

# ARTICLE 12 IT Tool

**Summary** – The principle of free movement of goods is set out in the Treaty on the Functioning of the European Union (TFEU) and is directly applicable in all Member States. It obliges Member States to accept products lawfully marketed in another Member State and which are not subject to Union harmonisation (“principle of mutual recognition”) unless very specific conditions are met. This means that certain national technical barriers may be justified, while others may not. To make the mutual recognition principle fully operational, the European Parliament and the Council have adopted [Regulation 764/2008](#). This Regulation defines rules for the competent authorities in Member States if they decide to prohibit, modify or withdraw a product from the market. Articles 9(2) and 12(4) specify that the Commission must draw up and regularly update a “list of Product Contact Points” as well as a “non-exhaustive list of products which are not subject to Community harmonisation legislation”.

These two lists can be consulted online using the **ARTICLE 12** IT tools provided by the European Commission. One of these tools is available to the general public for online consultation; the other is restricted to EC users and involves some management features. This Quick Guide describes the public application.

Contents:

- I. Starting **ARTICLE 12**
- II. Consulting the Product List
- III. Consulting the Contact List
- IV. Support

The menu bar contains 3 items:

MENU	ACTION
<b>Mutual Recognition</b>	Opens the main page of the <b>ARTICLE 12</b> application, with general information on the purpose of the EU Mutual Recognition Regulation.
<b>Products List</b>	Overview of products which are not subject to Community harmonisation legislation. The list can be filtered on section headings and chapters from the Combined Nomenclature.
<b>Contacts List</b>	List of “Product Contact Points” designated by Member States to provide businesses with information on any non-harmonised regulations that apply in those Member States, for example, national technical rules.

## I. Starting ARTICLE 12

**ARTICLE 12** is publically available from the extranet of the European Commission's Directorate-General for Enterprise and Industry.

1. Open your web browser.
2. Type the following in the address bar:  
<http://www.ec.europa.eu/enterprise/intsub/a12/>  
The main page of the **ARTICLE 12** public IT Tool appears:



Please note that all information is for consultation only.



## II. Consulting the Product List

The *Product List* provides a (non-exhaustive) list of products which are not subject to Community harmonisation legislation.

### What are "non-harmonised" products?

*There is existing EC legislation which requires all Member States to comply with common requirements ("harmonised rules") for certain products, such as animal and human food and railway rolling stock. But some products (or some aspects of them) are not subject to harmonised rules and each Member State is free to have its own "technical rules" about, for example, the weight, size, composition, labelling and packaging of products manufactured in its area. Articles 9 and 12 of Regulation 764/2008 on Mutual Recognition require that the Commission shall draw up, publish and regularly update" a list of product contact points as well as an indicative and non-exhaustive list of products which are not subject to Community harmonisation legislation. That information should be available through a website.*

3. Click the **List** button.

The list of matching products is displayed, with their respective CN codes and descriptions:

Product code	Label
25020000	UNROASTED IRON PYRITES
25041000	NATURAL GRAPHITE IN POWDER OR IN FLAKES
25045000	NATURAL GRAPHITE (EXCL. IN POWDER OR IN FLAKES)
25061000	QUARTZ (EXCL. QUARTZ SANDS)
25062000	QUARTZITE, MERELY CUT, BY SAWING OR OTHERWISE, IN BLOCKS OR SLABS OF A SQUARE OR RECTANGULAR SHAPE
25070020	KAOLIN
25070080	KAOLINIC CLAYS (OTHER THAN KAOLIN)
25080000	CHALK

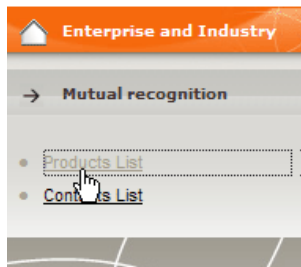
8 products

## III. Consulting the Contact List

The *Contact List* provides full details of "Product Contact Points" that Member States have designated to provide businesses with information on any non-harmonised regulations that apply in those Member States.

To consult the Product List:

1. From the menu bar, select **Products List**:

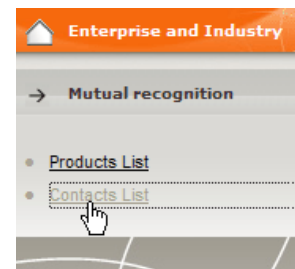


This will open the following page:

2. To limit the list to a specific section or chapter of the Common Nomenclature, pull down the selection box and select the appropriate CN section or chapter.

