technical requirements for inland waterway vessels                                                                                                                                                                                                                                                                | Art. 71(1) and 251 |
| 359 | Directive 91/440 on the development of the Community's railways                                                                                                                                                                                                                                                                                | Art. 71 and 251    |
| 360 | Regulation 684/92 on common rules for the international carriage of passengers by coach and bus                                                                                                                                                                                                                                                | Art. 71 and 251    |
| 361 | Regulation 3118/93 laying down the conditions under which non-resident carriers may operate national road haulage services within a Member State                                                                                                                                                                                               |                    |
| 362 | Directive 94/57 on common rules and standards for ship inspection and survey organisations and for the relevant activities of maritime administrations                                                                                                                                                                                         |                    |
| 363 | Directive 95/21 concerning the enforcement, in respect of shipping using Community ports and sailing in the waters under the jurisdiction of the Member States, of international standards for ship safety, pollution prevention and shipboard living and working conditions (port State control)                                              |                    |
| 364 | Directive 96/26 on admission to the occupation of road haulage operator and road passenger transport operator and mutual recognition of diplomas, certificates and other evidence of formal qualifications intended to facilitate for these operators the right to freedom of establishment in national and international transport operations |                    |
|     | <b>(b) Commission acts</b>                                                                                                                                                                                                                                                                                                                     |                    |
| 365 | Regulation 1868/77 laying down detailed rules of application of Regulation 2782/75                                                                                                                                                                                                                                                             |                    |
| 366 | Directive 71/250 establishing Community methods of analysis for the official control of feedingstuffs                                                                                                                                                                                                                                          |                    |
| 367 | Directive 71/393 establishing Community methods of analysis for the official control of feedingstuffs                                                                                                                                                                                                                                          |                    |
| 368 | Directive 72/199 establishing Community methods of analysis for the official control of feedingstuffs                                                                                                                                                                                                                                          |                    |
| 369 | Directive 73/46 establishing Community methods of analysis for the official control of feedingstuffs                                                                                                                                                                                                                                           |                    |
| 370 | Directive 76/372 establishing Community methods of analysis for the official control of feedingstuffs                                                                                                                                                                                                                                          |                    |
| 371 | Directive 78/633 establishing Community methods of analysis for the official control of feedingstuffs                                                                                                                                                                                                                                          |                    |

|  | Title                                                                  | Legal Base |
|--|------------------------------------------------------------------------|------------|
|  | <b>SECTION 9 : ACTS EXPECTED TO BE REPEALED BEFORE THE END OF 2008</b> |            |

|     | Title                                                                                                                                                                                     | Legal Base |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
|     | <b>(a) EP/Council acts</b>                                                                                                                                                                |            |
| 372 | Regulation 565/80 on the advance payment of export refunds in respect of agricultural products                                                                                            |            |
| 373 | Regulation 2019/93 introducing specific measures for the smaller Aegean islands concerning certain agricultural products                                                                  |            |
| 374 | Regulation 4056/86 laying down detailed rules for the application of Articles 85 and 86 of the Treaty to maritime transport                                                               |            |
| 375 | Regulation 1292/96 on food aid policy and food-aid management and special operations in support of food security                                                                          |            |
| 376 | Directive 73/361 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the certification and marking of wireropes, chain and hooks |            |
| 377 | Directive 75/439 on the disposal of waste oils                                                                                                                                            |            |
| 378 | Directive 91/157 on batteries and accumulators containing certain dangerous substances                                                                                                    |            |
| 379 | Decision 91/116 setting up the European Advisory Committee on statistical information in the economic and social spheres                                                                  |            |
| 380 | Regulation 1382/91 on the submission of data in the landings of fishery products in Member States                                                                                         | Art. 285   |
| 381 | Directive 93/23 on the statistical surveys to be carried out on pig production                                                                                                            |            |
| 382 | Directive 93/24 on the statistical surveys to be carried out on bovine animal production                                                                                                  |            |
| 383 | Directive 93/25 on the statistical surveys to be carried out on sheep and goat stocks                                                                                                     |            |
| 384 | Regulation 2930/86 defining characteristics for fishing vessels                                                                                                                           |            |
| 385 | Regulation 1956/88 adopting provisions for the application of the scheme of joint international inspection adopted by NAFO                                                                | Art. 37    |
| 386 | Regulation 189/92 adopting provisions for the application of certain control measures adopted by NAFO                                                                                     | Art. 37    |
| 387 | Regulation 2847/93 establishing a control system applicable to the common fisheries policy                                                                                                |            |
| 388 | Regulation 1626/94 laying down certain technical measures for the conservation of fishery resources in the Mediterranean                                                                  | Art. 37    |
| 389 | Regulation 3069/95 establishing an EC observer scheme applicable to Community fishing vessels operating in the Regulatory Area of NAFO                                                    | Art. 37    |
| 390 | Regulation 850/98 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms                                                | Art. 37    |

