

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(75) 376 final.

Brussels, 18 July 1975

Proposal for a

COUNCIL DIRECTIVE

amending for the fourth time Directive No 73/241/EEC on
the approximation of the laws of the Member States relating
to cocoa and chocolate products intended for human
consumption

(submitted to the Council by the Commission)

COM(75) 376 final.



Proposal for a Council Directive amending for the fourth time Directive no 73/241/EEC on the approximation of the laws of the Member States relating to cocoa and chocolate products intended for human consumption.

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 ;

Having regard to the opinion of the Economic and Social Committee ;

Whereas Article 6(2) of Council Directive 73/241/EEC of 24 July 1973 on the approximation of the laws of the Member States relating to cocoa and chocolate products intended for human consumption ¹, as last amended by Directive 75/155/EEC of 4 March 1975 ², provides that the individual weights for marketing cocoa powder products shall be fixed at a later date ;

Whereas a scale of weights should be fixed to ensure the transparency of the market and as far as possible reduce the risk that consumers may be misled by levels too closely approximating to each other ;

HAS ADOPTED THIS DIRECTIVE :

Article 1

Article 6 paragraph 2 of Council Directive 73/241/EEC shall be deleted and replaced by the following text :

¹ OJ N° L 228 of 16 August 1973, p. 23
² OJ N° L 64 of 11 March 1975, p. 21

"2. The cocoa powder products referred to in annex I, headings 1.8 to 1.13, when packaged in units having an individual net weight equal to or more than 100 g and not exceeding one kg, shall be marketed in the following individual net weights only : 100 g, 200 g, 250 g, 400 g, 500 g, 750 g, 1 kg."

Article 2

Within one year from the date of notification of this Directive, Member States shall, if necessary, amend their laws in accordance with the provisions of this Directive and shall so inform the Commission forthwith.

The laws thus amended shall be so applied as to :

- a. permit the marketing of products conforming to the provisions of this Directive within two years from the date of notification ;
- b. ban the marketing of products not conforming to the provisions of this Directive within three years from the date of notification.

Article 3

This directive is addressed to the Member States.

Done at Brussels,

for the Council

the President.