To consult the Contact List:

1. From the menu bar, select **Products List**:





This will open the full list of contact points in each country:

Country	Title	Firstname	Lastname	Phone	Email	Www
AUSTRIA	Mr.			0043-1-71100-5555		www.bmfwf.gv.at/produktinfo
BELGIUM	Madame	Tania	Paulets	+ 32 2 277 93 47	belisoo@economic.fgov.be	
BELGIUM	Mr.	Bill	White	11111	FlamenosB@hmat.be	
BELGIUM	Monsieur	Paul	Caruso	+ 32 2 277 66 63	belisoo@economic.fgov.be	
BULGARIA	MADAME	Violeta	Velcheva	+359 2 9814451	nep@damtn.government.bg	www.damtn.government.bg
CYPRUS	Mrs.	Theo	Andreas	+ 357 22 409 404	landreou@oys.mot.gov.cy	
CYPRUS	Mr.	Antonios	Ioannou	+ 357 22 409 409	aiannou@oys.mot.gov.cy	
CZECH REPUBLIC	Mgr.	Barbora	Hankšková	+420 224 852 470	vyrobky@mpo.cz	

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Article 10  
1. Product Contact Points shall, at the request of, inter alia, an economic operator or a competent authority of another Member State, provide the following information:  
(a) the technical rules applicable to a specific type of product in the territory in which those Product Contact Points are established and information as to whether that type of product is subject to a requirement for prior authorisation under the laws of their Member State, together with information concerning the principles of mutual recognition and the application of the Regulation in the territory of that Member State;  
(b) the contact details of the competent authorities within that Member State by means of which they may be contacted directly, including the particulars of the authorities responsible for supervising the implementation of the technical rules in question in the territory of that Member State;  
(c) the remedies generally available in the territory of that Member State in the event of a dispute between the competent authorities and an economic operator.  
2. Product Contact Points shall respond within 15 working days of receiving any request as referred to in paragraph 1.  
3. Product Contact Points in the Member State in which the economic operator concerned has lawfully marketed the product in question may provide the economic operator or the competent authority as referred to in Article 6 with any relevant information or observations.  
4. Product Contact Points shall not charge any fee for the provision of the information referred to in paragraph 1.



- To look for a specific contact, enter custom search criteria in the filter boxes at the top of the list and click .
- To view the details of one of the contact points in the list, click the  icon in front of that contact.

The details of the selected contact point are displayed:

Contact management	
<input type="button" value="Edit"/> <input type="button" value="New"/> <input type="button" value="Back"/>	
Contact Details: view	
Title	MADAME
Firstname	Violeta
Lastname	Veleva
Office name	Държавна агенция за метрологичен и технически надзор Национален информационен център за технически регламенти
Product Category	All
Role	
Address	21, 6-th September Street
City	Sofia
Country	BG
Postal Code	1000
Phone	+359 2 9814451;+359 2 9396730
Fax	+359 2 9861707
Email	nep@damtn.government.bg
Www	www.damtn.government.bg
Working Hours	
Comments	
Last update	02/12/2009 - 11:43 By: cirmaco
Translations	
<input type="button" value="DE"/> <input type="button" value="FR"/>	

Note that if the contact details were entered in a non-English language, translations may be available in English, German and/or French. To view these translations, click the related language tabs in the lower *Translations* section:

<p>Comments</p> <p>Last update 02/12/2009 - 11:43</p>
<p>Translations</p> <p> <input type="button" value="EN"/> <input type="button" value="DE"/> <input type="button" value="FR"/> </p>

If available, the related translations will be displays below:

<p>Comments</p> <p>Last update 02/12/2009 - 11:43</p>
<p>Translations</p> <p> <input type="button" value="DE"/> <input type="button" value="FR"/> </p>
<p>Title</p> <p>Product Category</p> <p>Role</p> <p>Office name State Agency for Metrological and Technical Surveillance National Enquiry Point for Technical Regulations</p> <p>Address</p> <p>Comments</p> <p>Language EN</p>

## IV. Support

For any question, problem or suggestion, please contact the IT Help Desk of DG Enterprise & Industry:

### ENTR IT HELPDESK

Mailto: [entr-helpdesk@ec.europa.eu](mailto:entr-helpdesk@ec.europa.eu)  
 +32 2 296 55 31