|     | Title                                                                                                                                                                                                | Legal Base          |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| 391 | Regulation 2791/99 laying down certain control measures applicable in the area covered by the Convention on future multilateral cooperation in the north-east Atlantic fisheries                     |                     |
| 392 | Regulation 2549/2000 establishing additional technical measures for the recovery of the stock of cod in the Irish Sea                                                                                | Art. 37             |
| 393 | Directive 79/117 prohibiting the placing on the market and use of plant protection products containing certain active substances                                                                     | Art. 94             |
| 394 | Directive 79/373 on the circulation of compound feedingstuffs                                                                                                                                        | Art. 37 and 94      |
| 395 | Directive 89/396 on indications or marks identifying the lot to which a foodstuff belongs                                                                                                            |                     |
| 396 | Directive 92/66 introducing Community measures for the control of Newcastle disease                                                                                                                  |                     |
| 397 | European Parliament and Council Directive 94/35 on sweeteners for use in foodstuffs                                                                                                                  |                     |
| 398 | Directive 69/169 on the harmonisation of provisions laid down by law, regulation or administrative action relating to exemption from turnover tax and excise duty on imports in international travel | Art. 93             |
| 399 | Directive 79/1072 on arrangements for the refunds of VAT to taxable persons not established in the territory of the country                                                                          | Art. 93             |
| 400 | Regulation 918/83 setting up a Community system of reliefs from customs duty                                                                                                                         | Art. 26, 37 and 308 |
| 401 | Regulation 1420/1999 establishing common rules on the shipment of waste                                                                                                                              |                     |
| 402 | Regulation 1547/1999 determining the control procedures under Regulation 259/93                                                                                                                      |                     |
| 403 | Regulation 1191/69 on action by Member States concerning the obligations inherent in the concept of a public service in transport by rail, road and inland waterway                                  | co-decision         |
| 404 | Regulation 1107/70 on the granting of aids for transport by rail, road and inland waterway                                                                                                           |                     |
|     | <b>(b) Commission acts</b>                                                                                                                                                                           |                     |
| 405 | Regulation 2676/90 determining Community methods for the analysis of wines                                                                                                                           |                     |
| 406 | Regulation 1793/93 regarding the operative event for the agricultural conversion rates used in the hops sector                                                                                       |                     |
| 407 | Regulation 1848/93 laying down detailed rules for the application of Regulation 2082/92 on certificates of specific character for agricultural products and foodstuffs                               |                     |
| 408 | Regulation 1858/93 laying down detailed rules for applying Regulation 404/93 as regards the aid scheme to compensate for loss of income from marketing in the banana sector                          |                     |

|     | <b>Title</b>                                                                                                                                                                                                                       | <b>Legal Base</b> |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 409 | Regulation 2037/93 laying down detailed rules of application of Regulation 2081/92 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs                               |                   |
| 410 | Regulation 2958/93 laying down detailed rules for the application of Regulation 2019/93 as regards the specific arrangements for the supply of certain agricultural products                                                       |                   |
| 411 | Regulation 3063/93 laying down detailed rules for the application of Regulation 2019/93 with regard to the aid scheme for the production of honey of specific quality                                                              |                   |
| 412 | Regulation 3393/93 laying down detailed rules governing the granting of private storage aid for certain cheeses manufactured on the smaller Aegean islands                                                                         |                   |
| 413 | Regulation 919/94 laying down detailed rules for the application of Regulation 404/93 as regards banana producers' organizations                                                                                                   |                   |
| 414 | Regulation 3175/94 laying down detailed rules of application for the specific arrangements for the supply of cereal products to the smaller Aegean islands and establishing the forecast supply balance                            |                   |
| 415 | Regulation 2898/95 concerning verification of compliance with quality standards for bananas                                                                                                                                        |                   |
| 416 | Regulation 832/97 laying down detailed rules for the application of Regulation 2275/96 introducing specific measures for live plants and floricultural products                                                                    |                   |
| 417 | Regulation 1729/97 on the adjustment, following a change in prices or the storage levy in the sugar sector, of certain export refunds fixed in advance                                                                             |                   |
| 418 | Regulation 2301/97 on the entry of certain names in the register of certificates of specific character provided for in Regulation 2082/92                                                                                          |                   |
| 419 | Regulation 1623/2000 laying down detailed rules for implementing Regulation 1493/1999                                                                                                                                              |                   |
| 420 | Regulation 1554/2001 laying down detailed rules for the application of Regulation 1260/2001 as regards marketing sugar produced in the French overseas departments and equalising the price conditions with preferential raw sugar |                   |
| 421 | Regulation 2166/83 establishing a licensing system for certain fisheries in an area north of Scotland (Shetland area)                                                                                                              |                   |
| 422 | Regulation 2807/83 laying down detailed rules for recording information on Member States' catches of fish                                                                                                                          |                   |
| 423 | Regulation 3440/84 on the attachment of devices to trawls, Danish seines and similar nets                                                                                                                                          |                   |
| 424 | Regulation 2868/88 laying down detailed rules for the application of the scheme of joint international inspection adopted by NAFO                                                                                                  |                   |

