
EUROPEAN PARLIAMENT

Working Documents

1978 - 1979

9 May 1978

DOCUMENT 92/78

Report

drawn up on behalf of the Committee on the
Environment, Public Health and Consumer
Protection

on the proposal from the Commission of the
European Communities to the Council (Doc. 335/77)
for a directive amending Directive 75/106/EEC on
the approximation of the laws of the Member
States relating to the making-up by volume of
certain prepackaged liquids

Rapporteur: Mr R.W. BROWN

By letter of 13 October 1977 the President of the Council of the European Communities requested the European Parliament, pursuant to Article 100 of the EEC Treaty, to deliver an opinion on the proposal from the Commission to the Council for a directive amending Directive 75/106/EEC on the approximation of the laws of the Member States relating to the making-up by volume of certain prepackaged liquids.

The President of the European Parliament referred this proposal to the Committee on the Environment, Public Health and Consumer Protection.

On 23 November 1977, the Committee on the Environment, Public Health and Consumer Protection appointed Lady Fisher of Rednal rapporteur.

It considered this proposal at its meeting of 25 January 1978.

Following Lady Fisher's resignation from the committee, Mr Brown was appointed rapporteur in her place. The proposal was further considered at the meetings of 20 March and 26 April 1978.

At its meeting of 26 April 1978 the Committee on the Environment, Public Health and Consumer Protection unanimously adopted the motion for a resolution and explanatory statement.

Present: Mrs Krouwel-Vlam, chairman; Mr Brown, rapporteur; Mr Ajello, Mr Andersen, Mr Bourdellès, Mr Brégégère, Mr Deschamps (deputizing for Mr Ney), Mr Edwards, Mr Ellis, Mr Guerlin, Mr Lamberts, Mr Lemp (deputizing for Mr W. Müller), Mr E. Muller, Mr Noè, Lord St. Oswald, Mr Schyns, Mr Spicer, Mrs Squarcialupi, Mr Veronesi and Mr Wawrzik.

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A

The Committee on the Environment, Public Health and Consumer Protection hereby submits to the European Parliament the following motion for a resolution together with explanatory statement:

MOTION FOR A RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission to the Council for a Directive amending Directive 75/106/EEC on the approximation of the laws of the Member States relating to the making-up by volume of certain prepackaged liquids (Doc. 335/77)

The European Parliament,

- having regard to the proposal from the Commission of the European Communities to the Council¹,
- having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 335/77),
- having regard to the report by the Committee on the Environment, Public Health and Consumer Protection (Doc. 92/78),

1. Approves the Commission's proposal;
2. Considers however that a series of directives on Unit Pricing could make a valuable contribution towards furthering consumer interests in this field;
3. Reminds the Commission of the European Parliament's opinion expressed in 1972² pointing out that total harmonization was essential for this type of measure.

¹ OJ No. C250, 19.10.1977, p.7

² OJ No. C56, 2.6.1972, p.35

EXPLANATORY STATEMENT

1. The effect of this directive is not to alter the provisions of the original directive adopted in 1974, but to reduce the number of nominal volumes which may not be refused within the Community.
2. The Commission admits in its own explanatory memorandum that if a large majority of those consulted during the preparation of this directive agreed to the provisions, it was because the Commission extended the transitional period allowed for in the original directive until 1982 and in some special cases to 1988.
3. The justification offered by the Commission for proposing this amendment is that the present situation can be confusing for the consumer, presented with a choice between numerous similar sized pre-packages each containing different amounts of liquid. Your Committee agrees that the directive should allow the consumer to make a choice of product from a standardised range of containers, each containing identical quantities of liquid.
4. However, and this was stressed in 1972 when the European Parliament delivered its opinion on the original directive, the system of harmonization chosen i.e. the "optional" system means that the consumer has no guarantee that this improved choice will in fact come about.
5. Furthermore, your Committee has examined a proposal for a directive on Unit Pricing and has received assurances from the Commission that a further directive on the Unit Pricing of non-food products will be presented in 1978. Following the adoption of these directives on Unit Pricing the consumer will, in theory, have complete freedom of choice between different brands regardless of their size or shape.
6. While your Committee feels that this directive in itself is to be welcomed and therefore supports the proposal, it also feels that the Commission is perhaps complicating matters for itself by duplicating the effect of the directive(s) on Unit Pricing.