

Council Directive of 20 January 1976 on the approximation of the laws of the Member States relating to the making-up by weight or by volume of certain prepackaged products (76/211/EEC)

COUNCIL DIRECTIVE

of 20 January 1976

on the approximation of the laws of the Member States relating to the making-up by weight or by volume of certain prepackaged products

(76/211/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee⁽²⁾,

Whereas in most of the Member States the conditions of presentation for sale of products in prepackages are the subject of mandatory regulations which differ from one Member State to another, thereby hindering trade in such prepackages; whereas such provisions must therefore be approximated;

Whereas, in order to enable consumers to be correctly informed, the method of marking on the prepackage the nominal weight or volume of the product contained in the prepackage, should be presented;

Whereas it is also necessary to specify the tolerable negative errors in the contents of prepackages and whereas a reference method for such control should be defined in order to provide a simple method of ensuring that prepackages conform to the provisions laid down;

Whereas Article 16 of Council Directive 71/316/EEC of 26 July 1971 on the approximation of the laws of the Member States relating to common provisions for both measuring instruments and methods of metrological control⁽³⁾, as last amended by the Act of Accession⁽⁴⁾, provides that the harmonization of the requirements for marketing certain products, in particular as regards the measurement and marking of prepacked quantities, may be covered by separate Directives;

Whereas since too quick a change in the means of determining quantity laid down by their national legislation and the organization of new systems of control as well as the adoption of a new measurement system would present difficulties for certain Member States, a transitional period should be provided for these Member States; whereas such provision should not, however, further inhibit intra-Community trade in the products concerned and should not prejudice implementation of the Directive in the other Member States,

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IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

HAS ADOPTED THIS DIRECTIVE:

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- (1) OJ No C 48, 25.4.1974, p. 21.
- (2) OJ No C 109, 19.9.1974, p. 16.
- (3) OJ No L 202, 6.9.1971, p. 1.
- (4) OJ No L 73, 27.3.1972, p. 14.