|     | <b>Title</b>                                                                                                                                                                                                                                                     | <b>Legal Base</b> |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 425 | Decision 93/623 establishing the identification document (passport) accompanying registered equidae                                                                                                                                                              |                   |
| 426 | Decision 94/85 drawing up a provisional list of third countries from which Member States authorize imports of fresh poultry meat                                                                                                                                 |                   |
| 427 | Decision 94/86 drawing up a provisional list of third countries from which Member States authorize imports of wild game meat                                                                                                                                     |                   |
| 428 | Decision 96/367 concerning protection measures in relation to foot-and- mouth disease in Albania                                                                                                                                                                 |                   |
| 429 | Decision 96/414 concerning protective measures with regard to imports of animals and animal products from the Former Yugoslav Republic of Macedonia due to outbreaks of foot-and-mouth disease                                                                   |                   |
| 430 | Decision 96/482 laying down animal health conditions and veterinary certificates for the importation of poultry and hatching eggs other than ratites and eggs thereof from third countries including animal health measures to be applied after such importation |                   |
| 431 | Decision 96/539 on animal health requirements and veterinary certification for imports into the Community of semen of the equine species                                                                                                                         |                   |
| 432 | Decision 96/540 on animal health requirements and veterinary certification for imports into the Community of ova and embryos of the equine species                                                                                                               |                   |
| 433 | Decision 96/659 on protective measures in relation to Crimean Congo haemorrhagic fever in South Africa                                                                                                                                                           |                   |
| 434 | Decision 97/222 laying down the list of third countries from which the Member States authorize the importation of meat products                                                                                                                                  |                   |
| 435 | Decision 1999/246 approving certain contingency plans for the control of classical swine fever                                                                                                                                                                   |                   |
| 436 | Directive 2001/32 recognising protected zones exposed to particular plant health risks in the Community                                                                                                                                                          |                   |
| 437 | Regulation 2288/83 establishing the list of biological or chemical substances provided for in Article 60 (1) (b) of Regulation 918/83                                                                                                                            |                   |
| 438 | Regulation 2289/83 laying down provisions for the implementation of Articles 70 to 78 of Regulation 918/83                                                                                                                                                       |                   |
| 439 | Regulation 2290/83 laying down provisions for the implementation of Articles 50 to 59 and 63 of Regulation 918/83                                                                                                                                                |                   |
| 440 | Decision 96/587 on the publication of the list of recognized organizations which have been notified by Member States in accordance with Directive 94/57                                                                                                          |                   |

### Annex 3

Simplification proposals pending before the co legislators – state of play  
(as of 10 October 2006)

