

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(78) 215 final.

Brussels, 25 May 1978

Amending of the
Proposal for a
COUNCIL DIRECTIVE

relating to Consumer Protection re the matter of
indicating prices of foodstuffs

(submitted to the Council by the Commission
pursuant to the second paragraph of Article
149 of the EEC Treaty)

COM(78) 215 final.

EXPLANATORY MEMORANDUM

1. On the 26th May 1977 the Commission informed the Council of Ministers of a proposition concerning the directive relating to the price indication of foodstuffs (Doc. COM(77) 171 final).
2. The Social and Economic Committee and the European Parliament, who were consulted in accordance with article 235 of the Treaty, expressed their opinions on the 27th October 1977 (doc. CES 1037/77 mc) and the 16th February 1978 (doc. 223 f/78 ASS 151) respectively and proposed a certain number of modifications.
3. The Commission modifies its initial proposal concerning the directive in keeping with article 149, paragraph 2 of the Treaty adopting the amended text referred to in annex I.

Notes on the modifications

Article 5. This modification has been asked for by the European Parliament in order to reinforce consumer information at the point of sale.

Article 10. Following the opinions expressed by the European Parliament and the Social and Economic Committee, the Commission considers that a period of five years is appropriate in order to permit due progress to be made in the standardization of prepackaging, undertaken at national and community level.

Article 12. A delay of application of twelve months enables a more rapid enforcement of the directive in the interest of the consumers. The Commission has estimated from other sources that the provisions of article 12 are sufficient for the application of the directive and provide it with all required information. It has not therefore retained the more stringent formulation proposed by the Parliament in relation to the second paragraph of this article.

Annex
 Modifications to the proposal in respect of the directive relating to Consumer Protection re the matter of indicating prices of foodstuffs which will be proposed by the Commission to the Council in view of article 149, second paragraph of the Treaty of the C.E.E.

ORIGINAL TEXTAMENDED TEXT

Preamble and recitals unchanged

Articles 1 to 4 unchanged

Article 5

In the case of advertisements, special offers, offers on normal trade terms and catalogues, the prices shall be marked and displayed in the same manner as the other information required to identify the foodstuffs put up for sale.

Any advertisement displayed at a place other than the place of sale and which mentions prices shall state the date of expiry of the offer or that it applies only while stocks last.

Article 5

In the case of advertisements, special offers, offers on normal trade terms and catalogues, the prices shall be marked and displayed in the same manner as the other information required to identify the foodstuffs put up for sale.

Any advertisement displayed at a place of sale or at a place other than the place of sale which mentions prices, shall state the date of expiry of the offer or that it applies only while stocks last.

Articles 6 to 9 unchanged

Article 10

In the case of foodstuffs prepackaged in pre-established quantities both the unit price and the price of the quantity contained in each package shall be marked.

Article 10

In the case of foodstuffs prepackaged in pre-established quantities, the marking of the unit price shall become obligatory by progressive steps within, at most, five years, of the expiry of the period mentioned in article 12.

Paragraphs 2 and 3 unchanged

Article 11 unchanged

Article 12

1. Member States shall bring into force the necessary laws, regulations and administrative provisions in order to comply with this Directive within 18 months of the date of notification and shall immediately inform the Commission thereof.

Article 12

1. Member States shall bring into force the necessary laws, regulations and administrative provisions in order to comply with this Directive within 12 months of the date of notification and shall immediately inform the Commission thereof.

Paragraph 2 unchanged

Article 13 unchanged