

COUNCIL DIRECTIVE

of 21 December 1989

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

(89/676/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission ⁽¹⁾,

In cooperation with the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas Directive 75/106/EEC ⁽⁴⁾, as last amended by Directive 88/316/EEC ⁽⁵⁾, provides for total harmonization of the range of nominal quantities of certain products in the wine sector;

Whereas, in view of developments within the Community in the vatting, bottling and labelling of wine, it is necessary to modify this range;

Whereas, in order to permit the use of returnable bottles of volumes not covered by the said Directive, it is necessary to include special rules therein,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 75/106/EEC is hereby amended as follows:

1. the second subparagraph of Article 1 is replaced by the following:

'This Directive shall not apply to prepackages containing the products listed in Annex III:

- point 1 (a), which are vatted, bottled and labelled in volumes not exceeding 0,25 litre and are intended for professional use,
- points 2 (a) and 4, which are intended either for consumption on board aircraft, ships and trains or for sale in duty-free shops.'

2. in Article 5 (3):

- (a) point (a) is deleted;
- (b) the indents in point (c) are replaced by the following:
 - 0,68 litre, 0,70 litre and 0,98 litre in Spain, until 31 December 1992,
 - 0,46 litre and 0,70 litre in Greece, until 31 December 1992.'

3. Annex III, column I (1) (a) is hereby amended as follows:

- (a) the following is added: '0,187 (l)-4-8';
- (b) '0,187 (for consumption on board aircraft and ships only)', at the end of the range of volumes, is deleted.
- (c) the following footnote is added:

'(1) Value relating only to consumption on board aircraft, ships and trains and to sales in duty-free shops.'

Article 2

Member States shall bring into force the laws, regulations and administrative provisions needed to comply with this Directive on 1 July 1990. They shall forthwith inform the Commission thereof.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 21 December 1989.

For the Council
The President
E. CRESSON

⁽¹⁾ OJ No C 31, 7. 2. 1989, p. 6.

⁽²⁾ OJ No C 158, 26. 6. 1989, p. 215, and OJ No C 291, 20. 11. 1989, p. 44.

⁽³⁾ OJ No C 139, 5. 6. 1989, p. 8.

⁽⁴⁾ OJ No L 42, 15. 2. 1975, p. 1.

⁽⁵⁾ OJ No L 143, 10. 6. 1988, p. 26.