| Regulatory area                | Legal act(s)                                                                                                                                                                                                                          | Commission                                                          |
|--------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| Organic farming                | Simplified regime for <b>organic production of agricultural products and indications</b> referring thereto on agricultural products and foodstuffs (revision of Council Regulation (EC) No 2092/91 of 24 June 1991)                   | 21 December 2005<br>COM(2005) 671<br>2005/0278/CNS<br>2005/0279/CNS |
| Free movement of workers       | Adaptation of the <b>coordination of the national social security regimes</b> (modifications to Regulation (EC) No 1408/71 and No 574/72 of the Council)                                                                              | 21 December 2005<br>COM(2005) 676<br>2005/0258/COD                  |
| Free movement of workers       | Proposal for a Regulation of the European Parliament and of the Council laying down the <b>procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems</b>                                  | 31 January 2006<br>COM(2006) 16<br>2006/0006/COD                    |
| Health and safety at work      | Proposal for a Directive of the European Parliament Directive on <b>protection of the health and safety of workers at work</b> with a view to simplifying and rationalising the reports on practical implementation                   | 14 July 2006<br>COM(2006) 390<br>2006/0127/COD                      |
| Automotive construction sector | Simplified regime for <b>type approval of motor vehicles and their trailers</b> (modification of Directive 70/156/CEE)                                                                                                                | 14 July 2003<br>COM(2003) 418<br>2003/0153/COD                      |
| Chemicals (REACH)              | Revision of the regime on <b>marketing and use of certain dangerous substances and preparations</b> (replacement of Council Directive 76/769/EEC of 27 July 1976 and subsequent modification)                                         | 29 October 2003<br>COM(2003) 644<br>2003/0256/COD<br>2003/0257/COD  |
| Metrology & Packaging          | Repeal of <b>pre-packaging</b> requirements.                                                                                                                                                                                          | 25 October 2004<br>COM (2004) 708<br>2004/0248/COD                  |
| Public procurement             | Proposal for a directive of the European Parliament and of the Council amending Council Directives 89/665/EEC and 92/13/EEC with regard to improving the effectiveness of review procedures concerning the award of public contracts. | 14 June 2006<br>COM(2006) 195<br>2006/0066/COD                      |
| Waste                          | Revision of the <b>waste Directives</b><br>(replaces and repeals Directives 75/439/EEC, 75/442/EEC and 91/689/EEC)                                                                                                                    | 21 December 2005<br>COM(2005) 667 <sup>41</sup><br>2005/0281/COD    |
| Business statistics            | Streamlining of the <b>structural business statistics</b> (Council Regulation (EC / Euratom) NO58/97)                                                                                                                                 | 20 February 2006<br>COM(2006) 66<br>2006/0020/COD                   |
| Payment services               | Revised regime on <b>payment services</b> (Revision of Directive 97/5/EC)                                                                                                                                                             | 1 December 2005<br>COM(2005) 603<br>2005/0245/COD                   |

<sup>41</sup>

Action identified by the Council in its priority list adopted on 25 November 2004.

| Regulatory area                                            | Legal act(s)                                                                                                                                                                                          | Commission                                                                                                                                          |
|------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| Taxation                                                   | Revision of the <b>Sixth VAT Directive</b> (77/388/EEC- 28 acts and some 150 OJ pages).                                                                                                               | 15 April 2004<br>COM(2004) 246<br>2004/0079/CNS                                                                                                     |
| Customs Union                                              | Modernisation of the <b>Community Customs Code</b>                                                                                                                                                    | 30 November 2005<br>COM(2005) 608<br>2005/0246/COD                                                                                                  |
| Road safety                                                | Recast of the regime on <b>driving licences</b> (to replace Council Dir. 91/439, Council Dir. 94/72, Council Dir. 96/47, Commission Decision 96/427, Council Dir. 97/26 and Commission Dir. 2000/56). | 21 October 2003<br>COM(2003) 621<br>2003/0252/COD                                                                                                   |
| Maritime Transport                                         | Recast of the regime on <b>port State control</b> (Council Directive 95/21/EC)                                                                                                                        | 23 November 2005<br>COM(2005) 588<br>2005/0238/COD                                                                                                  |
| Maritime Transport                                         | Recast of the regime for <b>ship inspections and survey organisations</b> (Directive 94/57/EC)                                                                                                        | 23 November 2005<br>COM(2005) 587<br>2005/0237/COD                                                                                                  |
| Air Transport                                              | Proposal for a Regulation of the European Parliament and of the Council on <b>common rules for the operation of air transport services</b> in the Community (recast)                                  | 18 July 2006<br>COM(2006) 396<br>2006/0130/COD                                                                                                      |
| Plant Protection products                                  | Proposal for a proposal on the placing of <b>plant protection products</b> on the market                                                                                                              | 12 July 2006<br>COM(2006) 388<br>2006/0136/COD                                                                                                      |
| Food additives                                             | Proposal for a regulation on <b>food additives</b>                                                                                                                                                    | 28 July 2006<br>COM(2006) 428<br>COM(2006) 425<br>COM(2006) 423<br>COM(2006) 427<br>2006/145/COD<br>2006/0144/COD<br>2006/0143/COD<br>2006/0147/COD |
| Wood in the rough                                          | Proposal for repealing Council Directive 68/89/EEC on classification of wood in the rough                                                                                                             | 29 September 2006<br>COM(2006) 557<br>2006/0178/COD                                                                                                 |
| Energy-efficiency labelling programme for office equipment | Proposal for a Regulation on a Community energy-efficiency labelling programme for office equipment (Recast)                                                                                          | 10 October 2006<br>COM(2006) 576<br>2006/0187/COD                                                                                                   |
| Trans-European transport and energy networks               | Amended proposal for a Regulation for the granting of Community financial aid in the field of trans-European transport and energy networks and amending Council Regulation (EC) No 2236/95            | 24 May 2006<br>COM(2006) 245<br>2004/0154/COD                                                                                                       |